

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Thursday, 28 July 2016
<b>TIME:</b>	10.30 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## AGENDA

1. Declarations of Interests

To receive any declarations of interest of a pecuniary or non-pecuniary nature from Members in respect of the items on this agenda.

2. Minutes (*Pages 5 - 24*)

To approve as a correct record the minutes of the meetings of the Council held on 20<sup>th</sup> May, 2016 (Annual Council), 26<sup>th</sup> May, 2016 (Ordinary meeting) and 7<sup>th</sup> June, 2016 (Honorary Freeman meeting).

3. Communications

To consider any communications to be submitted by the Mayor or the Chief Executive.

4. Questions by Elected Members

To consider any questions which may have been received from Elected Members and which are asked pursuant to Standing Order No. 11.

5. Questions relating to Joint Authority, Police and Crime Panel and Combined Authority Business

**Minutes of the South Yorkshire Pensions Authority, South Yorkshire Fire and Rescue Authority, Sheffield City Region Combined Authority, and Police and Crime Panel**

*Any Member of the Council shall have the opportunity to comment on any matters referred to in the following minutes.*

*The relevant representatives shall then be given the opportunity to respond to any comments made by Members on those minutes.*

6. Sheffield City Region Combined Authority - 9<sup>th</sup> May, 2016 (*Pages 25 - 32*)

7. Sheffield City Region Combined Authority - 20<sup>th</sup> June, 2016 (*Pages 33 - 42*)

8. Sheffield City Region Combined Authority - 27<sup>th</sup> June, 2016 (Draft) (*Pages 43 - 46*)

9. South Yorkshire Pensions Authority - 26<sup>th</sup> May, 2016 (Draft) (*Pages 47 - 50*)

10. South Yorkshire Pensions Authority - 9<sup>th</sup> June, 2016 (Annual Meeting) (Draft) (*Pages 51 - 54*)

11. South Yorkshire Pensions Authority - 9<sup>th</sup> June, 2016 (Ordinary Meeting) (Draft) (*Pages 55 - 62*)

12. South Yorkshire Fire and Rescue Authority - 27th June, 2016 (Annual Meeting) (Draft) *(Pages 63 - 70)*

13. South Yorkshire Fire & Rescue Authority - 27th June, 2016 (Ordinary Meeting) (Draft) *(Pages 71 - 84)*

#### **Minutes of the Regulatory Boards**

14. Planning Regulatory Board - 31st May, 2016 *(Pages 85 - 86)*

15. Audit Committee - 15th June, 2016 *(Pages 87 - 92)*

16. Planning Regulatory Board - 28th June, 2016 *(Pages 93 - 96)*

17. General Licensing Regulatory Board - 29th June, 2016 *(Pages 97 - 100)*

18. Statutory Licensing Regulatory Board - 29th June, 2016 *(Pages 101 - 102)*

19. General Licensing Panel - Various *(Pages 103 - 104)*

20. Statutory Licensing Sub-Committee - 12th June, 2016 *(Pages 105 - 106)*

21. Appeals, Awards and Standards - Various *(Pages 107 - 110)*

#### **Minutes of the Health and Wellbeing Board**

22. Health and Wellbeing Board - 7th June, 2016 *(Pages 111 - 116)*

#### **Minutes of the Scrutiny Committees**

23. Overview and Scrutiny Committee - 7th June, 2016 *(Pages 117 - 126)*

24. Overview & Scrutiny Committee - 12th June, 2016 (to follow)

#### **Minutes of the Area Councils**

25. Dearne Area Council - 6th June, 2016 *(Pages 127 - 130)*

26. North Area Council - 6th June, 2016 *(Pages 131 - 136)*

27. North East Area Council - 9th June, 2016 *(Pages 137 - 140)*

28. Penistone Area Council - 16th June, 2016 *(Pages 141 - 146)*

29. South Area Council - 17th June, 2016 *(Pages 147 - 152)*

30. Central Area Council - 4th July, 2016 *(Pages 153 - 158)*

#### **Item for Consideration**

31. Planning Regulatory Board - Change of Membership

To determine the following proposed changes in Membership of the Planning Regulatory Board:

Proposed:

Delete – Councillor Saunders

Add – Councillor Tattersall

### **Recommendations to Council**

*All reports detailed below are subject to recommendation by the Statutory Licensing Regulatory Board and by Cabinet and are available to download from the Council's website. The Chair of the Regulatory Board and Cabinet Spokesperson for the Service in question (as appropriate) will respond to any comments or amendments concerning these minutes.*

- 32.** Gambling Act 2005 - Statement of Licensing Policy (Stat Lic 29.6.2016/3) *(Pages 159 - 226)*

**RECOMMENDED TO COUNCIL** that the Gambling Act Statement of Licensing Policy 2016 be approved and adopted.

- 33.** Appointment of Representative to the Penistone School Trust (Cab.13.7.2016/7) *(Pages 227 - 228)*

**RECOMMENDATION TO COUNCIL** that approval be given to the re-appointment of Councillor Barnard to the Penistone School Trust for a further 4 year term.

- 34.** Council Representation on Barnsley and Rotherham Chamber of Commerce and Barnsley Community Safety Partnership (Cab.13.7.2016/7.1) *(Pages 229 - 230)*

### **RECOMMENDED TO COUNCIL**

- (i) that Councillor Miller be appointed as the Council's representative on the Barnsley and Rotherham Representative Council to replace Councillor Leech; and
- (ii) that a Police and Crime Panel representative be appointed as a Council representative on the Barnsley Community Safety Partnership.

### **Minutes of the Cabinet Meetings**

- 35.** Cabinet Meeting - 18th May, 2016 *(Pages 231 - 236)*
- 36.** Cabinet Meeting - 1st June, 2016 *(Pages 237 - 238)*
- 37.** Cabinet Meeting - 15th June, 2016 *(Pages 239 - 242)*
- 38.** Cabinet - 13th July, 2016 *(Pages 243 - 246)*

**(NB. No Cabinet decisions have been called in from these meetings)**

**Schedule of Declarations - copy attached**

A handwritten signature in black ink that reads "Diana Terris". The signature is written in a cursive style with a large, sweeping initial 'D'.

Diana Terris  
Chief Executive

Wednesday, 20 July 2016

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Friday, 20 May 2016
<b>TIME:</b>	6.00 pm
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## MINUTES

### Present

- |                     |  |
|---------------------|--|
|                     | The Mayor (Councillor Burgess)                 |
| Central Ward        | - Councillors D. Birkinshaw and Bruff          |
| Cudworth Ward       | - Councillors Houghton CBE and C. Wraith MBE   |
| Darfield Ward       | - Councillors Markham and Saunders             |
| Darton East Ward    | - Councillors Charlesworth, Miller and Spence  |
| Darton West Ward    | - Councillors Cave and Howard                  |
| Dearne North Ward   | - Councillors Gardiner, Gollick and Philips    |
| Dearne South Ward   | - Councillors Johnson and Noble                |
| Dodworth Ward       | - Councillors P. Birkinshaw, J. Carr and Riggs |
| Hoyland Milton Ward | - Councillors Shepherd and Stowe               |
| Kingstone Ward      | - Councillors D. Green and Williams            |
| Monk Bretton Ward   | - Councillors Richardson and Sheard            |
| North East Ward     | - Councillors Ennis, Hampson and Higginbottom  |
| Old Town Ward       | - Councillors Grundy and Lofts                 |
| Penistone East Ward | - Councillors Barnard, Hand-Davis and Wilson   |
| Penistone West Ward | - Councillors David Griffin and Unsworth       |
| Rockingham Ward     | - Councillors Andrews BEM and Lamb             |
| Royston Ward        | - Councillors Clements and Makinson            |
| St. Helen's Ward    | - Councillors Leech, Platts and Tattersall     |
| Stairfoot Ward      | - Councillors Mathers and W. Johnson           |
| Wombwell Ward       | - Councillors Daniel Griffin                   |
| Worsbrough Ward     | - Councillors G. Carr, Clarke and Pourali      |

**1. Election of Mayor for the Municipal Year 2016/17**

Moved by Councillor Howard – Seconded by Councillor Cave; and

**RESOLVED** that Councillor L. Burgess be and is hereby elected Mayor of the Borough for the ensuing Municipal Year (2016/17).

**2. Mayor's Declaration**

Councillor L. Burgess, having first made and subscribed the declaration prescribed by law, took her seat as Mayor accordingly and returned thanks for her election.

**3. Thanks to the Retiring Mayor and Mayoress**

Moved by Councillor W Johnson – Seconded by Councillor Clarke

**RESOLVED** that the best of thanks of the Council be given to Councillor B. Mathers for the manner in which he has discharged his duties appertaining to the Office of Mayor and also to Mrs M. Mathers for her services as Mayoress.

**4. Presentations to the Retiring Mayor and Mayoress**

The Mayor presented to Councillor B. Mathers and to Mrs M. Mathers replicas of the medallions attached to their respective Chains of Office as Mayor and Mayoress for the year 2015/16 in recognition of the Council's appreciation of the services rendered by them to the Borough during this period.

**5. Election of Deputy Mayor for the Municipal Year 2016/17**

Moved by Councillor W Johnson – Seconded by Councillor Clarke

**RESOLVED** that Councillor B. Mathers be and is hereby elected Deputy Mayor of the Borough for the ensuing municipal year (2016/17).

**6. Deputy Mayor's Declaration**

Councillor B. Mathers having first made and subscribed the declaration prescribed by law, took his seat as Deputy Mayor accordingly and returned thanks for his election.

**7. Appointment of Mayor Elect**

Moved by Councillor Higginbottom – Seconded by Councillor Hampson; and

**RESOLVED** that Councillor Ennis be and is hereby appointed Mayor Elect of the Borough.

**8. Local Government and Public Involvement in Health Act 2007**

Appointment of Cabinet Members, Cabinet Support Members and Member Community Cohesion Champion

**RESOLVED** that the appointment by the Leader, in accordance with the Local Government and Public Involvement in Health Act 2007, of the following Cabinet

Members, Cabinet Support Members and Member Community Cohesion Champion be noted:-

Deputy Leader of the Council (including Public Health) - Councillor Andrews BEM  
Cabinet Spokesperson without Portfolio - Councillor Howard  
Corporate Services Spokesperson - Councillor Gardiner  
Communities Spokesperson - Councillor Platts  
Place Spokesperson - Councillor Miller  
People (Safeguarding) Spokesperson - Councillor Bruff  
People (Achieving Potential) Spokesperson - Councillor Cheetham

Cabinet Support Member without Portfolio - Councillor Dave Griffin  
Cabinet Support Member for Corporate Services - Councillor Franklin  
Cabinet Support Member for Communities - Councillor Lamb  
Cabinet Support Member for Place - Councillor Mitchell  
Cabinet Support Member for People (Safeguarding) - Councillor Saunders  
Cabinet Support Member for People (Achieving Potential) - Councillor Cherryholme  
Member Community Cohesion Champion – Councillor K. Dyson

## **9. Appointment of Chair Persons of Area Councils**

**RESOLVED** that the appointment by the Leader of the following Members as Chairpersons of the Area Councils be noted:-

Central Area Council	Councillor D Green
Dearne Area Council	Councillor Noble
North Area Council	Councillor Leech
North East Area Council	Councillor Hayward
Penistone Area Council	Councillor Barnard
South Area Council	Councillor Stowe

## **10. Allocation of Seats on the Overview and Scrutiny Committee and Regulatory Boards**

The report of the Director of Legal and Governance on the allocation of seats on the Overview and Scrutiny Committee and Regulatory Boards was:-

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the allocation of seats on the Overview and Scrutiny Committee and Regulatory Boards, having been reviewed in accordance with Section 15 of the Local Government and Housing Act 1989, be allocated to Political Groups on the basis as set out in section 6 of the report now submitted.

## **11. Appointment of Overview and Scrutiny Committee**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED:**

- (i) that the Overview and Scrutiny Committee be constituted as follows for the ensuing Municipal Year:-

Councillors P Birkinshaw, G Carr, Charlesworth, Clarke, Clements, Ennis, Franklin, Frost, Gollick, Daniel Griffin, Hand-Davis, Hampson, Hayward, W Johnson, Lofts, Makinson, Mathers, Mitchell, Philips, Pourali, Sheard, Sixsmith MBE, Spence, Tattersall, Unsworth and Wilson together with Ms K Morritt (Parent Governor Representative), Ms P Gould, Mr M Hooton, Ms J Whittaker and Mr J Winter and three vacancies (Diocese of West Yorkshire and the Dales, Hallam Diocese and Parent Governor representative);

- (ii) that the Safeguarding Scrutiny Committee be not appointed, pending a review, and that the work of that Committee be subsumed into the work of the Overview and Scrutiny Committee with dates scheduled for the Safeguarding Scrutiny Committee being used for additional Overview and Scrutiny Committee meetings.

## 12. Appointment of Chairpersons of the Overview and Scrutiny Committee and the Scrutiny Task and Finish Group Leads

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the following Members be appointed as Chairpersons to the Overview and Scrutiny Committee and the Scrutiny Task and Finish Group Leads:

Overview and Scrutiny Committee	Councillor Ennis
Task and Finish Group 1	Councillor W Johnson
Task and Finish Group 2	Councillor G Carr
Task and Finish Group 3	Councillor Hand-Davis

## 13. Appointment of Regulatory Boards

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the Regulatory Boards be constituted as follows for the ensuing Municipal Year:-

### Planning

Councillors D Birkinshaw, G Carr, Coates, M Dyson, Franklin, Gollick, Dave Griffin, Grundy, Hand-Davis, Hampson, Hayward, Higginbottom, Leech, Makinson, Markham, Mathers, Mitchell, Noble, Richardson, Riggs, Saunders, Spence, Stowe, Unsworth, R Wraith and Wilson

### General Licensing (15 Members of whom will form the Statutory Licensing Regulatory Board)

Councillors J Carr, Cave, Charlesworth, Cherryholme, Clarke, Dures, M Dyson, Ennis, Frost, D Green, S Green, Daniel Griffin, Hampson, W Johnson, Lamb, Markham, Millner, Richardson, Saunders, Sheard, Shepherd, Sixsmith MBE, Tattersall, Williams, C Wraith MBE and Wilson



## Statutory Licensing

Councillors J Carr, Cave, Dures, Frost, S Green, Daniel Griffin, W Johnson, Markham, Saunders, Sheard, Shepherd, Sixsmith MBE, Tattersall, C Wraith MBE and Wilson

## Appeals, Awards and Standards

Councillors D Birkinshaw, P Birkinshaw, Cave, Charlesworth, Cherryholme, Clements, Dures, K Dyson, D Green, S Green, Dave Griffin, Grundy, Hampson, Higginbottom, C Johnson, Lamb, Leech, Markham, Millner, Noble, Pourali, Riggs, Saunders, Shepherd, Stowe and Williams together with Messrs S Carvell, M Moore and D Waxman as Independent Persons for the purposes of the relevant provisions of the Local Government Act 2000 as amended by the Localism Act 2011 with regard to the investigation of ethical standards complaints. The Independent Persons to be appointed until such time as a further recruitment exercise is undertaken to seek new/replacement Members.

### **14. Appointment of Chairpersons of Regulatory Boards**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the following Members be appointed as Chairperson of the Regulatory Boards as indicated until the next Annual Council meeting:-

Planning Regulatory	Councillor D Birkinshaw
General Licensing Regulatory	Councillor C Wraith MBE
Statutory Licensing Regulatory	Councillor C Wraith MBE
Appeals, Awards and Standards Regulatory	Councillor Shepherd

### **15. Appointment of Audit Committee**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the Audit Committee be constituted as follows for the ensuing Municipal Year:-

Councillors Barnard, Clements, Lofts and Richardson together with co-opted members Ms K Armitage and Ms D Brown and Mr S Gill, Mr P Johnson and Mr M Marks.

### **16. Appointment of Chairperson and Vice-Chairperson of Audit Committee**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that Councillor Richardson be appointed Chairperson and one member from the co-opted members as Vice-Chairperson of the Audit Committee until the next Annual Council meeting.

### **17. Appointment of Joint Employees Consultative Committee**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the Joint Employees Consultative Committee for the ensuing year comprise Councillors Andrews BEM, P Birkinshaw, Bruff, Cheetham, Gardiner, Sir Steve Houghton CBE, Howard, Miller, Platts and Wilson.

**18. Appointment of Children's Homes Visiting Panel**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the Children's Homes Visiting Panel for the ensuing year comprise Councillors G Carr, Charlesworth, Frost, Millner, Sheard, Tattersall and Williams

**19. Appointment of Member Development Working Party**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the Member Development Working Party for the ensuing year comprise Councillors Barnard, P Birkinshaw, Cave, Charlesworth, Clements, Dave Griffin, Howard, Riggs, Richardson and Sixsmith MBE

**20. Appointment to Fostering Panel**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that Councillor Williams be appointed to the Fostering Panel for the ensuing year.

**21. Appointment to Adoption Panel**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that Councillor Lofts be appointed to the Adoption Panel for the ensuing year.

**22. Appointment of Corporate Parenting Panel**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the Corporate Parenting Panel for the ensuing year comprise Cabinet Spokesperson and Cabinet Support Member for People (Safeguarding) together with Councillors G Carr, Charlesworth, Coates, Shepherd, Sixsmith MBE, Tattersall, Unsworth and Wilson

**23. Appointment of Armed Forces Champion**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that Councillor Hayward be appointed as the Armed Forces Champion for the ensuing year.

**24. Constitution of Ward Alliances and Area Councils and Appointment of Joint Authority Representatives etc**

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the Ward Alliances and Area Councils as detailed below be established for the ensuing Municipal Year:-

(a) Ward Alliances\*

Each Ward Alliance to comprise all Members of the relevant Wards:

Central  
Cudworth  
Darfield  
Darton East  
Darton West  
Dearne North  
Dearne South  
Dodworth  
Hoyland Milton  
Kingstone  
Monk Bretton  
North East  
Old Town  
Penistone East  
Penistone West  
Rockingham  
Royston  
St Helen's  
Stairfoot  
Wombwell  
Worsbrough

\*Note: Ward Alliances also comprise Community Representatives.

Area Councils

Each Area Council to comprise all Members from the relevant Wards based on the following groupings:

**Central Area Council** – Central, Dodworth, Kingstone, Stairfoot and Worsbrough  
**Dearne Area Council** – Dearne North and Dearne South  
**North Area Council** – Darton East, Darton West, St Helen's and Old Town  
**North East Area Council** – Cudworth, Monk Bretton, North East and Royston  
**Penistone Area Council** – Penistone East and Penistone West  
**South Area Council** – Darfield, Hoyland Milton, Rockingham and Wombwell

(b) Joint Authorities

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED:-**

that representatives on the following Joint Authorities and Bodies for the ensuing Municipal Year be approved:-

South Yorkshire Fire and Rescue Authority

Councillor Cave (Section 41) and Councillor Howard

South Yorkshire Pensions Authority

Councillor Stowe (Section 41) and Councillor R Wraith

Sheffield City Region Combined Authority

Leader and Deputy Leader (Substitute) with the Cabinet Spokesperson for Corporate Services (Rotational Member)

Sheffield City Region Transport Committee

Cabinet Spokesperson for Place and Councillor Leech

(c) Outside Bodies – for the Ensuing Municipal Year

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the following appointments be made to the Outside Bodies indicated for the ensuing Municipal Year:-

Barnsley Citizens' Advice Bureau Trustee Board

Councillor Hayward plus Councillor Richardson (Substitute Member)

Joint Advisory Committee for the South Yorkshire Archaeology Service

Councillors Franklin and Richardson

Joint Health Overview and Scrutiny Committee to Support Health Service Change in South and Mid-Yorkshire, Bassetlaw and North Derbyshire

Chair of Overview and Scrutiny Committee

Leeds City Region Advisory Partnership Committee

Leader

Local Government Association General Assembly

Leader, Deputy Leader, Cabinet Spokesperson without Portfolio and Councillor P Birkinshaw.

Yorkshire and Humber (Local Authorities) Employers Association

Cabinet Spokesperson for Corporate Services

One Barnsley

Leader and Deputy Leader

Rural Assembly

Councillors Hand-Davis and Miller

Sheffield City Region Local Enterprise Partnership Board

Leader and Deputy Leader (Substitute)

South Yorkshire Joint Advisory Committee on Archives Service

Councillors Franklin and Richardson

South Yorkshire Police and Crime Panel

Councillors Frost and David Griffin

South Yorkshire Sub Regional Migration Group

Cabinet Spokesperson for Communities

South Yorkshire Trading Standards Joint Committee

Councillors Howard, Miller and Gardiner (Substitute)

The Industrial Communities Alliance

Councillors Franklin, Shepherd and Cheetham (Substitute)

Yorkshire Purchasing Organisation Management Committee

Councillors Barnard and Gardiner

(d) Vacancies on Outside Bodies

Moved by Councillor Howard – Seconded by Councillor Dave Griffin; and

**RESOLVED** that the following appointments be made to fill vacancies on the Outside Bodies indicated for the ensuing Municipal Year:-

Barnsley Ex-Service Personnel Fund

Councillor Clements

Shaw Lands Trust

Councillor Williams

**25. Terms of Reference of the Full Council, Regulatory Boards and Committees and Functions to Delegated Officers**

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Andrews BEM; and

**RESOLVED** that the Terms of Reference of the Full Council, Regulatory Boards and Committees and Function to Delegated Officers as outlined in the document now submitted be approved.

**26. Council Timetable 2016/17**

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Andrews BEM; and

**RESOLVED:-**

- (i) that ordinary meetings of the Council for the Municipal Year 2016/17 be held on the following Thursdays commencing at 10.30 a.m.:-

Thursday 26<sup>th</sup> May, 2016

Thursday 28<sup>th</sup> July, 2016

Thursday 29<sup>th</sup> September, 2016 (including Accounts)

Thursday 1<sup>st</sup> December, 2016

Thursday 2<sup>nd</sup> February, 2017 (including HRA)

Thursday 23<sup>rd</sup> February, 2017 (Budget meeting)

Thursday 2<sup>nd</sup> March, 2017 (provisional Budget meeting to be cancelled if budget approved on 23<sup>rd</sup> February, 2016)

Thursday 30<sup>th</sup> March, 2017.

- (ii) that the next Annual Meeting of the Council be held on Friday, 19<sup>th</sup> May 2017 at 6.00 p.m., and

- (iii) that the report of the Director of Legal and Governance seeking to confirm the dates for the remaining meetings shown in the Council Calendar for 2016/17, as now submitted, be adopted subject to the date shown for the Safeguarding Scrutiny Committee being utilised for meetings of the Overview and Scrutiny Committee.

.....  
Chair

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Thursday, 26 May 2016
<b>TIME:</b>	10.30 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## MINUTES

### Present

	The Mayor (Councillor Burgess)
Central Ward	- Councillors D. Birkinshaw and Bruff
Cudworth Ward	- Councillors Hayward, Houghton CBE and C. Wraith MBE
Darfield Ward	- Councillors Markham and Saunders
Darton East Ward	- Councillors Miller and Spence
Darton West Ward	- Councillors Cave and Howard
Dearne North Ward	- Councillors Gardiner, Gollick and Philips
Dearne South Ward	- Councillors Sixsmith MBE
Dodworth Ward	- Councillors P. Birkinshaw, J. Carr and Riggs
Hoyland Milton Ward	- Councillors Franklin, Shepherd and Stowe
Kingstone Ward	- Councillors Williams
Monk Bretton Ward	- Councillors S. Green and Richardson
North East Ward	- Councillors Ennis and Hampson
Old Town Ward	- Councillors Cherryholme and Lofts
Penistone East Ward	- Councillors Barnard and Wilson
Penistone West Ward	- Councillors David Griffin, Millner and Unsworth
Rockingham Ward	- Councillors Andrews BEM and Lamb
Royston Ward	- Councillors Cheetham, Clements and Makinson
St. Helen's Ward	- Councillors Leech, Platts and Tattersall
Stairfoot Ward	- Councillors W. Johnson
Wombwell Ward	- Councillors Daniel Griffin and R. Wraith
Worsbrough Ward	- Councillors G. Carr and Clarke

## **27. Declarations of Interests**

Cllr Unsworth declared a non-pecuniary interest in respect of Minute 52 'Council Nomination to the Berneslai Homes Board' as he was being nominated to a position on the Board.

## **28. Minutes**

The minutes of the meeting held on 31<sup>st</sup> March 2016 were taken as read and signed by the Chair as a correct record.

## **29. Communications**

### South Yorkshire and Humber Building Excellence Awards

On behalf of the Chief Executive the Director of Legal and Governance reported that five new building developments had been shortlisted for the recently held South Yorkshire and Humber Building Excellence Awards. These annual awards showcased the high quality of building projects delivered through Local Authority Building Control across the Region.

Of the five shortlisted Barnsley projects, two had won in their respective categories, namely Rectory Gardens, Wombwell (Best Large Housing Development) and Barnsley Sixth Form College (Best Education Project). The three other shortlisted projects had each been highly commended.

As well as winning Best Education Project, Barnsley Sixth Form College had also won the prestigious 'Winner Amongst Winners' award. The two winning projects would now be shortlisted to represent the Yorkshire Region in the National Grand Finals of the 2016 Local Authority Building Control Building Excellence Awards being held in London later on this year.

These awards not only evidenced the excellence of new building development within Barnsley but also encouraged others to deliver high quality developments within Barnsley. The Building Control function had been instrumental in supporting these developments and special mention was given to Joe Jenkinson, the Head of Planning, Policy and Building Control who was in the Council Chamber this morning.

The Mayor and Members of the Council expressed their congratulations to all concerned in the usual manner.

## **30. Questions by Elected Members**

The Director of Legal and Governance reported that he had received no questions from Elected Members in accordance with Standing Order No. 11.

## **31. Questions relating to Joint Authority, Police and Crime Panel and Combined Authority Business**

The Director of Legal and Governance reported that he had received no questions from Elected Members in accordance with Standing Order No. 12.



**32. Police and Crime Panel - 4th March, 2016**

**RESOLVED** that the minutes be noted.

**33. Sheffield City Region Combined Authority (Draft) - 14th March, 2016**

**RESOLVED** that the minutes be noted.

**34. Sheffield City Region Combined Authority (Draft) - 31st March, 2016**

**RESOLVED** that the minutes be noted.

**35. South Yorkshire Pensions Authority (Draft) - 17th March, 2016**

**RESOLVED** that the minutes be noted.

**36. South Yorkshire Fire and Rescue Authority (Draft) - 11th April, 2016**

**RESOLVED** that the minutes be noted.

**37. Audit Committee - 23rd March, 2016**

Moved by Councillor Richardson - Seconded by Councillor Barnard; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Audit Committee held on 23<sup>rd</sup> March 2016 be received.

**38. Planning Regulatory Board - 19th April, 2016**

Moved by Councillor D. Birkinshaw - Seconded by Councillor R. Wraith; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on 19<sup>th</sup> April 2016 be received.

**39. Audit Committee - 20th April, 2016**

Moved by Councillor Richardson - Seconded by Councillor Barnard; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Audit Committee held on 20<sup>th</sup> April 2016 be received.

**40. General Licensing Panel - 5th April, 2016**

Moved by Councillor C. Wraith, MBE – Seconded by Councillor W Johnson; and

**RESOLVED** that the details of the proceedings of the General Licensing Panel held on 5<sup>th</sup> April, 2016 be received.

**41. Appeals, Awards and Standards - Various**

Moved by Councillor Shepherd – Seconded by Councillor Makinson; and

**RESOLVED** that the details of the various Appeals, Awards and Standards Regulatory Board Panels held in the last cycle of meetings together with their decisions be received.

**42. Health and Wellbeing Board - 5th April, 2016**

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Platts; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Health and Well Being Board held on 5<sup>th</sup> April 2016 be received.

**43. Overview and Scrutiny Committee - 5th April, 2016**

Moved by Councillor Ennis – Seconded by Councillor W Johnson; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on 5<sup>th</sup> April 2016 be received.

**44. Safeguarding Scrutiny Committee - 3rd May, 2016**

Moved by Councillor Ennis – Seconded by Councillor Saunders; and

**RESOLVED** that the minutes now submitted of the proceedings of the Safeguarding Scrutiny Committee held on 3<sup>rd</sup> May 2016 be received.

**45. Central Area Council - 14th March, 2016**

Moved by Councillor Williams - Seconded by Councillor W Johnson; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Central Area Council held on 14<sup>th</sup> March 2016 be received.

**46. South Area Council (Special) - 24th March, 2016**

Moved by Councillor Stowe - Seconded by Councillor Shepherd; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the special meeting of the South Area Council held on 24<sup>th</sup> March 2016 be received.

**47. Dearne Area Council - 4th April, 2016**

Moved by Councillor Sixsmith – Seconded by Councillor Gardiner; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on 4<sup>th</sup> April 2016 be received.

**48. North Area Council - 4th April, 2016**

Moved by Councillor Leech – Seconded by Councillor Platts; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the North Area Council held on 4<sup>th</sup> April 2016 be received.

**49. North East Area Council - 14th April, 2016**

Moved by Councillor Hayward – Seconded by Councillor Clements; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the North East Area Council held on 14<sup>th</sup> April 2016 be received.

**50. Penistone Area Council - 14th April, 2016**

Moved by Councillor Barnard – Seconded by Councillor Millner; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on 14<sup>th</sup> April be received.

**51. South Area Council - 22nd April, 2016**

Moved by Councillor Stowe - Seconded by Councillor Shepherd; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the South Area Council held on 22<sup>nd</sup> April 2016 be received.

**52. Council Nomination to the Berneslai Homes Board (Cab.20/4/2016/7)**

Moved by Councillor Howard - Seconded by Councillor Griffin; and

**RESOLVED** that Councillor Unsworth be nominated to the Berneslai Homes Board for a three year term with immediate effect.

**53. Local Plan Publication Version Consultation and Submission for Examination (Cab.18.5.2016/11)**

Moved by Councillor Miller - Seconded by Councillor Andrews; and

**RESOLVED**

- (i) that public consultation be carried out on the Local Plan Publication Version (LPPV); and
- (ii) that, following consultation, provided there are no significant amendments required, authority be given to the Head of Planning and Building Control in consultation with the Cabinet Spokesperson for Place to prepare the submission version of the Local Plan and associated documents and submit them to the Secretary of State for examination.

**54. Cabinet Meeting - 23rd March, 2016**

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Andrews BEM; and

**RESOLVED** that the minutes as printed and now submitted of the Cabinet Meeting held on 23<sup>rd</sup> March 2016 be received.

**55. Cabinet Meeting - 20th April, 2016**

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Andrews BEM; and

**RESOLVED** that the minutes as printed and now submitted of the Cabinet Meeting held on 20<sup>th</sup> April 2016 be received.

.....  
Chair

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Tuesday, 7 June 2016
<b>TIME:</b>	10.30 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## MINUTES

### Present

	The Mayor (Councillor Burgess)
Central Ward	- Councillors D. Birkinshaw and Bruff
Cudworth Ward	- Councillors Hayward, Houghton CBE and C. Wraith MBE
Darfield Ward	- Councillors Markham and Saunders
Darton East Ward	- Councillors Charlesworth and Miller
Darton West Ward	- Councillors Cave and Howard
Dearne North Ward	- Councillors Gardiner, Gollick and Philips
Dearne South Ward	- Councillors Noble and Sixsmith MBE
Dodworth Ward	- Councillors P. Birkinshaw, J. Carr and Riggs
Hoyland Milton Ward	- Councillors Franklin, Shepherd and Stowe
Kingstone Ward	- Councillor Williams
North East Ward	- Councillors Ennis and Hampson
Old Town Ward	- Councillors Cherryholme, Grundy and Lofts
Penistone East Ward	- Councillors Hand-Davis and Wilson
Penistone West Ward	- Councillors David Griffin and Unsworth
Rockingham Ward	- Councillor Andrews BEM
Royston Ward	- Councillors Cheetham, Clements and Makinson
St. Helen's Ward	- Councillors Leech, Platts and Tattersall
Stairfoot Ward	- Councillor Mathers
Wombwell Ward	- Councillors Frost and R. Wraith
Worsbrough Ward	- Councillors G. Carr and Clarke

## **56. Declarations of Interests**

There were no declarations of pecuniary or non-pecuniary interest in respect of the items on this agenda.

## **57. Conferment of the Honorary Freedom of the Metropolitan Borough of Barnsley**

The title of Honorary Freeman of the Borough was conferred on the following:-

(a) Professor Joann Fletcher.

Moved by Councillor Houghton – Seconded by Councillor Andrews; and

### **RESOLVED:-**

- (i) that in pursuance of Section 249 of the Local Government Act 1972, Professor Joann Fletcher be admitted as an Honorary Freeman of the Metropolitan Borough of Barnsley in recognition of the success she has achieved locally, nationally and internationally in her chosen and lifelong career as an Egyptologist and in particular her close relationship with Barnsley Museums and Schools and for promoting the image of the Borough; and
- (ii) that the Common seal of the Council be affixed to the enrolment on the said Freemans Roll and to the Certificate presented to her on her admission as an Honorary Freeman of the Metropolitan Borough.

Professor Joann Fletcher addressed the Council and expressed her pleasure in accepting the title of Honorary Freeman of the Metropolitan Borough of Barnsley.

(b) Ian McMillan.

Moved by Councillor Houghton – Seconded by Councillor Andrews; and

### **RESOLVED:-**

- (i) that in pursuance of Section 249 of the Local Government Act 1972, Ian McMillan be admitted as an Honorary Freeman of the Metropolitan Borough of Barnsley in recognition of his work as a Yorkshire poet, journalist, playwright and broadcaster and the success he has achieved locally and abroad and in particular for his consistent endeavours in promoting the image of the Borough; and
- (ii) that the Common seal of the Council be affixed to the enrolment on the said Freemans Roll and to the Certificate presented to him on his admission as an Honorary Freeman of the Metropolitan Borough.

Ian McMillan addressed the Council and expressed his pleasure in accepting the title of Honorary Freeman of the Metropolitan Borough of Barnsley.

(c) David Barker Moody.

Moved by Councillor Houghton – Seconded by Councillor Andrews; and

**RESOLVED:-**

- (i) that in pursuance of Section 249 of the Local Government Act 1972, David Barker Moody be admitted as an Honorary Freeman of the Metropolitan Borough of Barnsley in recognition of his work as Lord-Lieutenant of South Yorkshire 2004-15 and the pleasure and honour this has given to the community, and in particular for his consistent endeavours in promoting the image of the Borough and acting as its ambassador; and
- (ii) that the Common seal of the Council be affixed to the enrolment on the said Freemans Roll and to the Certificate presented to him on his admission as an Honorary Freeman of the Metropolitan Borough.

David Barker Moody addressed the Council and expressed his pleasure in accepting the title of Honorary Freeman of the Metropolitan Borough of Barnsley.

(d) Kate Rusby.

Moved by Councillor Houghton – Seconded by Councillor Andrews; and

**RESOLVED:-**

- (i) that in pursuance of Section 249 of the Local Government Act 1972, Kate Rusby be admitted as an Honorary Freeman of the Metropolitan Borough of Barnsley in recognition of the success she has achieved locally, nationally and internationally as a singer songwriter and the manner in which she has used and shared this success to the benefit of the community, raising funds for local charities; and
- (ii) that the Common seal of the Council be affixed to the enrolment on the said Freemans Roll and to the Certificate presented to her on her admission as an Honorary Freeman of the Metropolitan Borough.

Kate Rusby addressed the Council and expressed her pleasure in accepting the title of Honorary Freeman of the Metropolitan Borough of Barnsley.

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Chair

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**SHEFFIELD CITY REGION COMBINED AUTHORITY**

**AMP TECHNOLOGY CENTRE, WAVERLEY, ROTHERHAM, S60 5WG**

**MINUTES OF THE MEETING HELD ON 9 MAY 2016**

PRESENT:

Councillor Sir Steve Houghton CBE, Barnsley MBC (Chair)  
Councillor John Burrows, Chesterfield BC (Vice Chair)

Councillor Simon Greaves, Bassetlaw DC  
Councillor Glyn Jones, Doncaster MBC  
Sir Nigel Knowles, SCR LEP

Ruth Adams, SCR Executive Team  
Fiona Boden, Sheffield City Region Executive Team  
Huw Bowen, Chesterfield BC  
Peter Dale, Doncaster MBC  
Andrew Frosdick, Monitoring Officer  
Andrew Gates, SCR Exec Team  
Julie Hurley, SCR Exec Team  
Sharon Kemp, Rotherham MBC  
Anthony May, Nottinghamshire CC  
John Mothersole, Sheffield CC  
Mel Dei Rossi, SCR Exec Team  
Dave Smith, SCR Exec Team  
Gareth Sutton, Sheffield CC / SCR  
Neil Taylor, Bassetlaw DC  
Diana Terris, Clerk / Barnsley MBC  
Craig Tyler, Joint Authorities Governance Unit

Apologies for absence were received from Councillor A Syrett, Councillor G Baxter, Councillor C Read, Councillor J Dore, Mayor R Jones, Councillor A Rhodes, Councillor L Roberts, Councillor L Rose, Councillor A Western, D Bunton, J Miller, Swaine and E Walker

1 APOLOGIES

Members' apologies were noted as above.

2 VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS

It was agreed that no items required voting to be confirmed on non-constituent Members.

3 ANNOUNCEMENTS

No announcements were noted.

4 URGENT ITEMS

No urgent items were requested.

5 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

6 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

As Leader of the sponsoring Local Authority, Cllr Greaves declared an interest in the discussion at agenda item 14 'Funding Recommendations' in respect of the Worksop and Vesuvius scheme

7 REPORTS FROM AND QUESTIONS BY MEMBERS

None received.

8 RECEIPT OF PETITIONS

None received.

9 PUBLIC QUESTIONS

None received.

10 MINUTES OF THE MEETING HELD ON 14TH MARCH AND 31ST MARCH

RESOLVED, that the minutes of the meetings held on 14th March and 31st March are agreed to be accurate records of the meetings.

11 DEVOLUTION UPDATE

A paper was presented to provide Members with an update on the range of work streams underway and the work required over the coming months to implement the devolution deal in advance of Mayoral elections in May 2017.

Cllr Burrows highlighted the importance of the consultation process having sufficient opportunities for the public and businesses to be fully involved.

Members were asked to note the detailed body of work required to ensure that the CA, the County Councils of Nottinghamshire and Derbyshire and central government fully understand the implications of changes in constituent membership and are able to develop workable proposals.

RESOLVED, that the Combined Authority Members:

1. Endorse the proposal that an integration taskforce be established chaired by the Executive Director for the SCR and that this taskforce be extended to include representatives from Nottinghamshire and Derbyshire County Councils.
2. Endorse the proposal that a single governance review will be undertaken that encompasses the necessary changes required to become a Mayoral Combined Authority (MCA) in addition to the widened membership of the CA.
3. Note the intention to undertake a single consultation process on the 'scheme', thus encompassing the creation of a Mayoral Combined Authority (MCA), the conferring of new powers and functions on this MCA and the extension of the constituent membership to include the districts of Chesterfield and Bassetlaw.
4. Consider whether the Combined Authority should seek to ensure that this consultation not only meets the statutory test but also starts a city region wide conversation about the new powers being devolved to local areas - and the Mayoral elections in 2017.

## 12 SINGLE CAPITAL POT

A paper was received setting out the committed five-year, devolved investment secured from Government through the City Region's current Devolution Deal. The paper provided confirmation that the Sheffield City Region (SCR) will receive at least £484m of investment between 2016/17 and 2020/21 to invest in economic growth.

It was noted the completion of the re-refresh of the City Region's Strategic Economic Plan, will provide the mechanism by which the City Region will identify its priorities for this funding.

Members were informed that the Government has also launched the next round of proposals for Growth Deal funding, with submissions required by the summer recess. These will be assessed by Government on a competitive basis. As an area establishing a Mayoral Combined Authority the SCR is able to submit a programme level, rather than project based bid. On this basis and as the funding is primarily available from 2018 onwards the City Region is proposing to formulate its bid to top-up funding for key existing programmes such as SCRIF and skills capital. This will be focused on securing additional funds for priorities from the Area Based Review and the Integrated Infrastructure Plan.

The report provided information regarding the assurance preconditions for which the SCR will need to comply to receive Gainshare Funding.

RESOLVED, that the Combined Authority Members:

1. Note the letters received from Government on the SCR's confirmed single pot allocation of £484m between 2016/17 and 2020/21 and the next round of LGF bids.
2. Note the preconditions that the SCR needs to meet in order to receive its first Gainshare payment and the estimated timescales by which this will be achieved.
3. Note and endorse the proposed timescales for the completion of the re-refresh of the SCR's Strategic Economic Plan, which will set out the City Region's priorities for the single pot.
4. Endorse the proposed approach to the development of the City Region's LEP LGF bid, to act as a 'top-up' to the SCR's existing Growth Deal programmes which will deliver the priorities identified through the LEP prioritisation workshop, the IIP and the SEP refresh.

### 13 REVENUE AND CAPITAL PROGRAMME OUTTURN

A report was presented requesting Members note the pre-audit revenue and capital outturn positions for the Combined Authority, including the CA's South Yorkshire Transport budget and the region wide CA/LEP revenue budgets, along with capital programme spend.

It was noted that at outturn, both revenue budgets show a favourable position to budget with SY Transport £437k under budget and the CA/LEP core activity £274k under budget.

It was noted that CA/LEP revenue programme activity - fully funded from grants - was also lower than anticipated at £3.7m against an initial budget of £7m and as anticipated, the capital programme came in significantly under budget by £19m.

The paper provided breakdowns on activity for the year, and implications for the new financial year including movements on reserves.

Members were asked to note that the paper does not provide performance information as this was not available at the time of writing.

In respect of Partner activity, it was noted that SYITA Properties returned a post-tax profit of £404k that is available for distribution to the CA.

It was noted that SYPTE's information is not available at this date, though a matter is raised concerning proposals to fund £3m of capital expenditure from a revenue reserve. A recommendation is therefore being made to resource this expenditure through the application of a CA capital receipt, which will support the transport levy.

It was also noted that Transport for the North (for which the CA is the financial accountable body and will continue to be so ahead of the future awarding of statutory status) spent £3.3m against available resource of £14.2m.

RESOLVED, that the Combined Authority Members:

1. Note the revenue underspends for the year across the CA's revenue budgets and capital programme
2. Note the net draw on SY transport reserves of £4,776k – recognising an in-year surplus of £437k – in line with the 2015/16 transport revenue budget
3. Note the contribution of £391k of surplus to the CA/LEP general revenue reserves
4. Note the earmarking of the residual balance (£3,869k) of the £4m revenue grant received in-year through the Local Growth Fund process for Business Growth activity to an earmarked reserve
5. Note the earmarking of in-year unused PFI credits (£1.4m) to the SY transport PFI reserve
6. Approve the award of a £3m capital grant to SYPTE resourced from an unapplied capital receipt, to resource costs that would otherwise be funded from an SYPTE revenue reserve that could be used to support the transport levy
7. Award delegated authority to the Director of Finance to transact with SYPTE in the most efficient manner possible.

#### 14 FUNDING RECOMMENDATIONS

Members received a report requesting consideration of the recommendations to progress scheme business cases and approve entering into funding agreements for 3 Infrastructure Projects at cost of £9.42M LGF for Worksop and Vesuvius Phase 1, Bus Rapid Transit North and Olympic Legacy Park.

It was confirmed that in-line with the Sheffield City Region Single Assurance Framework these projects have been considered and recommended for CA approval by SCR Executive Boards.

Members commented favourably on the revised format for presenting scheme information.

It was noted that the Infrastructure Executive Board (IEB) attendees had considered a variance of opinions in respect of the funding conditions to be applied to the Olympic Legacy Park scheme prior to agreeing the scheme's recommendation. For additional assurance, it was requested that the Chair of the IEB be asked to re-confirm her endorsement of the recommendation ahead of the CA Chair formally signing off the recommendation on the CA's behalf.

RESOLVED, that the Combined Authority Members:

1. Approve progression of Worksop Site Delivery and Vesuvius (Phase 1) to Full Approval and Award of Contract at a cost £0.5M to SCR CA subject to the detailed condition set out in line 1 of the Project Approval Summary Table attached at Appendix 1 to the report.
2. Approve progression of BRT North Project to Full Approval and Award of Contract at a cost of £4.02M to SCR CA subject to the detailed condition set out in line 2 of the Project Approval Summary Table attached at Appendix 2 to the report.
3. Defer a decision on the progression of Olympic Legacy Park Project (to Full Approval and Award of Contract at a cost £4.9M to SCR CA subject to the detailed conditions set out in line 3 of the Project Approval Summary Table attached at Appendix 3 of the report) and delegate responsibility to approve the recommendation to the Chair, predicated on confirmation from the IEB Chair that the recommendation is formally supported.
4. Endorse the revised format of information included in support of scheme approvals and request this be used for future reports.

15 SUMMARY REPORT - BUSINESS GROWTH EXECUTIVE BOARD

RESOLVED, that the recommendations made by the Executive Board are noted and endorsed.

16 SUMMARY REPORT - HOUSING EXECUTIVE BOARD

RESOLVED, that the recommendations made by the Executive Board are noted and endorsed.

17 SUMMARY REPORT - SKILLS, EMPLOYMENT AND EDUCATION EXECUTIVE BOARD

RESOLVED, that the recommendations made by the Executive Board are noted and endorsed.

18 SUMMARY REPORT - TRANSPORT EXECUTIVE BOARD

Members were informed that DfT has recently released guidance inviting LEP areas to submit bids to the £475m Large Local Major Schemes fund, which forms part of LGF, for 'exceptionally large, transformational schemes that are too big to be taken forward within regular growth allocations and could not otherwise be funded'. In terms of scale, for the SCR LEP area, the minimum scheme size being £75 million.

It was noted that the deadline for the main competition is the 21 July 2016 and an initial call for schemes has been put to the SCR Partners.

RESOLVED, that the recommendations made by the Executive Board are noted and endorsed.

19 SUMMARY REPORT - INFRASTRUCTURE EXECUTIVE BOARD

Cllr Burrows noted his disappointment that the IEB had assurance concerns in respect of the Peak Resorts project which prevented the Board making a decision at this time.

It was confirmed the IEB's comments have been referred to the scheme promoter and it is expected the scheme will be resubmitted for consideration in due course once issues have been addressed.

RESOLVED, that the recommendations made by the Executive Board are noted and endorsed.

CHAIR

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**SHEFFIELD CITY REGION COMBINED AUTHORITY**

**AMP TECHNOLOGY CENTRE, WAVERLEY, ROTHERHAM, S60 5WG**

**MINUTES OF THE MEETING HELD ON 20 JUNE 2016**

PRESENT:

Councillor Sir Steve Houghton CBE, Barnsley MBC (Chair)  
Councillor John Burrows, Chesterfield BC (Vice Chair)

Councillor Ann Syrett, Bolsover DC  
Councillor Graham Baxter MBE, North East Derbyshire DC  
Councillor Chris Read, Rotherham MBC  
Councillor Julie Dore, Sheffield CC  
Councillor Simon Greaves, Bassetlaw DC  
Mayor Ros Jones, Doncaster MBC  
Councillor Alan Rhodes, Nottinghamshire CC  
Councillor Lewis Rose OBE, Derbyshire Dales DC  
Julie Kenny CBE, Pyronix (LEP Board) & Rotherham MBC (Commissioner)

Fiona Boden, Sheffield City Region Executive Team  
Huw Bowen, Chesterfield BC  
Andrew Frosdick, Monitoring Officer  
Andrew Gates, SCR Executive Team  
John Hattersley, South Yorkshire Pensions Authority  
David Hewitt, SCR LEP  
Julie Hurley, SYPTE  
Sharon Kemp, Rotherham MBC  
Anthony May, Nottinghamshire CC  
John Mothersole, Sheffield CC  
Jo Miller, Doncaster MBC  
Mel Dei Rossi  
Dave Smith, SCR Exec Team  
Gareth Sutton, Sheffield CC / SCR  
Daniel Swaine, Bolsover DC / NE Derbyshire DC  
Neil Taylor, Bassetlaw DC  
Diana Terris, Clerk / Barnsley MBC  
Craig Tyler, Joint Authorities Governance Unit

Apologies for absence were received from Councillor A Western, N Knowles, R Adams, D Bunton and E Walker

1 VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS

The meeting was opened by the Clerk.

It was agreed that no items required voting rights to be confirmed on non-Constituent Members.

2 APPOINTMENT OF COMBINED AUTHORITY CHAIR AND VICE-CHAIR

RESOLVED:

1. That Cllr Sir Houghton CBE is appointed Chair of the SCR Combined Authority for the forthcoming year (2016/17)
2. That Cllr John Burrows is appointed Vice Chair of the SCR Combined Authority for the forthcoming year (2016/17)

Cllr Houghton assumed the Chair of the meeting

3 APPOINTMENT OF ROTATIONAL MEMBERS FOR 2016/17

The Monitoring Officer provided Members with an explanation of why the appointment of rotational Members is require, noting such appointments ensure the Authority has a majority of Constituent Member votes.

It was noted that the principle of appointing rotational Members will be adhered to until there is any amendment to the obligating primary legislation.

It was confirmed that there is no requirement for rotational Members to attend Authority meetings unless required.

It was noted that the alphabetic principles agreed at the CA meeting of April 2014 mean the rotational Members will be provided by Doncaster MBC and Rotherham MBC for the forthcoming year.

Nominations were noted as Cllr Joe Blackham (Doncaster MBC) and Cllr Denise Lelliott (Rotherham MBC).

RESOLVED:

1. That Cllrs Blackham and Lelliott be appointed as the Combined Authority's rotational Members for the forthcoming year.

4 APPOINTMENT OF HEAD OF PAID SERVICE

A report was received requesting a formal resolution from Members to confirm the appointment of Dr Dave Smith as Interim Executive Director i.e. SCR Head of Paid Service

It was noted the SCR Combined Authority is obliged to appoint a Head of Paid Service, as per section 4 of the Local Government and Housing Act 1989

RESOLVED:

1. That Members note the appointment of Dr Dave Smith as the SCR's Interim Executive Director and Head of Paid Service

5 APPOINTMENT OF TRANSPORT COMMITTEE MEMBERS

Members were advised that a number of districts were in the process of confirming their nominations to the Transport Committee. It was agreed this information may be conveyed by email once collated.

It was noted there will be changes to the responsibilities of the SCR Transport Committee as part of the introduction of the Mayoral Combined Authority and more details will be provided in due course. It was envisaged this would be available by autumn 2016.

6 APOLOGIES

Apologies were noted as above.

7 ANNOUNCEMENTS

No announcements were made.

8 URGENT ITEMS

Members were advised of an urgent item 'Local Growth Fund 3 - Bidding Process'. It was agreed this may be taken at item 27 on today's agenda.

9 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

RESOLVED, that items 24 - Project Mercury, 25 - SYTPF Governance and Related Issues and 26 - SYTPF Update may be taken in the absence of the public and press.

10 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

No declarations of interest regarding the business to be transacted on today's agenda were noted.

11 REPORTS FROM AND QUESTIONS BY MEMBERS

None.

12 RECEIPT OF PETITIONS

None.

13 PUBLIC QUESTIONS

None received.

14 MINUTES OF THE MEETING HELD ON 9 MAY 2016

RESOLVED, that the minutes of the meeting held on 9th may are agreed to be an accurate record of the meeting.

15 SCR CA POLICY ON LOANS TO PARTNER ORGANISATIONS

A report was received asking Members to consider the CA's approach to offering loan funding for schemes to non-Local Authority partners, including Colleges and to consider whether the SCR CA would wish to offer loans alongside the grant and consider any restrictions or conditions which should be applied.

Mayor Jones questioned whether this should be a 'role of the CA' and in suggesting the CA is not a bank, requested a more detailed report from the S151 officer commenting on the means via which the CA can assist non-LA organisations financially and such processes might align to our Treasury Management activities.

Noting this report had been instigated by a request for financial assistance from a Further Education College; Mayor Jones suggested the Skills Executive Board should liaise with the College in question to discuss the situation, and the role of the CA, in more detail.

These sentiments were endorsed by Members.

RESOLVED: That the Combined Authority:

1. Rejects the request to provide general financial assistance to a Further Education College, in the manner presented in the report, and requests the SEB discuss other options in more detail.
2. Will consider its appetite for providing financial assistance to non-LA organisations on receipt of a more detailed report from the S151 officer covering the various funding mechanisms available and how these support the CA's Treasury Management activities.

16 DEPARTMENT FOR TRANSPORT LARGE LOCAL MAJORS

A report was received providing information on the DfT Large Local Majors funding competition and, due to the competition timescales, seeking the CA's approval for the delegated sign-off from the CA/LEP chairs for the bids to DfT, noting the 21st July deadline.

It was noted the Department for Transport (DfT) has invited the Local Enterprise Partnership (LEP) to bid into a £475m Large Local Major Schemes fund, which forms part of the Local Growth Fund and was announced in the 2016 Budget.

Members were asked to note the need for SCR to make an appropriate financial contribution to update the appraisal tools needed to make the business cases compliant with the National Standards required for such schemes

It was noted that following a call for schemes and process of sifting against the DfT's eligibility criteria, 3 schemes have been proposed for submission: SCR Mass Transit Phase 1, Advanced Manufacturing Innovation District (AMID) and Pan Northern Connectivity – New Trans-Pennine through Routes.

RESOLVED, that the Combined Authority:

1. Agrees to submit three bids to the DfT (as detailed in the paper) and approves the Chairs of the CA and LEP having delegated sign off responsibilities for the final bids.
2. Notes the need for SCR to make an appropriate financial contribution to update the appraisal tools needed to make the business cases compliant with the National Standards required for such schemes

#### 17 JEREMIE FUND - INTERIM ARRANGEMENTS

A report was received to summarise past reports regarding the creation of the Northern Powerhouse Investment Fund (NPIF) and to note that the NPIF will be launched in September 2016 with significant investment expected from January 2016.

Members were asked to consider the need to avoid a hiatus in SME investment and the recommendation that the SCR offers Finance Yorkshire a loan (at commercial rates) of up to £2.5m to invest in South Yorkshire until 31 December 2016 to ensure that there is no "investment gap" in the move toward new financial instruments.

RESOLVED, that the Combined Authority:

1. Agrees to offer Finance Yorkshire a loan (on commercial terms) of £2.5m to bridge the investment gap until 31 December 2016, repayable over a term not greater than four years, with funding to be drawn from (and repayable to) the uncommitted Business Investment Fund ('BIF') element of our LGF funding.
2. Delegates authority to the Head of Paid Service (in consultation with the CA's Monitoring Officer, Section 151 Officer, Lead CEX and Lead LEP Board Member) to agree suitable terms and conditions (in accordance with the principles as set out in the report.

#### 18 HORASIS APPROVAL

A report was received asking the Combined Authority to approve the organising of the Horasis Business Conference to take place in November 2017.

Members questioned the scope and tangibility of the benefits of hosting the conference as detailed in the report, asking 'what would success look like', but

recognised this is the type of international event the SCR needs to be engaged with if it is to meet its inward investment ambitions

It was noted officers will be providing additional metrics to justify the hosting of the conference.

Members discussed the need for requests such as this to be captured as part of the SCR's marketing framework and not presented as piecemeal initiatives.

It was suggested the LEP would be a better body to decide whether to progress this initiative to ensure the thoughts of the private sector have been appropriately captured. However, it was confirmed the CA would be the body accountable for the sign off of funds for hosting.

Noting the intention to recoup some of the costs quoted via the attraction of sponsorship, Members were provided with assurances that the CA's underwriting of the hosting costs wouldn't make potential sponsors less likely to contribute.

RESOLVED, that the Combined Authority:

1. Agree, in principle that the Sheffield City Region may bid to host the Horasis conference in 2017 but defer a final decision pending the receipt of the above additional information.
2. Instruct officers to provide additional evidence metrics to support the hosting of the conference and provide assurance that supporting sponsorship to offset the costs of hosting is being attracted.

Cllr Dore confirmed she did not support these resolutions.

## 19 BUSINESS CASE RECOMMENDATION

Members were presented with recommendations from the SCR Transport and Infrastructure Executive Boards for approval.

It was noted that as agreed at the 9th May CA Meeting, papers have been presented via written procedures between meeting cycles for approval by the Chair of the CA for the Olympic Legacy Park and Peak Resort projects.

RESOLVED, that the Combined Authority:

1. Approves progression of Supertram Renewal to Full Approval and Award of Contract at a cost of £1M to SCR CA subject to the detailed condition set out in the Project Approval Summary Table.
2. Notes the approval by written procedures to progress Peak Resort to Full Approval and endorse Award of Contract at a cost £2.85M to SCR CA subject to the detailed condition set out in the Project Approval Summary Table.
3. Notes the approval by written procedures to progress Olympic Legacy Park to Full Approval and endorse Award of Contract at a cost of £4.9M to SCR CA

subject to the detailed condition set out in the Project Approval Summary Table.

20 SUMMARY REPORT - BUSINESS GROWTH EXECUTIVE BOARD

RESOLVED, that the recommendations made by the Executive Board are noted and endorsed.

21 SUMMARY REPORT - HOUSING EXECUTIVE BOARD

RESOLVED, that the recommendations made by the Executive Board are noted and endorsed.

22 SUMMARY REPORT - TRANSPORT EXECUTIVE BOARD

Members were asked to note clarification that districts will have 'concurrent responsibilities' with TfN and TfN won't be able to undertake works without a respective district's consent.

It was confirmed the refreshed Transport Strategy will be presented to the CA for endorsement.

RESOLVED, that the recommendations made by the Executive Board are noted and endorsed.

23 SUMMARY REPORT - INFRASTRUCTURE EXECUTIVE BOARD

RESOLVED, that the recommendations made by the Executive Board are noted and endorsed.

24 PROJECT MERCURY

A report was submitted inviting the Combined Authority to consider a Business Investment Fund grant of up to £12m to support £60m of inward investment in the Sheffield City Region, resourced from uncommitted LGF.

Matters were considered.

RESOLVED, that the Combined Authority:

1. Approve the allocation of up to £12m of the LEP/ CA's uncommitted Business Investment Fund to support £60m of inward investment, £100m of additional GVA and 370 (predominantly) high skilled jobs in the Sheffield City Region.
2. Delegates authority to the Head of Paid Service (in consultation with the lead Chief Executive Officer, the Section 151 Officer and the Monitoring Officer) to agree the terms of the conditions of this grant award (within the parameters set out in this report).

25 SOUTH YORKSHIRE PASSENGER TRANSPORT PENSION FUND - GOVERNANCE AND RELATED ISSUES

A report was received requesting Members' approval of recommendations from the Passenger Transport Pension Fund Committee with regard to the future participation of the Fund within proposed pension pooling arrangements through appropriate delegations to South Yorkshire Pensions Authority and to endorse the detailed work which has been undertaken through the Passenger Transport Pension Fund Committee with regard to the participation of the Fund in proposed pension pooling arrangements through the Border to Coast Pool.

RESOLVED, that the Combined Authority:

1. Approves the recommendations of the Committee, with regard to participation in the future governance of the Border to Coast Pool through South Yorkshire Pensions Authority
2. Endorses the detailed work undertaken through the Committee with regard to participation in the Border to Coast pool
3. Delegates the responsibility to the Committee to continue to consider relevant issues with regard to the development of the Border to Coast pooling arrangement
4. Notes that future reports will be submitted to the Authority with regard to the progress of the pooling arrangements and the potential to transfer responsibility for the Fund to South Yorkshire Pensions Authority as appropriate

## 26 SOUTH YORKSHIRE PASSENGER TRANSPORT PENSION FUND

Local Growth Fund 3 - A report was received to provide Members with background information regarding the South Yorkshire Passenger Transport Pension Fund.

The report's appendices provided basic data regarding Fund membership, advisors and management; investment performance and structure; and an explanation of the contingent risk.

It was noted the 2015/16 draft Annual Report and Accounts are now being reviewed by KPMG as external auditors to the Fund.

RESOLVED, that the contents of the report are noted.

## 27 LOCAL GROWTH FUND 3 - BIDDING PROCESS

Members were provided with information regarding the emerging components to be recommended for inclusion in the bid. It was noted these are continuations of existing activity albeit on a larger scale.

It was noted that the submission deadline is 28th July. However, the additional submission of a 'bid snapshot' has been requested by DCLG by 24th June.



It was confirmed the final bid programme will be circulated to Members prior to submission.

RESOLVED, that the Combined Authority agrees to delegate responsibility for signing off the bid to the Chairs of the CA and LEP.

CHAIR

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**SHEFFIELD CITY REGION COMBINED AUTHORITY**

**THE AMP TECHNOLOGY CENTRE, WAVERLEY, ROTHERHAM, S60 5WG**

**MINUTES OF THE MEETING HELD ON 27 JUNE 2016**

PRESENT:

Councillor Sir Steve Houghton CBE, Barnsley MBC (Chair)  
Councillor John Burrows, Chesterfield BC (Vice Chair)

Councillor Graham Baxter MBE, North East Derbyshire DC  
Councillor Simon Greaves, Bassetlaw DC  
Councillor Mazher Iqbal, Sheffield City Council  
Mayor Ros Jones, Doncaster MBC  
Councillor Denise Lelliott, Rotherham MBC  
Councillor Alan Rhodes, Nottinghamshire CC  
Councillor Lewis Rose OBE, Derbyshire Dales DC  
Councillor Ann Syrett, Bolsover DC

Andrew Frosdick, Monitoring Officer  
Andrew Gates, SCR Exec Team  
Matthew Lockley, Nottinghamshire CC  
John Mothersole, Sheffield CC  
Jo Miller, Doncaster MBC  
Veena Prajapati, SCR Exec Team  
Chloe Shepherd, SCR Exec Team  
Dave Smith, SCR Exec Team  
Daniel Swaine, Bolsover DC / NE Derbyshire DC  
Neil Taylor, Bassetlaw DC  
Diana Terris, Clerk / Barnsley MBC  
Craig Tyler, Joint Authorities Governance Unit  
Damien Wilson, Rotherham MBC

Apologies for absence were received from Councillor J Dore, Councillor C Read, Councillor A Western, R Adams, H Bowen, D Buntton, S Kemp and E Walker

1 APOLOGIES

Apologies were noted as above.

2 ANNOUNCEMENTS

None.

3 URGENT ITEMS

None.

4 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

5 VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS

It was agreed that no items required voting rights to be confirmed on non-Constituent Members.

6 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None.

7 REPORTS FROM AND QUESTIONS BY MEMBERS

None.

8 RECEIPT OF PETITIONS

None.

9 PUBLIC QUESTIONS

The Chair informed Members that a series of questions have been received relating to the potential effect on the SCR CA of the EU Referendum's 'vote to leave' outcome.

It was noted that messages from civil servants have indicated there is no change in government policy and instructions are to continue with all current activities.

The Chair instructed the Executive Director to respond on behalf of the Authority.

10 LOCAL DEMOCRACY ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT 2009 - IMPLEMENTATION OF THE SHEFFIELD CITY REGION DEVOLUTION DEAL

A report was received asking the Combined Authority to approve the launch of a statutory consultation process relating to the Governance Review that has been undertaken, and the Scheme that has been prepared.

It was noted this approach is further to and consistent with the SCR Devolution Deal which was ratified by the Combined Authority on 31 March 2016.

The Governance Review and Scheme were provided as appendices to the report.

The Monitoring Officer explained this undertaking within the context of other significant milestones, noting intentions to bring a summary of the consultation exercise findings to the 12<sup>th</sup> September CA meeting prior to submission to the DCLG Secretary of State who will decide whether all statutory tests have been met.

RESOLVED:

1. That having considered the outcome of a review undertaken under the Local Democracy Economic Development and Construction Act 2009 as set out in Appendix 1 to the report, the making of relevant statutory Orders by the Secretary of State would be likely to improve the exercise of statutory functions in relation to the Combined Authority.
2. That the Scheme prepared in accordance with the 2009 Act as set out in Appendix 2 to the report be approved
3. That the Head of Paid Service be authorised make any further amendments to the final drafting of the Scheme as may be appropriate in consultation with the Chair of the Authority
4. That a statutory consultation exercise with regard to the proposals contained in the Scheme be undertaken to commence on 1st July and conclude on 12th August 2016 that the Head of Paid Service be authorised to finalise the approach to the consultation exercise in consultation with Chair of the Authority
5. That a summary of the consultation responses be prepared to be submitted to the Secretary of State following the conclusion of the consultation period and that the summary be reported to the meeting of the Authority to be held on 12th September 2016
6. That further reports be considered with regard to the statutory process in respect of the implementation of the Devolution Deal as appropriate

11 SCR DRAFT ANNUAL GOVERNANCE STATEMENT 2015/16

A report was received inviting Members to comment on the content of the draft SCR Annual Governance Statement (AGS) for 2015/16.

It was noted that the Authority is responsible for establishing proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions and the management of any associated risks.

It was noted that the final AGS will be included in the final 2015/16 Statement of Accounts, to be presented to the SCR Combined Authority on 12th September, and additional text to be provided by the Head of Internal Audit will be incorporated in due course.

RESOLVED:

1. That Members note the contents of the draft Annual Governance Statement.

CHAIR

# Item 9

## SOUTH YORKSHIRE PENSIONS AUTHORITY

### EXTRA ORDINARY MEETING

26 MAY 2016

PRESENT: Councillor S Ellis (Chair)  
Councillor R Wraith (Vice-Chair)  
Councillors: E Butler, K Rodgers, A Sangar, M Stowe and P Wood

Trade Unions: G Warwick (GMB) and F Tyas (UCATT)

Officers: J Hattersley (Fund Director SYPA), S Smith (Head of Investments SYPA), A Frosdick (Monitoring Officer), F Foster (Treasurer), M McCarthy (Deputy Clerk) and A Shirt (Senior Democratic Services Officer)

Observer: G Boyington (Chair of the South Yorkshire Local Pension Board)

Apologies for absence were received from Councillor M Maroof, Councillor H Mirfin-Boukouris, Councillor J Wood, Councillor K Wyatt, R Askwith and J Bell

1 APOLOGIES

Apologies for absence were noted as above.

2 URGENT ITEMS

None.

3 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS.

RESOLVED – That the following agenda items be considered in the absence of the public and press:-

Item 6 'Investment Pooling: Governance Arrangements'; and

Item 7 'Investment Pooling: Looking Ahead'.

4 DECLARATIONS OF INTEREST.

None.

5 INVESTMENT POOLING: JULY SUBMISSION

A report of the Fund Director was presented to seek Members' approval to delegate details of part of the submission to Government due by 15 July 2016, to the Investment Board.

Members were reminded that the Authority was due to submit more detailed proposals regarding its participation in pooling to Government by 15 July 2016, setting out those assets which the Authority did not intend to hold within the Pool.

The Fund Director commented that to some extent, this would be heavily influenced by the legal and tax structure finally agreed upon by the Pool and Government.

Members discussed and agreed in principle the assets which should be retained in the short-term by the Authority. It was noted that further discussion would be conducted at Investment Board level, when more information was available.

RESOLVED – That Members delegate to the Investment Board consideration of those assets to be held out with the Border to Coast Partnership Pool.

## 6 INVESTMENT POOLING: GOVERNANCE ARRANGEMENTS

A report of the Clerk was submitted to address the governance issues relating to the participation of the Authority and the South Yorkshire Passenger Transport Pension Fund in the Border to Coast Pension Partnership (BCPP) pooling arrangements.

Members considered and discussed the proposed governance arrangements emerging from discussions between the pool authorities which would oversee the finalisation of the proposal to be submitted to Government and progress its ongoing implementation.

A Frodick outlined the current issues regarding the representation of South Yorkshire Passenger Transport Pension Fund within the proposed governance arrangements.

RESOLVED –

- i) That approval be given to the participation of the Fund in the proposed governance arrangements to oversee the development of the proposals for the Border to Coast Partnership pool.
- ii) That, subject to the agreement of the other participating funds within BCPP, consideration was given by the Authority to appoint the Chair together with the Vice-Chair, as a substitute, to participate in the Member Shadow Board.
- iii) That, the Authority agrees in principle, that the role of participation in the proposed governance arrangements on behalf of the Sheffield City Region Combined Authority (as administering body for the South Yorkshire Passenger Transport Pension Fund) be delegated to the South Yorkshire Pensions Authority and that appropriate agreement be made between the respective authorities in accordance with section 101 of the Local Government Act 1972.

## 7 INVESTMENT POOLING: LOOKING AHEAD

A report of the Fund Director was presented to seek Members' approval to explore the possibility of dissolving the South Yorkshire Passenger Transport Pension Fund and transferring its assets and liabilities to the LGPS Fund administered by South Yorkshire Pensions Authority.



RESOLVED – That Members instruct officers to explore the possibilities regarding the transfer of the assets and liabilities of the South Yorkshire Passenger Transport Pension Fund to this Authority.

CHAIR

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# Item 10

## SOUTH YORKSHIRE PENSIONS AUTHORITY

### ANNUAL MEETING

9 JUNE 2016

PRESENT: Councillor S Ellis (Chair)  
Councillor R Wraith (Vice-Chair)  
Councillors: M Maroof, A Sangar, M Stowe, Z Sykes, P Wood,  
J Wood and K Wyatt

Councillors: (SYTPF Committee)

Trade Unions: G Warwick (GMB), F Tyas (UCATT) and  
N Doolan-Hamer (Unison)

Investment Advisors:

Officers: J Hattersley (Fund Director SYPA), F Foster  
(Treasurer), M McCarthy (Deputy Clerk), D Hanson (HR  
Business Partner), I Baker (Pensions Manager SYPA) and  
M McCoole (Senior Democratic Services Officer)

Observers:

Apologies for absence were received from Councillor E Butler,  
Councillor H Mirfin-Boukouris, Councillor J McHale, R Askwith,  
G Chapman, S Smith, A Frostdick, B Clarkson and J Bell

#### 1 APPOINTMENT OF THE CHAIR FOR THE ENSUING YEAR

Councillor Ellis was proposed and seconded as the Chair of the Authority for the forthcoming year.

Councillor Ellis thanked Members for their attendance at the Authority and extraordinary meetings held over the last year, together with their friendship and support given to her within capacity of Chair. In particular, she thanked Councillor Wraith as Vice-Chair, for providing her with the context and history of the Authority to enable her to fulfil her role.

RESOLVED – That Councillor Ellis be elected as the Chair of the Authority for the ensuing year.

#### 2 APPOINTMENT OF THE VICE-CHAIR FOR THE ENSUING YEAR

Councillor Stowe was proposed and seconded as the Vice-Chair of the Authority for the forthcoming year.

RESOLVED – That Councillor Stowe be elected as the Vice-Chair of the Authority for the ensuing year.

3 MEMBERSHIP OF THE AUTHORITY

A report of the Clerk was submitted to report on the membership of the Authority.

The current membership was noted:-

<b>Barnsley</b> Councillors	<b>Doncaster</b> Councillors	<b>Rotherham</b> Councillors	<b>Sheffield</b> Councillors
M Stowe R Wraith	E Butler K Rodgers (to 16.06.16) J McHale (from 17.06.16) J Wood	S Ellis K Wyatt	M Maroof H Mirfin-Boukouris A Sangar Z Sykes P Wood

M McCarthy welcomed the new Members to the meeting. It was noted that Councillor McHale was now officially a Member of the Authority, following the receipt of Councillor Rodgers' letter of resignation.

Councillor Wraith requested that a letter of appreciation be sent on behalf of the Authority to Councillor Rodgers, who had been a very able and capable Member.

Councillor Ellis commented that she would send letters of appreciation to the outgoing Members on behalf of the Authority.

RESOLVED – That the report be noted.

4 QUESTIONS IN MEETINGS OF THE DISTRICT COUNCILS

A report of the Clerk was submitted to consider the appointment of representatives of the Authority to answer questions raised in meetings of the District Councils and to feedback District Council pensions issues at each meeting of the Pensions Authority.

Membership was confirmed as follows:-

<b>Council</b>	<b>Spokesperson</b>	<b>Substitute</b>
Barnsley MBC	Councillor M Stowe	Councillor R Wraith
Doncaster MBC	Councillor J McHale	Councillor E Butler
Rotherham MBC	Councillor S Ellis	Councillor K Wyatt
Sheffield CC	Councillor P Wood	Councillor Z Sykes

RESOLVED – That Members agreed the Section 41 membership.

5 APPOINTMENT OF BOARDS, COMMITTEE AND CHAIRS

A report of the Clerk was presented to consider the appointment of Boards, Committee and Chairs for 2016/17.

Membership was confirmed as follows:-

<b>Corporate Planning &amp; Governance Board</b>	<b>Investment Board</b>	<b>Management Committee</b>
<b>7 members</b>	<b>7 members</b>	<b>Section 41 members</b>
Councillor M Stowe (Chair)	Councillor Sue Ellis (Chair)	Councillor Sue Ellis (Chair) Sub: Councillor K Wyatt
Councillor S Ellis (Vice-Chair)	Councillor M Stowe (Vice-Chair)	Councillor M Stowe (Vice-Chair) Sub: Councillor R Wraith
Councillor E Butler	Councillor A Sangar	Councillor P Wood Sub: Councillor Z Sykes
Councillor H Mirfin-Boukouris	Councillor R Wraith	Councillor J McHale Sub: Councillor E Butler
Councillor J Wood	Councillor P Wood	
Councillor K Wyatt	Councillor M Maroof	
Councillor Z Sykes	Councillor J McHale	
And three trades unions representatives	And three trades unions representatives	

RESOLVED – That Members agreed:-

- i) The Terms of Reference and membership of the Boards and Management Committee and their Chairs for 2016/17.
- ii) That Councillor Sangar would be the Lead Member for training and development for 2016/17.

CHAIR

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# Item 11

## SOUTH YORKSHIRE PENSIONS AUTHORITY

### ORDINARY MEETING

9 JUNE 2016

PRESENT: Councillor S Ellis (Chair)  
Councillor M Stowe (Vice-Chair)  
Councillors: R Wraith, M Maroof, A Sangar, Z Sykes, P Wood,  
J Wood and K Wyatt

Trade Unions: G Warwick (GMB), F Tyas (UCATT) and  
N Doolan-Hamer (Unison)

Officers: J Hattersley (Fund Director SYPA), F Foster  
(Treasurer), M McCarthy (Deputy Clerk), D Hanson (HR  
Business Partner), I Baker (Pensions Manager SYPA) and  
M McCoole (Senior Democratic Services Officer)

Apologies for absence were received from Councillor E Butler,  
Councillor H Mirfin-Boukouris, Councillor J McHale, R Askwith,  
G Chapman, S Smith, A Frostdick, B Clarkson and J Bell

1 APOLOGIES

Apologies for absence were noted as above.

2 ANNOUNCEMENTS

None.

3 URGENT ITEMS

None.

4 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

5 DECLARATIONS OF INTEREST

None.

6 LOYAL SERVICE AWARD SCHEME

A report of the Fund Director was submitted to advise Members of the five officers who were eligible to receive loyalty awards this year.

Councillor Ellis gave thanks to the individuals for their work provided to the Authority, in particular in relation to the UPS system; one officer was unable to attend the presentation.

## **Pensions Authority Ordinary Meeting: Thursday 9 June 2016**

Councillor Ellis presented the following individuals with the loyalty awards:-

Tracey Holland  
Julie Peel  
Linda Pollard  
Louise Turton

RESOLVED – That Members noted the report.

### **7 MINUTES OF THE AUTHORITY MEETING HELD ON 17 MARCH 2016**

I Baker commented that Civica had made an offer of £33,000 in response to the request for compensation for overtime expenditure. To date the Authority had used £13,000 for employer work trays, which would enable the Authority to place work with the employers electronically for them to deal with and return. The Authority envisaged expending some of the remaining £20,000 costs on upgrading the member web and self-service facility.

Councillor Ellis commented that the Authority had originally estimated £50,000 for compensation and that it had been disappointed in the offer made, although the Authority was now receiving work that was required; the Authority had accepted the offer from Civica.

Councillor Ellis requested that the Chair and Vice-Chair be booked onto the 13<sup>th</sup> Annual LGPS 'Trustees' Conference on 23 to 24 June 2016 at the McDonalds Hotel and Spa, Manchester.

RESOLVED – That the minutes of the Pensions Authority meeting held on 17 March 2016 were noted.

### **8 MINUTES OF THE JOINT LOCAL PENSION BOARD HELD ON 17 MARCH 2016**

RESOLVED – That the minutes of the Joint Local Pension Board meeting held on 17 March 2016 were noted.

### **9 WORK PROGRAMME**

Members were presented with a copy of the cycle of future meetings work programme to 24 November 2016.

RESOLVED - That Members noted the contents of the report.

### **10 SECTION 41 FEEDBACK FROM DISTRICT COUNCILS**

Councillor J Wood commented that DMBC Members had been invited to attend an urgent full briefing on council proposals with the Chief Financial Officer.

Councillor Ellis commented that RMBC continued to update Members on the pooling arrangements.



## **Pensions Authority Ordinary Meeting: Thursday 9 June 2016**

Councillor Maroof commented that SCC had requested Members of the Pensions Authority to attend a finance meeting.

### **11 GOVERNMENT CONSULTATION ON LGPS POOLING**

J Hattersley referred to a recent South Yorkshire Leaders Meeting at which the Chair, Treasurer and himself had provided an update on general pooling matters and had answered any questions raised. The issues discussed at the meeting included infrastructure and governance of the pooling arrangements moving forwards. The Chair had also attended a meeting with other Fund Chairs at the Pool level, which was progressing satisfactorily in terms of governance. J Hattersley urged the new Members to review the draft Memorandum of Understanding (MOU) and the structure of the Pool-co moving forwards, which had previously been approved by the Authority.

Members noted that the Pool Officers had given a presentation to a CLG Treasury Panel earlier this week, to provide an update on the Pool's position in terms of preparedness and the discussions taking place in relation to governance structures and the potential product mixes; no negative feedback had been received.

A letter had today been received from the CLG to confirm that the July submission deadline would be satisfied by a letter from the Pool rather than from each underlying fund, but that the letter must contain an annex on a fund by fund basis. It had been agreed at the last Authority meeting, that the Investment Board would consider at its next meeting the matters to be settled out with and within the Pool, which would form the basis of the Authority's submission on the back of the Pool submission.

Councillor Wraith queried whether arrangements had been made to merge the two South Yorkshire Pools.

J Hattersley commented that the two South Yorkshire Funds had both selected the Boarder to Coast Pool. There would be associated establishment costs with pooling which was estimated at £1.5m to £2.5m, and had been progressed on the basis of one fund, one vote. The South Yorkshire Passenger Transport Pension Fund was the smallest of the 13 funds within the Pool, and the establishment costs could prove to be disproportionate to the Fund. The South Yorkshire Passenger Transport Pension Fund Committee (SYPTPFC) had initiated discussions to determine whether the Authority could represent the South Yorkshire Passenger Transport Pension Fund at Pool level or whether it would be prudent for the South Yorkshire Passenger Transport Pension Fund to be dissolved and the assets and liabilities transferred to the South Yorkshire Pension Fund. As part of the general devolution discussions for the Combined Authority, there could be an opportunity to incorporate into the legislation remarks in relation to their administering authority status with the LGPS. The Authority had lodged the possibility of those discussions taking place with the CLG, together with email communication, and the Monitoring Officer had spoken to the Law Officers at the CLG.

Councillor Wraith queried the costings involved.

J Hattersley commented that it was premature to discuss the cost of transition, although if agreed it would require legislation which would be equivalent to a bulk transfer in actuarial terms. There would be a cost involved in the legal transfer of assets, therefore the Authority had suggested that any transfer be delayed until the

## **Pensions Authority Ordinary Meeting: Thursday 9 June 2016**

time of pooling, to enable only one set of transition costs. The Authority was exploring the possibility of administering two funds, and retaining two separate administrative strategies and investment strategies.

Councillor Sangar queried whether Members of the SYPTFC had held a quorate meeting to agree matters.

J Hattersley referred to discussions held with the Chair and Vice-Chair of the SYPTFC and at its last meeting which had been inquorate, where Members had agreed in principle that they were favourable to the suggestions. A meeting of the Combined Authority was scheduled for 20 June, to which a paper outlining the proposals would be presented. It was hoped to provide confirmation of the assets to be held outside of the Pool at the next Investment Board meeting, which would form the basis of the Fund's annex to the Pool submission.

RESOLVED – That Members noted the update.

### **12 COMPLIANCE WITH THE PRINCIPLES FOR INVESTMENT GOVERNANCE: SELF-ASSESSMENT**

A report of the Clerk was presented to inform Members of the outcome of the self-assessment against the Principles for Investment Governance.

In October 2011, Members had adopted a system of self-assessment and had agreed to use a template to gauge compliance.

Members had been issued with individual copies in January 2016, to be completed and returned at the end of the financial year; 10 forms from the 12 forms issued had been returned (as in 2015). In the main, the scores were either Very Good or Excellent and no areas of concern or development needs had been identified.

RESOLVED – That the Authority:-

- i) Noted the contents of the report.
- ii) Agreed to review the process when the new Regulations were finalised.
- iii) Agreed to any development needs arising from the results.

### **13 BOARD CHAIRS' REPORTS**

Councillor Ellis referred to several meetings she had attended with the Leaders during the last quarter in relation to the pooled investment arrangements. She had also attended the first formal meeting of Boarder to Coast, to which the Authority's suggestions for small but significant improvements had been accepted. Boarder to Coast was progressing at a far greater pace than the other pools. The next Pool meeting would be held at the conclusion of the 13th Annual LGPS Trustees Conference 'In at the deep end' on 23-24 June 2016 in Manchester; the Authority had agreed that the Chair or the Vice-Chair (as substitute) would attend future Pool meetings. Northern Powerhouse had re-named and was now known as The Northern.

## **Pensions Authority Ordinary Meeting: Thursday 9 June 2016**

Councillor Ellis referred to J Hattersley's imminent retirement. The Authority had been unsuccessful in making a permanent appointment; it was hoped to make an interim appointment following the interviews scheduled later today. Pensions Authority staff had been asked for feedback on the matter.

Councillor Wraith referred to the pooling arrangements, and he queried whether the Authority had negotiated the property with Standard Life.

J Hattersley commented that at present the preferred tax vehicle for the new Pool would be an Authorised Contractual Scheme (ACS), which did not lend itself to holding direct property assets or limited partnerships. The assets would therefore need to be held outside of the Pool. All pools were in discussions with CLG to establish whether Treasury would grant some leniency about the transfer costs if direct property assets were transferred into a pool or a collective vehicle ownership. Tentative approaches had been made with Standard Life, the Authority's present investment advisor, in relation to management coverage up until the pooling exercise. The internal Investment Team had considered a proposal from Standard Life, the original suggestion had been for the whole of the property function carried out within the Authority to be transferred to Standard Life. The Investment Team had agreed that this suggestion was prohibitive and that the back office functions should be retained within the Authority. It was noted that the appointment of J Hattersley's successor would affect whether the Authority had an advisory or a discretionary mandate.

Councillor Sangar queried the period of appointment for the interim Fund Director and when a full time appointment would be made, and he questioned the role of the Authority at the point when the pooling process would settle down.

Councillor Ellis commented that talks with the head hunters had been loose in relation to time and pay, to enable the Authority to talk with a degree of flexibility to people across the range. Councillor Ellis added that the Authority was very grateful to J Hattersley for his flexibility in relation to his imminent retirement.

F Foster commented that an interim appointment would be required to assist with the transition period. Further time was required to assess the requirements for the permanent post, at which point the recruitment process would commence.

Councillor Ellis commented that it was hoped to provide further information at the next Authority meeting; M McCarthy would provide the new Members with the latest pooling briefing.

Councillor Wraith queried whether there were any indications as to which staff would move to a new pooling headquarters, and whether the location had been determined.

J Hattersley commented that at present everything had been undertaken in terms of a broad principle to enable the production of a broad framework structure. One of the principle attractions of the Authority joining the Boarder to Coast Pool had been for the Authority to retain an element of internal management which would result in a reduction of costs. It was envisaged that the internal management team would transfer to the new pool-co, although it was too early to establish where this would be based. There were two other internal management teams within the Pool, and it would be appropriate for all three teams to amalgamate into new premises.

14 SCHEME OF DELEGATION TO OFFICERS

A report of the Clerk was presented to update the chapter relating to the Scheme of Delegation to Officers in the Constitution following the changes to the roles of senior officers of the Authority and to amend certain discretionary limits.

Members noted that the Scheme of Delegation to Officers had last been reviewed in 2014; an opportunity had been taken to update write-off limits and to clarify the internal lines of responsibility.

RESOLVED – That Members approved the revised Scheme of Delegation.

15 AMENDMENT TO CONTRACT STANDING ORDERS

A report of the Clerk was presented to seek approval to proposed amendments to the Authority's Contract Standing Orders.

Members had approved the revised Contract Standing Orders at the December 2015 Authority meeting, and had agreed that an additional amendment be made to change the reference to 'Part B services' to 'light touch services' which would take into account the new terminology used in the Public Contracts 2015 Regulations.

M McCarthy commented that a further review could be instigated by incorporating electronic tendering into the Contract Standing Orders.

RESOLVED – That Members approved the revised contract standing orders.

16 LGPS CURRENT ISSUES

The Authority was presented with a paper to provide an update on the LGPS current issues.

I Baker commented that the Unit currently managed three threads of work i.e. maintaining the routine member service, valuation work and the year end work which was critical to the valuation. As at 8 June, a total of 340 annual returns had been received and work had now commenced on the initial posting of contributions for those returns; approximately 10 employers had failed to submit a return, which was a huge improvement on previous years. The Authority was considering two common deadline dates for the valuation work and contribution work related to the year end, which was envisaged for the end of July. Members noted the provisional deadlines for the data file for the annual benefit statements to be with the printers by early August, and the aim for the data extract for the actuary by the end of July/beginning of August. The Authority was currently considering the first set of captured errors/queries from the data extract for the actuary; it was envisaged to script solutions to those issues.

Councillor Wraith queried whether a number of Equitable Life members remained in the Scheme.

I Baker commented that there was a number of Equitable Life Members in the Scheme. There had been a bulk transfer of membership in 2000/2001, together with a

## Pensions Authority Ordinary Meeting: Thursday 9 June 2016

further piece of work which had given individuals the opportunity to transfer over at a later date; the majority of Scheme Members were within the 'with profit' fund.

I Baker commented that there were approximately 50 academies within Rotherham together with a number of schools that were targeted to become academies within the financial year.

RESOLVED – That Members noted the update.

### 17 WEBCASTING

A report of the Clerk was submitted to seek approval to renew the contract to webcast meetings of the Authority.

Members noted that the Authority's and other South Yorkshire Joint Authorities' meetings had been webcast since 2006, and had entered into a joint contract with Barnsley MBC in 2015, which had resulted in a reduction of costs for all parties. Over the last 12 months, there had been a total of 3,956 live and archived viewings of the Authority's meetings, which was up from 2,093 over the previous 12 month period. There would be a requirement for the Authority to contribute a cost of £1,500 to the overall webcasting contract.

RESOLVED – That Members:-

- i) Agreed to continue webcasting meetings of the South Yorkshire Pensions Authority.
- ii) Noted that costs were being negotiated with the service provider and would be reported to the next meeting of the Authority.
- iii) Delegated responsibility to the Chair and Vice Chair for agreeing a 3 year webcasting contract renewal.
- iv) Noted the price economies under consideration which arose from entering into a joint webcasting contract with Barnsley MBC and multi-year agreement.

CHAIR

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# Item 12

## SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

### ANNUAL MEETING

27 JUNE 2016

PRESENT: Councillor A Cave (Chair)  
Councillor A Atkin (Vice-Chair)  
Councillors: N Akther, S Ayris, P Haith, S Howard, B Johnson,  
C Ransome, J Satur and G Weatherall

(Joint Authorities Governance Unit)

CFO J Courtney, DCFO J Roberts, ACFO M Blunden,  
B Sandy, S Dunker, F Edmonds, M Topham and AM S Helps  
(South Yorkshire Fire & Rescue Service)

D Terris, J Bell, A Frosdick, A Hunt, M McCarthy, D Cutting,  
L Noble, R Winter and M McCoolle (Barnsley MBC)

Dr A Billings (South Yorkshire Police and Crime  
Commissioner)

Apologies for absence were received from Councillor  
A Buckley, Councillor E Hughes and F Foster

1 TO APPOINT THE CHAIR OF THE AUTHORITY FOR THE ENSUING YEAR

RESOLVED – That Members agreed that Councillor Cave be appointed as Chair of the Authority for the ensuing year.

**All Members voted in favour of the above appointment, with the exception of Councillors Ransome and Ayris who voted against the decision.**

2 TO APPOINT A VICE-CHAIR FOR THE AUTHORITY FOR THE ENSUING YEAR

RESOLVED – That Members agreed that Councillor Atkin be appointed as Vice-Chair of the Authority for the ensuing year.

3 CHAIR'S REMARKS

Councillor Cave welcomed the new Members to the meeting, and introductions were made. Members' attention was drawn to a number of challenges faced the by Authority in the coming year which included the Police and Crime Bill, Devolution and the unknown future of Fire and Rescue Authorities.

Councillor Cave paid tribute to the Members who had left the Authority following the recent local elections; Councillor Andrews, who had been the Chair of the Authority for almost 17 years, Councillor Richards who had been the Chair of the Audit Committee, Councillor Munn, and Councillor Furniss who had gone on to become an MP. She wished them all the very best for the future.

Councillor Cave reminded the Authority that the meeting would be webcast live and that it would be archived for future use. Members noted a number of general housekeeping requirements.

D Terris reiterated that the core purpose of the Authority was to ensure an efficient and effective Fire and Rescue Service for South Yorkshire in terms of advising, supporting, challenging, and to ensure that the Service was the best that it could be; Members were requested to keep the core purposes of the Authority in mind.

**4 MEMBERSHIP OF THE FIRE AND RESCUE AUTHORITY**

A report of the Clerk to the Fire and Rescue Authority was submitted to inform Members of the membership of the Authority as notified by the District Councils:-

Barnsley	Councillors A Cave and S Howard
Doncaster	Councillors E Hughes, P Haith and C Ransome
Rotherham	Councillors A Atkin and A Buckley
Sheffield	Councillors S Ayris, N Akther, B Johnson, J Satur and G Weatherall

RESOLVED – That Members noted the membership of the Authority as notified by the District Councils.

**5 REVIEW OF THE FIRE AND RESCUE AUTHORITY GOVERNANCE STRUCTURE**

A report of the Clerk to the Fire and Rescue Authority was presented which reported on the conclusions and recommendations of the Task and Finish Group's work in relation to the review of the Authority's governance structure.

L Noble referred Members to the two Task and Finish Group meetings held in April 2016, which (over both meetings) had been attended by five Members, two Independent members, CFO Courtney and the Deputy Clerk and had been independently facilitated.

The Task and Finish Group had debated whether the Scrutiny Board should be open to the public. The Group had determined that there was not a requirement for it to open its meetings up for public attendance, as the minutes and decisions of the Board were reported to the Authority in an open and transparent way via agendas and minutes, to which the Authority and Audit Committee had public access. L Noble commented that additional guidance on how members of the public could attend meetings and raise questions had been included on the Fire and Rescue Authority website.

RESOLVED – That Members agreed:-



- i) To approve the Authority’s revised governance structure at Appendix A.
- ii) To approve the outline work programmes (non-exhaustive) for the Authority and its sub-Committees/Boards at Appendix B.
- iii) The Terms of Reference for the Authority’s revised governance structure at Appendix C.
- iv) To review the FRA’s governance structure in a year (May 2017).
- v) To discharge the recommendation to review the Chair’s delegated powers under the Scheme of Delegation to ensure they were fit for purpose, as this was now complete.

**6 AUTHORITY GOVERNANCE ARRANGEMENTS**

A report of the Clerk to the Fire and Rescue Authority was presented to request the Authority to determine the appointment of Members to the Committees and Boards, and also the appointment of Chairs and Vice-Chairs of the Committees (other than the Appeals and Standards Committee).

RESOLVED – That Members:-

- i) Approved the meeting structure as detailed below:-

Committee/ Working Party	Notes	Members
Audit and Governance Committee	<p>The agreed terms of reference are set out at Appendix A.</p> <p>Please note that all Members of the Authority (except the Chair and Vice-Chair) are Members of the Audit Committee.</p>	<p>Cllr P Haith (Chair) Cllr G Weatherall Cllr S Howard Cllr E Hughes Cllr C Ransome</p> <p>3 Independent Members:- Mrs A Bingham Mrs C Marshall Mr C Wane</p>
Appointments Committee	<p>The agreed terms of reference are set out at Appendix B. These have been amended following the recommendations from the Internal Audit report into overtime payments to Principal Officers (Audit Committee 14.12.15 and FRA 4.1.16).</p> <p>Please note that Members do not usually serve on both the Appointments and the Appeals Committee.</p>	<p>Cllr A Atkin, Cllr J Satur Cllr C Ransome Cllr A Cave Cllr B Johnson Cllr G Weatherall</p>

**Fire and Rescue Authority  
Annual Meeting  
Monday 27 June 2016**

Appeals and Standards Committee	The agreed terms of reference are set out at Appendix C.	Cllr A Buckley Cllr P Haith Cllr S Ayris Cllr S Howard Cllr E Hughes Cllr N Akther
Principal Officers Review Committee A	The agreed terms of reference are set out at Appendix D.	Cllr C Ransome Cllr A Atkin (sub)  Cllr N Akther Cllr J Satur (sub)  Cllr G Weatherall Cllr S Howard (Sub)
Principal Officers Review Committee B	The agreed terms of reference are set out at Appendix D.	Cllr A Atkin Cllr S Ayris (sub)  Cllr E Hughes Cllr A Buckley (sub)  Cllr A Cave Cllr P Haith (sub)
Principal Officers Review Committee C	The agreed terms of reference are set out at Appendix D.	Cllr S Ayris Cllr A Atkin (sub)  Cllr A Buckley Cllr B Johnson (sub)  Cllr J Satur Cllr G Weatherall (sub)
Performance and Scrutiny Board	The agreed terms of reference are set out at Appendix E.  Please note – Membership of the Performance and Scrutiny Board should exclude the Chair.	Cllr A Buckley (Chair) Cllr N Akther Cllr J Satur Cllr B Johnson Cllr S Ayris Cllr A Atkin
Stakeholder Planning Board	The agreed terms of reference are set out at Appendix G.	All FRA Members Cllr J Satur (Chair)
Corporate	The Task and Finish Group proposed	All FRA Members

Advisory Group	a new Group (a combination of the dissolved Policy Development Group and Corporate Planning Workshops) and the proposed terms of reference are contained within the report on governance arrangements.	(No Chair required)
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- ii) Approved the terms of reference of the Committees as set out in Appendices A to F.
- iii) Appointed Members to Committees and Boards where vacancies exist.
- iv) Appointed Councillors to serve on the Audit Committee.
- v) Appointed the Chair and Vice-Chair (if required) of each Committee and Board (other than the Appeals and Standards Committee).

**7 FUTURE MEETING DATES 2016/17**

A report of the Clerk to the Fire and Rescue Authority was submitted to set out a schedule of meeting dates for the Authority in 2016/17.

**RESOLVED – That Members:-**

- i) Agreed the current governance framework of 8 meetings per year for both FRA and 6 meetings of Audit Committee underpinned by the Appeals and Standards Committee, Appointments Committee and the two Boards (Stakeholder Planning and Scrutiny).\*
- ii) Approved the suggested schedule of meeting dates for 2016/17 as set out below:-

Fire and Rescue Authority	Audit Committee	Scrutiny Board	Stakeholder Engagement Board
27 June 2016* (Annual & Ordinary)		23 June 2016*	21 June 2016*
25 July 2016*	25 July 2016*		
19 September 2016*	19 September 2016*	September 2016**	14 September 2016*
17 October 2016*			
28 November 2016*	28 November 2016*	November 2016**	
			14 December 2016*
16 January 2017	16 January 2017		
13 February 2017		March 2017**	
	20 March 2017		March 2017**

3 April 2017			
	15 May 2017		
26 June 2017 (Annual & Ordinary)		June 2017**	June 2017**
24 July 2017	24 July 2017		
18 September 2017	18 September 2017		September 2017**
16 October 2017			
27 November 2017	27 November 2017	November 2017**	
			December 2017**

\* Meeting dates already arranged

\*\*Meeting dates to be arranged

**8 ARRANGEMENTS UNDER SECTION 41 OF THE LOCAL GOVERNMENT ACT 1985**

A report of the Clerk to the Fire and Rescue Authority was submitted to request the Authority to consider the appointments of District Council representatives under Section 41 of the Local Government Act 1985.

RESOLVED – That the Authority agreed to appoint the following Members to answer questions at meetings of the constituent councils on the discharge of the functions of this Authority:-

<b>Authority</b>	<b>Member</b>	<b>Substitute</b>
<b>Barnsley</b>	Cllr A Cave	Cllr S Howard
<b>Doncaster</b>	Cllr P Haith	Cllr E Hughes
<b>Rotherham</b>	Cllr A Atkin	Cllr A Buckley
<b>Sheffield</b>	Cllr J Satur	Cllr G Weatherall

**9 OUTSIDE BODIES**

A report of the Clerk to the Fire and Rescue Authority was submitted in order for Members to consider whether the Authority wished to re-affiliate to the various outside bodies listed in the report and to consider the representation of the Authority on outside bodies.

RESOLVED – That Members agreed:-

- i) To re-affiliate to the various outside bodies listed in the report.
- ii) To appoint representatives to serve on the outside bodies as set out below for 2016/17, and that in accordance with Standing Order 24, the appointments

continue until the next annual meeting of the Authority, or membership ceases:-

<b>Outside Body</b>	<b>Member Representation</b>
LGA General Assembly	Section 41 Members
LGA Fire Commission	Chair/Vice-Chair or their nominee
LGA Urban Commission	Chair & Vice-Chair or their nominee
LGA Rural Commission	Chair & Vice-Chair or their nominee
Association of Metropolitan Fire Authorities (AMFRA)	Chair & Vice-Chair
Yorkshire Purchasing Organisation (YPO)	Councillor A Atkin
Yorkshire and Humberside Employers' Organisation	Councillor A Atkin
Community Safety Partnerships	Section 41 Members
SSUK Board	Section 41 Members
HOPE CIO Board – Trustee Member	Councillor E Hughes Councillor A Cave

- iii) That the Authority should become a member of the Yorkshire and Humberside Employers' Organisation, and duly appointed Councillor Atkin as representative.
- iv) To learning and development to support Members on Outside Bodies as part of the 2016/17 Learning and Development Schedule.
- v) To evaluate, where possible, the Authority's participation in Outside Bodies as part of the Annual report in 2017.

CHAIR

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# Item 13

## SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

### ORDINARY MEETING

27 JUNE 2016

PRESENT: Councillor A Cave (Chair)  
Councillor A Atkin (Vice-Chair)  
Councillors: N Akther, S Ayriss, P Haith, S Howard, B Johnson,  
C Ransome, J Satur and G Weatherall

CFO J Courtney, DCFO J Roberts, ACFO M Blunden,  
B Sandy, S Dunker, M Topham, F Edmonds and AM S Helps  
(South Yorkshire Fire & Rescue Service)

D Terris, J Bell, A Frosdick, A Hunt, M McCarthy, L Noble,  
D Cutting, M McCoole and R Winter (Barnsley MBC)

Dr A Billings (South Yorkshire Police and Crime  
Commissioner)

Apologies for absence were received from  
Councillor A Buckley, Councillor E Hughes and F Foster

#### 1 APOLOGIES

Apologies for absence were noted as above.

#### 2 ANNOUNCEMENTS

CFO Courtney informed Members of the recent death of Jeff Ord CBE, QFSM, the former Chief Fire Officer of South Yorkshire Fire and Rescue Service between 1996 and 1999. Mr Ord had left the Service to become the Fire Master at Strathclyde Fire and Rescue Service, the second largest Fire Service in the UK, and he had concluded his career as HM Fire Inspector in Scotland.

#### 3 URGENT ITEMS

None.

#### 4 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

RESOLVED – That the following agenda items be considered in the absence of the public and press:-

Item 26 'Further Development of Future Contingency Arrangements'.

Item 27 'Disposal of Site of Former Darnall Fire Station'.

#### 5 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None.

**6**     REPORTS BY MEMBERS

Councillor Satur reported on the outcomes from the recent Scrutiny Board meeting held on 23 June, in Councillor Buckley's absence:-

- A joint Annual Award Ceremony of South Yorkshire Fire and Rescue and South Yorkshire Police would be held on 23 July 2016; further details to follow.
- The outcome of the Audit in April 2016 had found no safety critical issues. An Action Plan would be submitted to a future meeting of the Board.
- The Safe and Well Visits which would replace Home Safety Checks, would go live from September 2016.
- In relation to the National Framework for South Yorkshire Fire and Rescue compliance, a Member had raised the issue of the National Firefighters Fitness Policy and the current trade union dispute. Discussions were ongoing between South Yorkshire Fire and Rescue's management, FBU, FOA and the Brigade Committee.
- All of the actions arising from the Operational Assessment undertaken in 2014 were now complete.
- Members had received a more detailed report on the Support Services Review. It had been agreed that a further report on lessons learnt on the scope of HR and Occupational Health would be presented to a future meeting of the Board.

Councillor Haith together with Councillors Atkin, Ransome and Weatherall had recently attended the Achieving Respect and Confidence (ARC) Passing Out Parade at Barnsley Fire Station. It was noted that the youngsters were a real credit to their parents.

Councillor Atkin referred to a recent meeting at the Fire Commission in London. A representative from the Home Office had outlined Theresa May MP's plans for Fire and Rescue Reform. Chief Fire Officers had met with the Home Secretary who, had praised the Fire and Rescue Service, but highlighted a number of areas of concern. She had indicated that it could be possible to achieve a 4 year finance settlement if the fire and rescue services had in place robust efficiency plans; CFO Courtney was working through the issues raised. Theresa May MP had also indicated that she would produce a procurement league table, that she would bring back independent inspection and that she wanted to see flexible deployment, which would result in more RDS staff.

**7**     RECEIPT OF PETITIONS

None.

**8**     TO RECEIVE ANY QUESTIONS OR COMMUNICATIONS FROM THE PUBLIC

None.



9 MINUTES OF THE AUTHORITY MEETING HELD ON 11 APRIL 2016

Councillor Haith queried when further progress reports in relation to fitness testing would be presented to the Authority.

DCFO Roberts referred to a report presented at the recent Scrutiny Board meeting. Negotiations with the FBU continued, and it was hoped to provide an update at the next Authority meeting.

RESOLVED – That the minutes of the Authority meeting held on 11 April 2016 be agreed and signed by the Chair as a correct record.

10 EMERGENCY SERVICES COLLABORATION

A report of the Deputy Chief Fire Officer was submitted in relation to the emergency services collaboration. Members noted that a progress report had been presented to the Governance Assurance Body (GAB) of the Police and Crime Commissioner (PCC) of South Yorkshire Police (SYP) in May 2016. The report had been positively received and had led onto a further discussion on the collaboration opportunities for SYP.

Councillor Cave welcomed the Police and Crime Commissioner, Dr Billings to the meeting.

DCFO Roberts referred to the provisions of the Policing and Crime Bill currently going through Parliament which included a duty to collaborate on all three emergency services with the overall aim to improve efficiency and effectiveness. Work was underway with operational collaboration leads for South Yorkshire Police (SYP) and South Yorkshire Fire and Rescue (SYFR) to identify potential collaborative opportunities between SYFR, SYP and Yorkshire Ambulance Service (YAS).

Councillor Satur commented that there was scope for the Scrutiny Board to look at the collaboration proposals in greater detail, either pre or post-implementation if that would assist.

Councillor Haith referred to a number of work streams that were deemed to be 'emerging' or 'progressing as expected'; she queried whether staff representation had been involved in the preliminary discussions.

DCFO Roberts commented that the Service's joint consultation remained a standing agenda item, and regular updates were provided. He added that if the Authority authorised the business case, then additional work would be undertaken to scope out the work in more detail. Members of the trade unions would be kept updated.

Councillor Howard referred to the LIFE Team and the pilot to be run in Sheffield. She queried whether the two PCSOs to be seconded would be sourced from Sheffield or wider (across South Yorkshire).

SM Dunker commented that the advertisement for the two PCSOs had been offered South Yorkshire wide, and would predominantly be based in Sheffield due to the amount of anticipated incidents in that area.

Dr Billings referred to the duty for SYFR and SYP to collaborate and to ascertain areas that could deliver the best results from a financial, effectiveness and efficiency point of view for both services. He referred to the uncertainty within the Government in relation to the future of the Home Secretary etc. He added that, in his opinion, the direction of travel from the Government was for the emergency services to collaborate and work together, which he envisaged would be undertaken amicably within South Yorkshire. He looked forward to this period of collaboration.

Councillor Ransome queried the firefighter training involved to enable firefighters to undertake home visits.

SM Dunker commented that recruitment for the LIFE Team would come from Community Safety staff or the volunteer base. Training would be provided on home safety checks and HSC 3 together with training from YAS on manual handling to include falls procedures, and SYP for self-protection and awareness training. The training would be brought together jointly by SYFR, YAS and SYP over a 2 week programme. The pilot would be closely monitored by SYFR.

Councillor Ransome queried how many staff would be involved in the pilot.

AM Helps commented that the Safe and Well checks would shortly commence and be piloted in Doncaster. Two PCSOs and two members of staff had been seconded from SYFR into the LIFE Team, and had been trained on how to undertake a home safety check/safe and well check.

RESOLVED – That Members:-

- i) Noted the contents of the report.
- ii) Advised Officers whether work should be progressed on the Community Safety, Civil Protection Group and fleet elements (Sections 3, 4 and 7) to the project team and business case phase.
- iii) Approved further progress of the other elements within the report to the scoping stage.
- iv) Approved Safer Stronger Communities Reserve funding for the LIFE team pilot contained within Appendix C and Appendix D to the report.

11 RECOMMENDATIONS FROM AUDIT COMMITTEE - INTERNAL AUDIT REPORT:  
WIRRAL CLADDING AND ROOFING LTD

A report of the Clerk to the Authority was presented to update Members on the recent recommendations arising from the Audit Committee regarding an Internal Audit report into the engagement of Wirral Cladding and Roofing Ltd.

R Winter commented that the report had been considered by the Audit Committee in May 2016, and that it would be subject to further audit and governance scrutiny at future meetings until all recommendations are completed. The outcome of the review had identified clear issues with transparency of process and retention of documentation as to how Wirral Cladding and Roofing Ltd were first engaged by the Service; to be followed up at the Audit and Governance Committee meeting in July 2016.

Councillors Ransome and Ayris recommended that the matter be referred to South Yorkshire Police.

CFO Courtney offered assurance to Members that the issues raised had been brought to light, and steps had been instigated to engage with the Service's workforce at every level, to ensure that they were aware of the requirement of conformity.

D Terris referred to the number of concerns identified by the Audit Committee to be addressed as a priority. She suggested that, subject to Members' approval of the report recommendations, that no further action was deemed necessary, due to there being no findings of impropriety or conflict. The External Auditor was aware of the progress made, and the issue would be identified within the Annual Governance Statement. The Audit and Governance Committee would continue to monitor the issue and she had every confidence that the issues would be addressed.

RESOLVED – That Members noted the recommendations of the Audit Committee in response to the Internal Audit report and that the appropriate ongoing actions with regard to the recommendations contained in the report be kept under review by the Committee.

## 12 LIFEWISE CENTRE UPDATE

A report of the Chief Fire Officer and Chief Executive was presented to provide an update on the Lifewise project as it potentially changed from being a collaborative project between South Yorkshire Fire and Rescue (SYFR) and South Yorkshire Police (SYP) to a unified service platform through which a joint delivery model of community safety in both its SYFR and SYP forms was delivered.

Members noted that the Lifewise Centre had commenced in 2005 as a collaborative project with SYP to deliver citizenship and safety training to youngsters and vulnerable adults; update reports had regularly been provided to the Authority. The original extended Lifewise Agreement had expired in March 2016, and had moved into a 'steady state' partnership agreement under the CFO's delegated powers.

ACFO Blunden reiterated the success of the Lifewise Centre and the positive impression made upon the Year 6 children that visited the centre. Over the last

12 months, development work had been undertaken to adapt for wheelchair users and the hard of hearing.

Councillor Buckley commented that in 2015/16 there had only been two schools in South Yorkshire that had not attended the Lifewise Centre. He queried whether SYFR would continue to contribute a total of £50,000 per year.

ACFO Blunden commented that SYFR would continue to contribute £50,000 per annum; financial partnership arrangements were also in place for SYP.

Councillor Satur commented that it had been a pleasure to be a Member of the Lifewise Governance Board and to watch it develop; she gave thanks to the officers who had supported her whilst on the Board.

RESOLVED – That Members:-

- i) Noted the contents of the report.
- ii) Approved the change from a collaborative project to a partnership arrangement.

13 HOPE - APPOINTMENT OF TRUSTEES

D Cutting provided Members with an update on the HOPE Charity. The Authority had previously agreed to incorporate the HOPE Charity on behalf of the Service.

RESOLVED – That Members agreed Councillor Cave be appointed onto the HOPE Trustee Board.

14 HILLSBOROUGH STADIUM DISASTER - LEGAL FEES

A report of the Clerk to the Authority was presented to provide Members with an update on the issue of legal costs incurred in connection with the Inquest into the Hillsborough Stadium Disaster which commenced on 31 March 2014.

Members noted that on 26 April 2016, the Hillsborough Inquest Jury had announced their determination of unlawful killing in regard to the victims of the disaster; regular updates had been provided to the Audit Committee, in relation to the legal expenditure incurred as a result of the Inquest.

D Cutting commented that it was proposed to present a concluding report to the Audit and Governance Committee in September, to reflect the final audit and legal costs incurred.

RESOLVED – That Members noted the contents of the report.

15 OUTTURN REPORT 2015/16

A report of the Chief Fire Officer and Chief Executive and Clerk and Treasurer was submitted to inform Members of the final outturn position for the 2015/16 financial

year, together with the key revenue variances that occurred during the whole of the financial year and detailed analysis of the variances in the final quarter of the year.

Members noted a total of £49.627m operating budget had been approved by the Authority in 2015/16, with an actual expenditure for the financial year of £54.212m. The deficit had resulted from one-off events during the year funded from reserves that were not built into the operating budget at the start of the year. With the support of the £6.143m approved earmarked reserves, there was a total of £1.734m overall under spend for the financial year.

RESOLVED – That Members noted and approved the report.

16 MEMBER LEARNING AND DEVELOPMENT - REVIEW AND THE YEAR AHEAD

A report of the Clerk to the Fire and Rescue Authority was presented to provide Members with a review of learning and development undertaken in 2015/16, together with a forward look to learning and development in 2016/17 and wider regional and sub-regional developments.

The Member Induction Programme was reviewed annually and it had been fundamentally reviewed for 2016, to provide further information on the issues around Fire Reform and the changing role of the Service.

L Noble referred to media training which would be held for interested Members in July. The South Yorkshire Member Development Officer Group continued to meet quarterly; the next meeting would be held in Barnsley.

RESOLVED – That Members:-

- i) Noted the skills, learning and development acquired in 2015/16.
- ii) Agreed to a process of Development Discussions between July 2016 and the end of August 2016 for all new and existing Members which would inform an appropriate and targeted Learning and Development Schedule for 2016/17.
- iii) Noted the regional and sub-regional developments.

17 LEAD MEMBERS: ANNUAL REVIEW AND FORWARD LOOK

A report of the Clerk to the Fire and Rescue Authority was submitted to examine the existing Lead Member roles and to make recommendations for these to continue.

RESOLVED – That the Authority:-

- i) Considered the existing Lead Member roles as detailed at paragraph 2 in the report.
- ii) Agreed to the following nominations/amendments as appropriate and where vacancies exist:-

18 FRA

Area	Lead Member
<b>Strategic Partnerships (Health, Community Safety etc)</b>	<b>S41 Members</b> Cllr A Cave (Barnsley) Cllr A Atkin (Rotherham) Cllr J Satur (Sheffield) Cllr P Haith (Doncaster)
<b>Member Learning and Development</b>	Cllr N Akther
<b>Risk Management (Audit)</b>	Cllr P Haith
<b>Scrutiny</b>	Cllr A Buckley ( <i>as Chair of Scrutiny Board</i> )
<b>Stakeholder Engagement</b>	Cllr J Satur ( <i>as Chair of the current Stakeholder Engagement Board</i> )
<b>Environmental Issues</b>	Cllr G Weatherall
<b>Health and Safety</b>	Cllr Alan Buckley
<b>Business Continuity</b>	Cllr B Johnson
<b>Lifewise Governance Board</b>	Cllr J Satur
<b>Equality and Inclusion</b>	Cllr A Cave

MEMBER ENGAGEMENT WITH SYFR STAFF

A report of the Clerk to the Fire and Rescue Authority was presented, which was the first annual report covering Member engagement with Service staff.

The Staff Survey conducted in 2014 had highlighted that only 9% of employees believed the Authority had a good understanding of the Service. Feedback from station visits had identified that staff considered that Members should engage further with staff i.e. visits to Fire Stations and Departments etc.

A number of initiatives had been introduced to ensure greater engagement between Members and SYFR staff; this would continue to be developed as appropriate.

RESOLVED – The Members noted the continued FRA Member engagement with SYFR staff.

19 ANNUAL SCRUTINY REVIEW AND UPDATE

A report of the Clerk to the Fire and Rescue Authority was submitted to provide Members with a summary of key scrutiny activity undertaken in the past year (June 2015 – June 2016).

Members noted the discussion around the reports received by the Scrutiny Board and its role in conducting reviews and post-implementation reviews, following the dissolution of the Workforce and Organisational Development Board in September 2015. Proposals had been made to change the title of the board to the

Performance and Scrutiny Board and to make amendments to the Terms of Reference, as part of the governance review.

RESOLVED – That Members:-

- i) Noted the scrutiny activity from June 2015 to the present.
- ii) Continued to support themed scrutiny reviews and post-implementation reviews, as appropriate.
- iii) Supported the referral process for any topic or area from other Authority Committees/Boards etc. to the Performance and Scrutiny Board as appropriate.
- iv) Continued to support scrutiny and challenge across the full range of Fire Authority meetings.

20 ANNUAL REVIEW OF RISK MANAGEMENT 2015/16

A report of the Chief Fire Officer and Chief Executive/Clerk to the Fire and Rescue Authority was presented to set out the Authority's and Service's arrangements for managing risk in accordance with the Authority's Corporate Risk Management Policy and Strategy, together with the Governance arrangements around Corporate Risk Management and risk management developments during the year.

Councillor Haith queried whether Members would have sight of key partner risk registers.

A Hunt commented that he always requested sight of partner risk registers in order to share good practice. He would progress the matter further with L Noble.

RESOLVED – That Members considered the Risk Management Annual Report, and the assurance provided, as part of its overall consideration of the Authority's control framework for the purposes of the Annual Governance Statement (AGS).

21 ANNUAL CORPORATE PERFORMANCE REPORT FOR 2015/16

A report of the Chief Fire Officer and Chief Executive and Clerk to the Fire and Rescue Authority was submitted to provide Members with the Annual Corporate Performance Report for 2015/16, together with the 2015/16 quarterly and monthly dashboards and details of any Regulation of Investigatory Powers Act 2000 (RIPA) activity undertaken.

DCFO Roberts commented that the report had been presented to the Scrutiny Board on 23 June 2016. The following exception reports had been included for the performance indicators:-

- LPI 1.1(i) – Number of Accidental Dwelling Fires.
- LPI 1.4(2a) – Accidental Dwelling Fire Injuries.
- LPI 1.7(i) – Primary Arson Incidents.

- LPI 1.7(ii) – Secondary Arson Incidents.

Councillor Satur referred to the increase of road traffic collisions in all four of the districts, and expressed concern that there was now only one arson reduction officer within the Service. She queried whether there was any scope to increase the number of arson reduction officers.

ACFO Blunden commented that as part of the Support Services Review, the number of arson reduction officers had been reduced from 4 to 1, and the role had been captured within the FCSO role based at districts. The Service continued to work with the Safer Roads Partnership and the South Yorkshire Roads Partnership with South Yorkshire Police to drive down road traffic collisions.

Councillor Haith welcomed the initiatives regarding electrical and cooking fires, and she queried the public engagement for the launch of both initiatives.

ACFO Blunden commented that the Service continued to engage with properties within a specific radius following a fire dwelling incident. The Service also continued to provide home safety checks to the most vulnerable individuals within South Yorkshire. The Service had previously undertaken work with the DCLG on letter writing to ensure that the message was correctly conveyed. He was content that the Service was doing everything that it possibly could, together with the work undertaken by crews at a local level to engage with the most vulnerable individuals.

RESOLVED – That Members:-

- i) Noted the contents of the report.
- ii) Scrutinised and commented on the information presented in the attached report.

**22 PERFORMANCE MANAGEMENT FRAMEWORK - TARGETS FOR 2016/17**

A report of the Chief Fire Officer and Chief Executive and Clerk and Treasurer was submitted to present the Performance Management Framework and targets for 2016/17.

Members noted that the draft Performance Management Framework for 2016/17 had been presented to the Authority on 11 April 2016, and was reviewed annually. Provisional targets had been set for the first quarter of 2016/17 and had been adjusted to take into account the final outturn figures for 2015/16.

RESOLVED – That Members:-

- i) Noted the contents of the report.
- ii) Agreed the targets for 2016/17.

**23 SOUTH YORKSHIRE FIRE AND RESCUE ANNUAL EQUALITY AND INCLUSION REPORT**



A report of the Head of Human Resources was presented in relation to the Service's Annual Equality and Inclusion Report 2016.

F Edmonds informed Members that the annual report, in its new format, covered activity for the 2015/16 financial year in terms of case studies and progress against the Service's equality objectives, and set and reviewed new objectives for the current year together with a detailed action plan on how to achieve those objectives.

Councillor Haith queried the timelines as to when the new integrated bespoke HR system would be introduced.

F Edmonds commented that the new HR system had been introduced in terms of people being able to undertake direct reporting confidentially. Work would commence to encourage people to undertake self-reporting of the equality data.

Councillor Cave queried whether there was any scope for the Authority to move towards 'Excellent' of the Fire and Rescue Equality Framework.

DCFO Roberts referred to the report presented to the Authority in April in relation to equality and inclusion; the decision to move to 'Excellent' should be steered by Members. It was noted that very few fire and rescue services were seeking assessment against the Standard due to austerity and reduced capacity. Members noted that the Service would need additional resources if it was determined that they should work towards achieving 'Excellent'. He gave thanks to F Edmonds and her team for the production of an excellent report, and the Chair endorsed this.

RESOLVED – That Members:-

- i) Considered the Equality and Inclusion Report 2016 and associated Equality and Inclusion Action Plan.
- ii) Proposed or raised any required amendments, additions or issues.
- iii) Approved the report and action plan for action and publication.

24 PEOPLE STRATEGY REFRESH 2016/17

A report of the Deputy Chief Fire Officer and Director of Service Development was submitted which confirmed that the Authority's current People Strategy 2013-17 had been reviewed and consideration given to the progress made thus far, and the emergence of new areas for further development work relating to the South Yorkshire Fire and Rescue people management agenda.

Councillor Akther queried what was being done to address the low level of ethnic groups within the Service.

M Topham commented that the Service faced challenges generally within the workforce profile irrespective of race or gender, and that work was ongoing to

review the position with positive action campaigns etc. The Service faced a challenge that was reflective nationally, of the potentially low turnover of staff and limited opportunities to recruit and refresh the workforce which had caused a problem to all organisations. The National Joint Council (NJC) had commissioned a piece of work, led by L Dickins, the Independent Chair, to look at equality of opportunity, representation and culture within the fire service; work was ongoing and data from the Service had been collated.

Councillor Cave suggested that it would be useful for M Topham to meet with the new Members to explain in more detail the purpose of the People Strategy.

Councillor Ayris referred to the Personal Development Review (PDR) and the reference within the report that there was too much emphasis on the annual, or ad-hoc progression system that did not provide a rounded picture of an individual. He queried whether more regular contact was required from outside of the annual review.

M Topham commented that, occasionally, too much emphasis was placed on the annual PDR process. It was important to ensure staff aspirations were known to allow them to progress outside of the formal process.

Councillor Haith referred to the staff involved in the focus groups, and she queried how these were formed.

M Topham commented that F Edmonds and A Mills had undertaken comprehensive scoping work, involving discussions with staff, to gain a feeling of the behaviours that staff felt were important, and that the Service should subscribe to. Staff surveys had since been undertaken in-house, and groups would be brought together to commence to draft the Staff Charter.

Councillor Ransome referred to the age analysis, and in particular the 16-24 age range group which was significantly under represented. She queried whether the position would ever significantly change.

M Topham commented that it was highly unlikely to acquire firefighters within the 16-24 age range group. Work was ongoing both locally and nationally for apprenticeships within fire and rescue services.

RESOLVED – That:-

- i) Members considered the attached People Strategy Refresh – 2016/17 and supported the areas identified for further development.
- ii) The Service make arrangements to meet with the new Members of the FRA to explain the People Strategy in greater detail.

L Noble referred to a learning and development session to be held for the Board on 28<sup>th</sup> June and delivered by the LGA's Firefighter Pension Advisor. The Board was also pleased to welcome M Eastwood, Chair of the National Scheme Advisory Board to the session.

RESOLVED – That the minutes of the South Yorkshire Fire and Rescue Authority Local Pension Board held on 24 May 2016 were noted.

26 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act and the public interest not to disclose information outweighs the public interest in disclosing it.

27 FURTHER DEVELOPMENT OF FUTURE CONTINGENCY ARRANGEMENTS

A report of the Chief Fire Officer and Chief Executive was submitted to further develop the contingency arrangements following the Authority meeting held on 4 January 2016. Members gave consideration to a proposal and associated costs.

RESOLVED – That Members instructed the Service Managers to enter into a 1 year contract.

28 DISPOSAL OF SITE OF FORMER DARNALL FIRE STATION

A report of the Chief Fire Officer and Chief Executive was submitted to provide Members with an update on the planned disposal of the former Darnall Fire station.

RESOLVED – That Members confirmed the acceptance of the offer received for the Darnall Fire Station site, subject to the conditions set out in the report.

CHAIR

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<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 31 May 2016
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## MINUTES

### Present

Councillors D. Birkinshaw (Chair), G. Carr, Franklin, Grundy, Hampson, Higginbottom, Leech, Makinson, Markham, Stowe, Wilson and R. Wraith together with Tattersall (at the invitation of the Chair).

### In attendance at site visit

Councillors D. Birkinshaw, R. Wraith, Wilson and Tattersall (at the invitation of the Chair).

### 1. Declarations of Interest

Councillor Stowe declared a Non-Pecuniary interest in **Planning Application No 2016/0076** – Residential development of 14 no. dwellings and associated works as he resides opposite the development.

### 2. Minutes

The minutes of the meeting held on 19<sup>th</sup> April 2016 were taken as read and signed by the Chair as a correct record.

### 3. Town and Country Planning Act 1990 - Part III Applications - Speakers/Site Visits

**Planning application 2015/0961** - Demolition of existing hotel and erection of 27 no. dwellings with associated car parking and landscaping at Ardsley House Hotel, Doncaster Road, Ardsley, Barnsley, S71 5EH

**RESOLVED** that the application be granted in accordance with the officer recommendation, subject to signing of Section 106 relating to public open space contribution. Members noted that there is no longer any requirement for affordable housing on site due to vacant building credit.

**Planning application 2015/1425** - Residential development of 30 no. dwellings at land off Havelock Street, adjacent to Snape Hill Road, Darfield, Barnsley

Ms Sarah Foxwell addressed the Board and spoke in favour of the officer recommendation to grant the application.

Ms Anne Marie Dempsey addressed the Board and spoke against the officer recommendation to grant the application.

**RESOLVED** that the application be granted in accordance with the officer recommendation, subject to additional condition regarding retaining and maintaining access road to rear of neighbouring properties and signing of Section 106 for Affordable Housing.

#### 4. Town and Country Planning Act 1990 - Part III Applications

The Head of Planning and Building Control submitted a report on applications received for consideration together with an update regarding cumulative appeal totals.

**Planning application 2016/0076** - Residential development of 14 no. dwellings and associated works at land at Newsome Avenue, Wombwell, Barnsley

**RESOLVED** that the application be granted in accordance with the officer recommendation, subject to additional condition requiring Traffic Regulation Orders (TRO) at junction of access with Newsome Avenue and signing of Section 106 for loss of greenspace contribution.

**Planning application 2016/0302** - Erection of dwelling and garage with alterations to existing access at Old Quarry Site, Common Road, Brierley, Barnsley, S72 9ED

**RESOLVED** that the application be granted in accordance with the officer recommendation, subject to signing of Section 106 relating to loss of greenspace contribution.

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2016/17. It was noted that 2 appeals (2014/1449 and 2015/0720) were received in April 2016. No appeals were withdrawn in April 2016. 1 appeal (2015/0894) was dismissed (100%), 0 appeals were allowed.

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Chair

# Item 15



<b>MEETING:</b>	Audit Committee
<b>DATE:</b>	Wednesday, 15 June 2016
<b>TIME:</b>	4.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

**Present** Councillors Richardson (Chair), Barnard, Clements and Lofts together with Independent Members - Ms K Armitage, Ms D Brown, Mr S Gill, Mr P Johnson and Mr M Marks

## 1. DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no declarations of interest from Members in respect of items on the agenda.

## 2. APPOINTMENT OF VICE CHAIR

**RESOLVED** that Mr S. Gill be appointed as Vice Chair of the Committee for the municipal year 2016/17.

## 3. MINUTES

The minutes of the meeting held on the 20<sup>th</sup> April, 2016 were taken as read and signed by the Chair as a correct record.

## 4. ACTIONS ARISING FROM THE PREVIOUS MEETINGS

The Committee received a report detailing actions taken and arising from previous meetings of the Committee.

**RESOLVED** that the report be noted.

## 5. ANNUAL FRAUD REPORT 2015/16

The Head of Internal Audit and Corporate Anti-Fraud submitted his annual report on the counter-fraud activities undertaken by the Internal Audit Corporate Anti-Fraud Team for the period 1<sup>st</sup> April, 2015 to 31<sup>st</sup> March, 2016. The report provided information and assurance to the Committee regarding key aspects of the Authority's risk management, control and governance framework.

Of particular note were the following:-

- The role of the Corporate Anti-Fraud Team in ensuring that the Council had the appropriate arrangements to deter, detect and investigate fraud, and setting out the key activities of the team in taking forward this work.
- The specific work being undertaken to develop an anti-fraud culture across the Authority, including the delivery of guidance and training, acknowledging the responsibility of managers for fraud prevention.
- The continuous review of policy and procedural measures within the Council to ensure that any areas of systems weakness were identified. Internal Audit was also a member of the South and West Yorkshire Fraud Investigators Group, which met twice a year to share information and best practice.

- The outcome of the national fraud initiative, which examined twelve mandatory datasets to form the basis of national data matching. This work had identified 32 cases of fraud or error, resulting in the recovery of £135,879, of which £129,748 related to duplicate creditor payment error as previously reported to the April 2016 meeting of the Audit Committee.
- The Corporate Anti-Fraud Team had undertaken a range of reactive fraud work in relation to fraudulent claims for council tax support and council tax liability, with respectively 20 and 23 referrals accepted for investigations. A pro-active data matching exercise in relation to the payment of single persons' council tax discount had resulted in 6,942 review letters being sent. As a result, to date there had been cancellations in 1,179 accounts resulting in an additional council tax income of £321,947. There had been challenges to 104 of these responses, which had resulted in changes to the declared date and a further increase in council tax income of £20,699.
- The increase in the right to buy discounts had prompted the Corporate Anti-Fraud Team to apply an enhanced fraud prevention process, given the greater risk of fraud. Checks of 131 applications during the financial year had resulted in two sales being stopped. Awareness training had also been provided to Berneslai Homes in respect of housing tenancy fraud, made an offence under legislation introduced in November 2013. Although there had been 14 referrals of alleged tenancy fraud, there was only evidence of this in 1 case, which had been referred to Berneslai Homes for further investigation.
- The key priorities for the Corporate Anti-Fraud Team in 2016/17 related to the development of fraud awareness e-learning packages, reviews of council tax single persons' discount and the counter fraud policy framework, a further data matching of creditor payments and investigations of instances of council tax reduction scheme fraud.

In the ensuing discussion, and in response to detailed questioning, the following matters were highlighted:-

- It was noted that referrals for potential fraud were often not pursued due to the lack of evidence that fraud had occurred, or no evidence when subsequently investigated. It was confirmed that there was no value of detected fraud below which action was not taken. However, a judgement was made about the amount that would be recovered compared with the cost of recovery.
- The Corporate Anti-Fraud team had focused initially on those areas where there was known scope for fraud, hence the investigation in respect of council tax single person discounts. Future areas for investigation were being considered particularly in the area of care provision. It was noted that adult services staff already audited information provided by service users, and this process had itself been reviewed by internal audit. There had been no prosecutions, although some overpayments had been recovered.



- Members commented that the transaction value in respect of business rates, traded services and sundry creditors was greater than that of council tax, and queried why these former areas had not been pursued. It was noted that the opportunity for fraud or error in these areas was considered to be less than areas such as council tax discounts, given the systems in place and basis for liability. Those areas where fraud might be possible had a range of balancing checks that would prevent this. However, the corporate anti-fraud team continued to consider additional areas where investigation might prove fruitful.
- The areas that were subject to data matching were nationally mandated and some changed from year to year. The electronic data provided identified for investigation those individuals who appeared in a number of different categories and those individuals were then subject to investigation by the local authority concerned. This was now done by the corporate anti-fraud team, rather than services, to ensure a consistent and more rigorous approach.
- It was noted that duplicate creditor payments generally related to the payment for the same services or supplies being made more than once, more usually in error rather than as a result of fraud. Work was done to identify such errors and recover any over-payment.
- The scope for fraudulent orders or payments was limited by the separation of ordering and authorising roles within the Council. There was perhaps greater scope for fraud in those areas not entirely under council control or using council systems, or where there was the possibility of collusion between those in the respective roles. The need for a focus on fraud detection, particularly to identify where the opportunities for collusion in fraudulent activity, was noted.

**RESOLVED:-**

- (i) that the Annual Fraud report, which forms part of the framework of assurances to support the Annual Governance Statement, be approved; and
- (ii) that the continued embedding of a culture of zero tolerance and high levels of awareness regarding fraud and corruption be supported.

**6. EXTERNAL AUDIT - LOCAL AUTHORITY CORPORATE RISK REGISTER ANALYSIS 2015/16**

A representative of the Council's External Auditor (KPMG) submitted a report on an analysis undertaken of the content of various local authority corporate risk registers and detailing the current position in relation to Barnsley. By providing comparative information, councils could consider in particular whether there are potential risks that may have been omitted from their own risk registers and whether potential risks were given sufficient priority.

A gap analysis of issues for Barnsley MBC arising from this was considered by the Committee at Minute 7 below.

**RESOLVED** that the External Audit Corporate Risk Register Analysis for 2015/16 be noted.

## **7. EXTERNAL AUDIT - RESPONSE TO THE LOCAL AUTHORITY CORPORATE RISK REGISTER ANALYSIS 2015/16**

The Director of Finance, Assets and Information Services submitted a response to the report of the External Auditor (KPMG) on the local authority corporate risk register analysis 2015/16, referred to at Minute 6 above, following the completion of a gap analysis of the Authority's own risk management arrangements undertaken as a direct response to that report.

The analysis considered the extent to which Barnsley MBC's risk register included the most frequent risks featured across all local authority risk registers. In addition, the analysis undertaken by KPMG focused on: whether local authorities use specific software to support risk management; how often strategic risks were reported and the responsibilities of officers and Members in the strategic risk review process; and how developed were the Council's arrangements regarding corporate assurance mapping.

A gap analysis of the Council's strategic risk register against the KPMG analysis identified the following:-

- The Council's risk register identified key risks that corresponded closely to those identified in the KPMG analysis. There were two significant red risks on Barnsley's strategic risk register relating to health inequalities and emergency resilience. The recent review of the strategic risk register had sought to provide greater clarity in relation to the Council's ability to respond to emergency incidents and its own resilience by dividing business continuity/emergency resilience risk into two. In addition, a further risk in relation to the governance arrangements from the emerging Sheffield City Region Devolution Deal had been included.
- In terms of the risk register reporting and responsibilities, it was noted that there were no significant gaps in Barnsley's strategic risk register, with the exception that lead Members were not identified for specific risks or risk management itself. It was noted that this was only the case in 19% of local authorities.
- Barnsley MBC was one of the few local authorities that used specialist risk management software, which ensured the uniform and consistent recording of risks, the maintenance of version control and allowed the reporting and aggregation of risk to be performed more easily.
- Barnsley MBC had begun to develop a corporate assurance map to assist in identifying and addressing gaps in assurance, to provide evidence on which to

base the annual audit plan and provide a mechanism to link assurances from various sources against key governance controls.

**RESOLVED** that the response to the KPMG analysis of the Council's risk management arrangements, as set out in the report now submitted, be approved.

#### **8. OVERALL DEBT POSITION AS AT 31ST MARCH, 2016**

The Service Director of Finance submitted a paper detailing the overall debt position for the Authority as at 31<sup>st</sup> March, 2016. The paper analysed debt by source, ie trade, council tax, business rates and housing benefit, identifying the percentage of debt owed in relation to the year from which it was owed. The meeting noted recent targeting of activity to reduce debt owed to the Council.

**RESOLVED** that the Council's overall debt position as at 31<sup>st</sup> March, 2016, as set out in the report now submitted, be noted.

#### **9. EXTERNAL AUDIT PROGRESS REPORT AND TECHNICAL UPDATE**

The Committee received the External Audit progress report and technical update for June 2016, giving a high level overview of progress in the delivery of the External Auditors' responsibilities. The report set out in the appendix a summary of the main deliverables including reports and opinions given and Members noted progress against those issues. It was noted in particular that the interim audit had identified no areas of concern.

**RESOLVED** that the External Audit progress report and technical update for June 2016 be noted.

#### **10. AUDIT COMMITTEE WORK PLAN 2016/17**

The Committee received a report providing the indicative work plan for the Committee for its proposed scheduled meetings for the 2016/17 municipal year.

##### **RESOLVED:-**

- (i) that the core work plan for meetings of the Audit Committee for 2016/17, as set out in the report now submitted, be approved and reviewed on a regular basis; and
- (ii) that information on the various proposed training sessions be consolidated into one communication and recirculated to the Committee.

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Chair

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<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 28 June 2016
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## MINUTES

### Present

Councillors D. Birkinshaw (Chair), Coates, Franklin, Gollick, Hampson, Hand-Davis, Hayward, Higginbottom, Makinson, Markham, Mitchell, Noble, Richardson, Riggs, Saunders, Spence, Stowe, Wilson and R. Wraith together with Councillor Tattersall (at the invitation of the Chair).

### In attendance at site visit

Councillors D. Birkinshaw, Hampson, Spence and R. Wraith together with Councillor Tattersall (at the invitation of the Chair).

## 5. Declarations of Interest

There were no declarations of Pecuniary/Non-Pecuniary interest in respect of any of the items on the agenda.

## 6. Minutes

The minutes of the meeting held on 31<sup>st</sup> May 2016 were taken as read and signed by the Chair as a correct record.

## 7. Town and Country Planning Act 1990 - Part III Applications - Speakers/Site Visits

**Planning application 2016/0439** – Variation of Condition of application 2007/2148: Erection of four industrial units (B1, B2 and B8) each with 3 storey ancillary office accommodation, car parking, service yards and associated works; land off Wentworth Way, Wentworth Park Industrial Estate, Barnsley, S75 3DJ.

Mr Tony Plowman addressed the Board and spoke in favour of the officer recommendation to grant the application.

Mr Richard Garforth addressed the Board and spoke against the officer recommendation to grant the application.

**RESOLVED** that the application be granted in accordance with the officer recommendation and subject to additional condition for a Noise Management Plan, to include measures such as 'white noise' reversing on vehicles.

**Planning application 2015/0380** – Residential Development of 30 no. 2, 3, and 4 bed dwellings (Reserved Matters to application 2013/0813).

Mr Patrick Herbert addressed the Board and spoke in favour of the officer recommendation to grant the application.

**RESOLVED** that the application be granted in accordance with the officer recommendation and subject to signing of S106 agreement.

**Planning application 2015/1388** – Demolition of existing single storey workshop, erection of three storey apartments providing 7 no. flat studios, new reconfigured external works and car parking (outline) at land off School Street, Hemingfield

Ms Ann Vaughan addressed the Board and spoke against the officer recommendation to grant the application.

In accordance with the agreed protocol, a recorded vote was taken on this planning application with the amendment to refuse the application being:-

**MOVED** by Councillor Stowe and **SECONDED** by Councillor Makinson, with voting being recorded as follows:-

In favour of the amendment to refuse the application:- Councillors D. Birkinshaw, Coates, Gollick, Hampson, Hand-Davis, Hayward, Higginbottom, Makinson, Markham, Mitchell, Noble, Richardson, Riggs, Saunders, Spence, Stowe, R. Wraith and Wilson. The vote was unanimous in that no Councillors voted against the amendment to refuse the application and no Councillors abstained from the vote. All Councillors present at the time of the vote actually voted.

**RESOLVED** that the application be refused, contrary to office recommendation, on grounds of overbearing impact on neighbouring properties to the detriment of their residential amenities.

## **8. Town and Country Planning Act 1990 - Part III Applications**

The Head of Planning and Building Control submitted a report on applications received for consideration together with an update regarding cumulative appeal totals.

**Planning application 2015/1269** – Change of use of land to a private gypsy and traveller caravan site comprising of 11 no. pitches at Land to the south of Middlecliffe Lane, Little Houghton, Barnsley

The planning application was withdrawn by the applicant.

**Planning application 2015/1157** – Change of use of part (amounting to 222sq m of total warehouse floor area) of existing warehouse to car dismantling workshop at Former Dairy Depot, Beaver Street, Goldthorpe

**RESOLVED** that the application be deferred for a site visit.

**Planning application 2013/0373** – Removal of Condition 1 and Variation of Condition 3 of application 2007/0905 – Extension to Planning permission to allow permanent residential occupation of the site by the applicant for 2 no. touring caravans and 1 no. amenity building (part retrospective) at The Stables, Pleasant View Street, Barnsley

**RESOLVED** that the application be granted as per officer recommendation.

**Planning application 2016/0288** – Outline application for residential development at land at Sandygate Lane, Stairfoot

**RESOLVED** that the application be granted as per officer recommendation.

**Planning application 2016/0300** – Erection of two storey medical centre with integrated pharmacy and retail unit including associated parking and landscaping at Burleigh Street, Barnsley.

**RESOLVED** that the application be granted as per officer recommendation. and subject to agreement of additional condition relating to boundary treatment to car park and signing of Section 106 agreement.

**Planning application 2015/0097** – Demolition of existing buildings and canopy and construction of development comprising 3 new retail units along with provision of associated access and car parking (amended plans) at Former Aldham Bridge Services, Wombwell Lane, Wombwell

**RESOLVED** that the application be granted as per officer recommendation.

**Planning application 2016/0436** – Change of use from retail (Class A1) to a flexible use for a trampoline park (Class D2) or retail (Class A1) at Former MFI/Powerhouse Retail Unit, Twibell Street, Barnsley

**RESOLVED** that the application be granted as per officer recommendation. and with additional noise condition.

**Planning application 2016/0567** – Proposed new school playground to rear and change existing playground to staff car park at Hoylandswaine Primary School, Haigh Lane, Hoylandswaine

**RESOLVED** that the application be granted as per officer recommendation.

**Planning application 2016/0413** – Variation of Condition 2 (approved plans ) of application 2015/0421 (erection of temporary mobile classroom to primary school for early learning and associated services connections) relocation of mobile classroom and erection of fencing at Hunningley Primary School, Hunningley Lane, Stairfoot.

**RESOLVED** that the application be granted as per officer recommendation.

**Planning application 2016/0479** – Crown lift to 5m and remove epicormic growth from 5 sycamore trees T5, T6, T7, T8, and T11 and Lime Tree T9 within TPO 32/2008 at Barnsley Cemetery, Cemetery Road, Hoyle Mill

**RESOLVED** that the application be granted as per officer recommendation.

**Planning application 2016/0541** – Crown Removal to 100% to reduce future hazards of T4 sycamore within TPO 8/1974 at Playing Field Perimeter/Public Open Space, Dodworth.

**RESOLVED** that the application be granted as per officer recommendation.

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2016/17. It was noted that one appeal (2016/0286) was received in May 2016. No appeals were withdrawn in May 2016. 3 appeals have been dismissed (100%) since 1<sup>st</sup> April 2016.

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Chair



# Item 17



<b>MEETING:</b>	General Licensing Regulatory Board
<b>DATE:</b>	Wednesday, 29 June 2016
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

### Present

Councillors C. Wraith MBE (Chair), Cherryholme, Clarke, Frost, Hampson, W. Johnson, Millner, Richardson, Saunders, Sheard, Sixsmith MBE, Tattersall and Williams

### 1 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

### 2 Minutes

The minutes of the meeting held on the 24<sup>th</sup> February, 2016 were taken as read and signed by the Chair as a correct record.

Arising out of the discussion of the minutes reference was made to Minutes 21 'Revision of Dual Driver Licence Conditions' and to the current position with regard to the CSE/Safeguarding training programme that had been established and being delivered by Sheffield Futures.

The Board was informed that the first tranche of training had been provided for drivers providing Home to School Transport with the second tranche being complete last Friday. It was noted that all but 12 drivers had now completed this mandatory training and these drivers would be undertaking the training shortly.

The training, which had been well received, had been delivered to over 700 drivers in advance of the recommended date outlined within the recommendations following the audit review of the Licensing Service and thanks were extended to all drivers for their support for this very important initiative.

### 3 Home to School Transport Audit

The Service Director Culture, Housing and Regulation provided an update of the outcome of a Home to School Transport Audit Operation undertaken in the week commencing 13<sup>th</sup> June, 2016 and in which the Chair, Councillor C Wraith MBE took part.

The Chair reported that this had been an extremely useful exercise that had been undertaken at the Springwell School. All vehicles had been found to be fully compliant with regard to tyres and brakes and the majority of faults found were in relation to lights. Whilst lights were a less of a problem than other types of vehicle defect, they were nevertheless potentially dangerous. It was acknowledged that bulbs could blow at any time and for this reason, drivers were being encouraged to carry spare bulb packs within their vehicles so that faults could be rectified as soon as they were identified. Most vehicles suspended for faulty lights were either rectified

immediately and had the licence reinstated or were rectified within around 10 minutes, the drivers having had to leave Springwell to purchase new bulbs.

One vehicle had been found to have a 'non-regulation' vehicle licence plate on the rear of the vehicle and this too had been rectified within a short space of time.

The Principal Licensing Officer, on behalf of the Service Director commented that the exercise had been undertaken to follow up recommendations for the Audit inspection and involved a Licensing Enforcement Officer, officers from Audit and technical officers. She made the following comments:

- The operation had commenced at 8.00pm and lasted for two hours
- A total of 48 vehicles had been inspected of which less than a third had been suspended for various light defects
- As reported by the Chair, all vehicles had been reinstated following the rectification of the faults
- Both driver and vehicle licensing conditions were to be reviewed and it was hoped that a new condition requiring drivers to carry a spare set of bulbs would be incorporated
- The comments received from Audit have been extremely positive

In the ensuing discussion, the following matters were raised:

- The current staffing difficulties (and reasons for this) within Licensing Enforcement were noted. In response to questioning:
  - Members of the Board were informed of the full range of Licensing Enforcement activities in which the Service were involved, many of which fell within the remit of the Statutory Licensing Regulatory Board.
  - Particular reference was made to recent exercises undertaken with in association with the British Transport Police with regard to scrap metal. It was pleasing to note that there had been 100% compliance with the appropriate regulations
  - Reference was also made to current position with regard to the disposal and recycling of vehicle oil
- Arising out of the above discussion, the Chair commented that if any Member wished see, at first hand, an enforcement exercise in operation, they should contact the Licensing Service direct
- It was pleasing to note that the serious defects identified with vehicles was no longer an issue
- The way in which inspections of vehicles was outlined and it was noted that such inspections could be undertaken at Operators home addresses
- The rationale for undertaking the exercise at Springwell School was explained which was largely because of the number of vehicles involved with Home to School Transport visiting the site and because of the 'space' available to undertake those inspections. It was also noted that previous enforcement exercises had been undertaken at the Greenacre site

**RESOLVED** that the report be received and Officers within the Licensing Service be commented for the hard work undertaken to ensure the continued and improving compliance with all Licensing Conditions and Regulations.

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Chair

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<b>MEETING:</b>	Statutory Licensing Regulatory Board
<b>DATE:</b>	Wednesday, 29 June 2016
<b>TIME:</b>	2.30 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

**Present** Councillors C. Wraith MBE (Chair), Frost, W. Johnson, Markham, Saunders, Sheard, Sixsmith MBE and Tattersall

### 1 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

### 2 Minutes

The minutes of the meeting held on the 24<sup>th</sup> February, 2016 were taken as read and signed by the Chair as a correct record.

Further to Minute No 5 'Terms of Reference of the General and Statutory Licensing Regulatory Boards – Update' reference was made to the role of Members with regard to safeguarding and the provision of training on safeguarding responsibilities particularly in the light of the recent corporate inspection of Rotherham Metropolitan Borough Council and the publication of the Casey Report.

It was noted that:

- a presentation had been made to all Members on these responsibilities and training was ongoing for Members
- All the necessary steps had been taken to ensure that members were aware of their responsibilities and knew where to signpost concerns
- Sheffield Futures was providing training for all existing drivers
- A presentation had been made at the Shaw Lane Cricket Ground and at Netherwood school which had been well received
- The Organisation Member Development Officer was looking at the possibility of providing Member Training via the online training programme. It was hoped that this would become a mandatory requirement for Members
- The Service had worked hard to ensure that both Members and drivers were fully aware of their respective safeguarding responsibilities and it was pleasing to note that more than 700 drivers had undertaken the mandatory training. Any driver who had failed to undertake such training would be referred to a Panel of the General Licensing Regulatory Board where the suspension or revocation of that licence would be considered

### 3 Gambling Act 2005 - Statement of Licensing Policy

The Service Director Culture, Housing and Regulation submitted a report detailing changes to the framework governing the licensing of gambling which was referred to this Board by Cabinet at its meeting held on the 18<sup>th</sup> May, 2016 and seeking approval to recommend the Council to adopt the new Statement of Licensing Policy.

The report outlined the background to the review of this policy, indicated that it had been amended to take account of additional guidance and regulations since the policy was last adopted by the Council and gave details of the consultation process that had been undertaken.

In the ensuing discussion, reference was made to the following:

- The requirements of the risk assessments and premises specific mitigations which were now required in order to reduce the risk of gambling related harm
- The definition of 'Vulnerable People' referred to in the Licensing Objectives and the ways in which such persons could be protected in relation to 'gambling beyond their means'
- Whilst the Gambling Policy was generally welcomed, concern was expressed at the gambling activities that were not covered within this policy and which, nevertheless, could lead to gambling problems. Particular reference in this respect was made to online gambling and 'one armed' bandits and the increasing amount of television advertising which it was felt encouraged potentially irresponsible gambling and particularly in respect of young people. The increasing number of cases of debt related problems had been identified by both Members, the CAB and Credit Unions some of which was because of gambling and arising out of the debate there was a discussion of the ways in which these concerns could be raised with Government. It was noted that Councillors and MP's were identified as 'Interested Parties' who could make representations about licence applications or licence renewal applications
- Reference was made to the good working arrangement the Licensing Service had with the Gambling Commission
- If any Members had concerns about premises acting illegally or irresponsibly, and particularly where young people or children were involved, these should be forwarded to the Licensing Service for investigation
- It was noted that unless there were objections made to a new gambling premise licence application, the licence would be granted in accordance with the Gambling Act 2005
- Arising out of the discussion, reference was made to Section 181 of the Gambling Act which related to Betting Machines in 'betting premises' and 'casinos' which had been in force for a number of years

**RESOLVED** - that the report be received and the Service Director Culture, Housing and Regulation explore options as to how concerns in relation to un-regulated gambling activities and the increasing incidence of debt can be raised with the Government.

**RECOMMENDED TO COUNCIL** that, insofar as the Board is concerned, the Gambling Act Statement of Licensing Policy 2016 be approved and referred to Council for adoption.

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Chair

# Item 19

## NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL

24<sup>th</sup> May, 2016

- 1 Present:** Councillors Clarke (Chair), W Johnson and Richardson together with Councillor Griffin (Reserve Member)

Members of the Public and Press were excluded from the meeting.

- 2 Declarations of Interests**

There were no declarations of pecuniary or non-pecuniary interest.

- 5 Hackney Carriage and Private Hire Driver's Licence – Application – Mr S H**

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting Members to consider an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr S H.

The driver was in attendance together with his representative Mr D W (Licensing Consultant) who gave evidence in support of his case. Mr D W also called witnesses Mr and Mrs H in support of the applicant.

After considering all the evidence presented together with the representations made the Panel determined that the application be granted (with a review in 6 months) due to the time that had elapsed since the applicants last offence, the number of character references provided and the manner in which he had presented himself at the hearing.

The decision of the Panel was unanimous

16<sup>th</sup> June, 2016

- 6 Present:** Councillors Richardson (Chair), Ennis and S Green

Members of the Public and Press were excluded from the meeting.

- 7 Declarations of Interests**

There were no declarations of pecuniary or non-pecuniary interest.

- 8 Hackney Carriage and Private Hire Driver's Licence – Appeal against Revocation – Mr B B A**

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting Members to consider an appeal by Mr B B A against the immediate revocation of his Hackney Carriage and Private Hire Driver's Licence following the receipt of complaints and the issuing of three written warnings and a verbal warning.

The appellant was in attendance together with his representative Mr S A (Solicitor) who gave evidence in support of his appeal. Mr B B A also submitted character references in support of his case.

After considering all the evidence presented the Panel determined that the driver had presented no extenuating circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions. It felt that the Licensing Service had presented sufficient evidence to show that the appellant was not a fit and proper person to hold such a licence or ensure the safety of the travelling public of Barnsley.

The appeal by Mr B B A was dismissed.

The decision of the Panel was unanimous.



# Item 20

## **NOTES OF MEETING OF THE STATUTORY LICENSING REGULATORY BOARD SUB COMMITTEE**

**12<sup>th</sup> July, 2016**

1. **Present:** Councillors C Wraith MBE (Chairman), Shepherd and Tattersall.

2. **Declarations of Pecuniary and Non-Pecuniary Interest**

There were no declarations of pecuniary or non-pecuniary interest from Members in respect of items on the agenda.

3. **Application for a Review of the Premises Licence – Hot Spot (Whispers), Regent Street, Barnsley**

The Sub Committee considered a report on an application by the South Yorkshire Police for a review of the Premises Licence in respect of Hot Spot (Whispers), Regent Street, Barnsley.

The Sub Committee considered the application in the context of the Licensing Objectives and particularly Objectives:

- (a) Public Safety; and
- (b) Protecting Children from Harm

The Sub Committee considered all the evidence presented and listened to the representations made by all parties which included the South Yorkshire Police, Environmental Health, Pollution Control and the Licence Holder and his representative.

Statutory guidance required the Sub Committee to consider only those steps that were necessary and proportionate to promote the Licensing Objectives. The Sub Committee could not say at the time of the review that the revocation was necessary as it believed that conditions could be attached to the Premises Licence which, if complied with, would protect those Licensing Objectives.

Additional conditions, as detailed below, were, therefore, attached to the Licence:

1. A minimum of one member of staff to be assigned to act as Children's Safeguarder at the premises whenever under 18's are present. This role to be fulfilled in compliance with the guidance and training issued by the Barnsley Safeguarding Children's Board. Records in respect of any Safeguarder to be maintained and updated as and when necessary and produced for inspection when requested
2. All under 18's to have vacated the premises by 20.00, 7 days a week

3. Notification to be received by South Yorkshire Police and the Licensing Authority with a minimum of 5 working days' notice of all events held at the premises that are over and above the day to day operations. Information to include: number of security staff working, expected numbers attending the event, times of the event and who will be in managerial attendance at the event
4. Designated Premises Supervisor or Personal Licence Holder, in a managerial position, to be on site for the duration of all planned events
5. Training to be implemented and documented for all staff, this to be then reviewed and updated every 6 months and training records made available for inspection by the Licensing Authority
6. The following documentation to be maintained: incident log, refusal and ejection log and briefing for all security staff. The same documentation to be kept up to date and produced for inspection when requested
7. The upstairs of the premises not to be used for any licensable activities until the Licensing Authority has certified that it is satisfied that all safety and safeguarding policies and requirements are complied with
8. The Designated Premises Supervisor, or his/her approved deputy, must attend all meetings of Pub Watch.

The decision of the Sub Committee was unanimous.

## APPEALS, AWARDS AND STANDARDS REGULATORY BOARD

- |            |  |                          |
|------------|--|--------------------------|
| <b>(a)</b> | <b>School Admission Appeals Panel – 13<sup>th</sup> May 2016</b>   |                          |
|            | Darton College   | 2 Allowed                |
| <b>(b)</b> | <b>School Admission Appeals Panel – 16<sup>th</sup> May, 2016</b>  |                          |
|            | Barugh Green Primary   | 1 Refused                |
|            | Burton Road Primary  | 2 Adjourned              |
| <b>(c)</b> | <b>School Admission Appeal Panel – 19<sup>th</sup> May, 2016</b>   |                          |
|            | Burton Road Primary  | 2 Refused                |
| <b>(d)</b> | <b>School Admission Appeals Panel – 27<sup>th</sup> May, 2016</b>  |                          |
|            | Holy Trinity   | 4 Refused<br>1 Withdrawn |
| <b>(e)</b> | <b>School Admission Appeals Panel – 6<sup>th</sup> June, 2016</b>  |                          |
|            | Horizon Community College  | 1 Allowed                |
| <b>(f)</b> | <b>School Admission Appeals Panel – 8<sup>th</sup> June, 2016</b>  |                          |
|            | Shafton Primary  | 1 Allowed                |
| <b>(g)</b> | <b>School Admission Appeals Panel – 13<sup>th</sup> June, 2016</b> |                          |
|            | Athersley South Primary  | 8 Refused                |
|            | Worsbrough Bank End Primary  | 2 Refused<br>1 Withdrawn |
| <b>(h)</b> | <b>School Admission Appeals Panel – 14<sup>th</sup> June, 2016</b> |                          |
|            | Milefield Primary  | 4 Refused                |
| <b>(i)</b> | <b>School Admission Appeals Panel – 15<sup>th</sup> June, 2016</b> |                          |
|            | Shawlands Primary  | 1 Allowed<br>2 Withdrawn |
| <b>(j)</b> | <b>School Admission Appeals Panel – 20<sup>th</sup> June, 2016</b> |                          |
|            | Summer Lane Primary  | 5 Refused                |

	Barugh Green Primary	4 Refused 1 Allowed
	Summer Lane Primary	1 Allowed
<b>(k)</b>	<b>School Admission Appeals Panel – 22<sup>nd</sup> June, 2016</b>	
	Ward Green Primary	6 Refused 2 Allowed
<b>(l)</b>	<b>School Admission Appeals Panel – 23<sup>rd</sup> June, 2016</b>	
	Holy Trinity	8 Refused 1 Allowed
<b>(m)</b>	<b>School Admission Appeals Panel – 24<sup>th</sup> June, 2016</b>	
	Summer Lane Primary	1 Refused
	Silkstone Common Primary	1 Withdrawn
	Upperwood Primary Academy	1 Refused 1 Allowed
	Hunningley Primary	1 Withdrawn
<b>(n)</b>	<b>School Admission Appeals Panel – 27<sup>th</sup> June, 2016</b>	
	Greenfield Primary	11 Refused 1 Withdrawn
<b>(o)</b>	<b>School Admission Appeals Panel – 28<sup>th</sup> June, 2016</b>	
	Jump Primary	6 Refused
	West Meadows Primary	3 Refused
	Kings Oak Primary	2 Allowed
<b>(p)</b>	<b>School Admission Appeals Panel – 29<sup>th</sup> June, 2016</b>	
	Royston Parkside Primary	1 Refused 1 Allowed
	Birdwell Primary	2 Refused 1 Withdrawn
	Darton College	1 Allowed
	Darton Primary	3 Refused

	Ladywood Primary	1 Allowed
<b>(q)</b>	<b>School Admission Appeals Panel – 30<sup>th</sup> June, 2016</b>	
	Athersley North Primary	3 Refused 3 Allowed
	Hoylandswaine Primary	1 Refused
<b>(r)</b>	<b>School Admission Appeals – 4<sup>th</sup> July, 2016</b>	
	Birkwood Primary	2 Refused
	Carlton Primary	9 Refused 1 Allowed
<b>(s)</b>	<b>School Admission Appeals Panel – 5<sup>th</sup> July, 2016</b>	
	Mapplewell Primary	1 Refused 1 Withdrawn
	Ladywood Primary	4 Refused
	Gawber Primary	4 Refused
	The Hill Primary	3 Refused
<b>(t)</b>	<b>School Admission Appeals Panel – 6<sup>th</sup> July, 2016</b>	
	Kexbrough Primary	3 Refused 1 Allowed
	Forrest Academy	1 Refused
	Heathergarth Primary	1 Allowed 2 Withdrawn
	Worsborough Common Primary	3 Refused 1 Withdrawn
<b>(u)</b>	<b>School Admission Appeals Panel – 7<sup>th</sup> July, 2016</b>	
	The Mill Primary	4 Refused
	Cherrydale Primary	2 Refused
	Outwood Primary Academy (Littleworth Grange)	1 Refused

**(v) School Admission Appeals Panel – 8<sup>th</sup> July 2016**

Hoyland Common Primary	8 Refused 4 Allowed
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**(w) School Admission Appeals Panel – 11<sup>th</sup> July, 2016**

High View Primary Learning Centre	5 Refused 2 Withdrawn
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Horizon Community College	4 Refused 2 Allowed
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**(x) School Admission Appeals Panel – 12<sup>th</sup> July, 2016**

Worsbrough Bank End Primary	1 Refused
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Gawber Primary	1 Refused
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Silkstone Primary	1 Refused
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**Other appeals withdrawn prior to the allocation of a date**

Park Street Primary	4 Withdrawn
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Queens Road Academy	1 Withdrawn
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High View Primary	2 Withdrawn
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Doncaster Road Primary	1 Withdrawn
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Hunningley Primary	1 Withdrawn
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Carlton Primary	1 Withdrawn
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Gawber Primary	1 Withdrawn
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Carrfield Primary	1 Withdrawn
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Athersley South Primary	1 Withdrawn
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Ward Green Primary	1 Withdrawn
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Holy Trinity	1 Withdrawn
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<b>MEETING:</b>	Health and Wellbeing Board
<b>DATE:</b>	Tuesday, 7 June 2016
<b>TIME:</b>	4.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

### Present

Councillor Sir Steve Houghton CBE, Leader of the Council (Chair)  
 Councillor Jim Andrews BEM, Deputy Leader  
 Councillor Margaret Bruff, Cabinet Spokesperson - People (Safeguarding)  
 Councillor Jenny Platts, Cabinet Spokesperson - Communities  
 Nick Balac, NHS Barnsley Clinical Commissioning Group  
 Lesley Smith, NHS Barnsley Clinical Commissioning Group  
 Tim Innes, South Yorkshire Police  
 Tony Alcock HealthWatch Barnsley  
 Sean Rayner, South West Yorkshire Partnership NHS Foundation Trust  
 Steve Wragg, Barnsley Hospital NHS Foundation Trust

### 1 Declarations of Pecuniary and Non-Pecuniary Interests

Councillor Platts declared a non-pecuniary interest in minute numbers 6 and 11 in her capacity as a Member of Barnsley Hospital NHS Foundation Trust Governing Body, insofar as the discussion referred to the Trust.

### 2 Minutes of the Board Meeting held on 5th April, 2016 (HWB.07.06.2016/2)

The meeting considered the minutes of the previous meeting held on 5<sup>th</sup> April, 2016.

**RESOLVED** that the minutes be approved as a true and correct record.

### 3 Minutes from the Children and Young People's Trust Executive Group held on 17th March, 2016 (HWB.07.06.2016/3)

The meeting considered the minutes from the Children and Young People's Trust Executive Group held on 17<sup>th</sup> March, 2016. Attention was drawn to minute number 7 and the fact that TEG had commissioned a multi-agency task and finish group to review the approach to tackling teenage pregnancy

**RESOLVED** that the minutes be received.

### 4 Minutes from the Provider Forum held on 9th March, 2016 (HWB.07.06.2016/4)

The meeting considered the minutes from the Provider Forum meeting held on 9<sup>th</sup> March, 2016.

**RESOLVED** that the minutes be received.

### 5 BCF Plan 2016/17 (HWB.07.06.2016/5)

The meeting received an update on the contents of the Better Care Fund (BCF) Plan for 2016/17, incorporating in the appendix a copy of the final draft plan submitted on

21<sup>st</sup> March 2016 under the assurance process. Partners were continuing to work on the approach to the BCF beyond 2016/17 and this would be the subject of a report to a future Board meeting.

**RESOLVED:-**

- (i) that the report be received and the Better Care Fund Planning Submission Template and supporting narrative be endorsed;
- (ii) that the Chair and Vice Chair of the Board be authorised to approve any amendments to the plan as a result of the assurance process;
- (iii) that the further work required to develop the approach to the Better Care Fund beyond 2016/17 be noted.

**6 Draft Refreshed Health and Wellbeing Strategy - initial consultation (HWB.07.06.2016/6)**

The meeting received a presentation on the work to develop the Health and Wellbeing Strategy, having regard to the Board's initial guidance about the required outcome framework and the need to focus on systems leadership. The presentation made reference to the health and wellbeing system across Barnsley and the range of strategies that contributed to the overall strategy. The meeting noted the focus on not duplicating those strategies within the Health and Wellbeing Strategy itself, and seeking to focus on those areas where the Board could add value and progress only be achieved by working together.

The presentation set out the proposed Vision for the strategy: "People of Barnsley are enabled to take control of their health and wellbeing and enjoy happy, healthy and longer lives, in safer and stronger communities, regardless of who they are and wherever they live". The presentation also set out the Principles, Strategic Objectives and Outcomes considered central to delivering this Vision. This identified the importance of achieving a stronger economy and healthier workforce as a key Outcome, in addition to those previously seen as central to the Health and Wellbeing Strategy.

The meeting noted the proposed next steps, in particular continued engagement with stakeholders and a public consultation workshop scheduled for 21<sup>st</sup> June. Members commented on the importance of engaging the various Equality Forums in this consultation process. Partners also needed to undertake further work to identify and agree outcome indicators. It was intended to undertake consultation during July and August to allow the Board to consider the final draft in August / September. Once approved, further consideration of the associated Health and Wellbeing Board Work Programme will be required.

The Board discussed the importance of outcome indicators that confirmed rate and direction of travel but reflected the Board's system leadership role. It was equally important that those responsible for delivery against key outcomes could be held properly to account by the Board. Members commented on the need ensure that all relevant partners strategies were included in the list considered for the purposes of this work, and that these all meshed together in delivery of the outcomes. The relationship between work on the strategy and the developing Sustainability and Transformation Plan (STP) was acknowledged, particularly in providing the necessary Place-Based element of the STP.



**RESOLVED:-**

- (i) that the approach to developing the Health and Wellbeing Strategy, and the proposed Vision, Principles, Strategic Objectives and Outcomes set out in the presentation, be approved for further work;
- (ii) that the arrangements for consultation on the draft strategy be noted, and arrangements be made for engagement with the Equality Forums as part of this programme;
- (iii) that the Board acknowledge the importance of focusing on those areas where the Board can add value, and in holding to account those partners responsible for delivering each outcome, and a suite of outcome indicators be developed that has regard to these requirements.

**7 Annual Report of the Director of Public Health (HWB.07.06/2016/7)**

The meeting received the Director of Public Health's Annual Report for 2015/16, focusing in particular on reducing premature deaths and preventable ill-health. The meeting noted that, whilst life-expectancy was increasing for both men and women, the length of healthy life remained poor by comparison. The meeting noted the importance of early intervention and the targeting of interventions, specifically towards younger people. The meeting noted the innovative approach taken in presenting the Annual Report as an interactive PDF that identified key activity across directorates and in communities, which had been commended outside the borough.

The meeting noted the need for the key messages about preventable disease and ill-health being repeated on a regular basis, particularly to young people. The success achieved in reducing smoking prevalence amongst younger people, for example, was noted, but some consideration of how these messages could be better incorporated into the school curriculum was needed.

**RESOLVED** that the Director of Public Health's Annual Report for 2015/16 be received and partners be requested to signpost the report to interested parties, as appropriate.

**8 Mental Health Strategy, Action Plan and 'You Said, We Listened' Report (HWB.07.06.2016/8)**

The meeting received a report on the All-Age Mental Health and Wellbeing Commissioning Strategy for 2015 to 2020 and noted the engagement with partners and service users in developing the strategy. The meeting welcomed in particular the focus on and approach to the mental health and wellbeing of children and young people. The strategy continued to be developed, with the intention to work up one section in detail with stakeholders as the model for developing the whole strategy.

Members commented on the importance of inter-agency working on this strategy, in particular to explore in the depth the range of interdependencies and undertake further action planning. The Board welcomed the approach to developing the strategy as a good example of listening, with a pause in the timeline to allow full feedback. The action planning needed to pick up the issue of outcome indicators that could show progress on delivering the strategy. Progress monitoring would be undertaken by the Adult Commissioning Unit and escalated to the Board as necessary.

**RESOLVED** that the All-Age Mental Health and Wellbeing Commissioning Strategy for 2015 to 2020 be endorsed.

**9 Tobacco Action Plan/ Smoke Free Barnsley (HWB.07.06.2016/9)**

The meeting received a report on the Smoke Free Barnsley Action Plan, outlining local ambitions to inspire a smoke free generation. Partners were asked to support the plan as organisations, with the aim of making smoking invisible across the community. Members commented on the importance of aligning this plan to the Sustainability and Transformation Plan and to clarify the timeline for achieving the various outcome measures.

The meeting noted ambitious targets for the region and nationally that would put pressure on partners to take concerted action and Members discussed the scope for reclaiming the outside of buildings and push smoking further away. Members commented on the need for partners to support the range of proposed interventions, and the meeting noted the importance of increasing the number of referrals into the Be Well Barnsley programme from Primary Care.

**RESOLVED** that the Smoke Free Barnsley action plan be approved and partners seek to adopt its objectives within their organisations.

**10 BMBC Housing Strategy (HWB.07.06.2016/10)**

The meeting received a presentation giving update on the Barnsley Housing Strategy and Delivery Plan and outlining the key objectives and ambitions with specific reference to achievements in 2015/16 and proposed future activity. The presentation highlighted the significant impact of housing on health and wellbeing and approaches to improve access to good quality rented housing and affordable properties to buy.

The meeting noted the impact of the Decent Homes programme in Council properties on the quality of tenants' lives. In terms of poor private landlords, there was a need for better coordinated activity to challenge them more effectively. In particular, full use needed to be made of the activity supported through the Area Councils to improve areas working with local communities and landlords. If a key objective of both the Sustainability and Transformation Plan and Better Care Fund was to help people live at home for longer, there was a need for properties that were capable of adaptation or met lifetime needs.

**RESOLVED** that the presentation on the Barnsley Housing Strategy and Delivery Plan be received and the proposed future activity to support health and wellbeing be noted.

**11 Accountable Care Partnership (HWB.07.06.2016/11)**

The meeting received a report giving update on progress in exploring the development of an Accountable Care Organisation (ACO) in Barnsley. The report summarised the ACO approach as a group of providers who agree to take accountability for all care and care outcomes for a given population for a defined period of time under a contractual arrangement with a commissioner. The arrangement envisaged a single accountable provider or structure, and had been

developed out of the current thinking for the Sustainability and Transformation Plan to have a local dimension.

Members commented on the current position of their organisations in relation to the approach. There was a need for all partners to be fully engaged in the work on the ACO and to remove any barriers to participation, whether perceived or real.

**RESOLVED:-**

- (i) that the progress in developing an ACO in Barnsley be noted;
- (ii) that more work be done to ensure that all partners affected by the proposals are fully engaged in this work;
- (iii) that any proposals for an ACO in Barnsley be the subject of final approval by the Health and Wellbeing Board.

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Chair

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<b>MEETING:</b>	Overview and Scrutiny Committee
<b>DATE:</b>	Tuesday, 7 June 2016
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## MINUTES

### Present

Councillors Ennis (Chair), P. Birkinshaw, G. Carr, Charlesworth, Clarke, Frost, Gollick, Hampson, Hayward, W. Johnson, Makinson, Mathers, Philips, Pourali, Sixsmith MBE, Spence, Tattersall, Unsworth and Wilson together with co-opted members Ms P. Gould, Ms J. Whitaker and Mr J. Winter.

### 1 Apologies for Absence - Parent Governor Representatives

Apologies for absence were received from Ms Kate Morritt in accordance with regulation 7 (6) of the Parent Governor Representatives (England) Regulations 2001.

### 2 Declarations of Pecuniary and Non-Pecuniary Interest

There were declarations of interest from Councillor Ennis, as a Lay Member Director for Public and Patients, Barnsley Healthcare Federation Community Interest Company (CIC) and Councillor Unsworth as a Governor at Barnsley Hospital NHS Foundation Trust.

### 3 Minutes of the Previous Meeting

The minutes of the meeting held on 5<sup>th</sup> April 2016 were approved as a true and accurate record.

### 4 GP (General Practice) Services in Barnsley

Due to Councillor Ennis being a witness for this item on the agenda, the committee selected a Chair from the floor. It was proposed and agreed for Councillor W. Johnson to Chair; therefore he introduced the item and welcomed the following witnesses:

- Lesley Smith, Chief Officer, Barnsley Clinical Commissioning Group (CCG)
- Vicky Peverelle, Chief of Corporate Affairs, Barnsley CCG
- Jim Logan, Chief Executive, Barnsley Healthcare Federation CIC (Community Interest Company)
- James Barker, Director of Business Development and Strategy, Barnsley Healthcare Federation CIC (Community Interest Company)
- Paul Bibby, Chief Nurse and Director of Learning and Development, Barnsley Healthcare Federation CIC (Community Interest Company)
- Councillor Jeff Ennis, Lay Member Director for Public and Patients, Barnsley Healthcare Federation CIC (Community Interest Company)
- Carriane Stones, Healthwatch Barnsley Manager

Lesley Smith explained that 90% of all patient contact in the NHS is through GP services, with the demand continuing to rise. This can be explained by an increase in life expectancy, as people live longer, however healthy life expectancy in Barnsley is reducing hence patients' needs becoming more complex. 24% of the Barnsley

population are living with 1 or more long term condition; however the national average is below 17%. The healthy life-expectancy for men and women in Barnsley has fallen to 56 years. Additionally, 1 in 4 children in the borough are living in poverty and nationally there is an 11% vacancy rate for GPs. The CCG are working in partnership with the Council, voluntary sector and other agencies to respond to the social and economic factors which contribute to poor health, such as unemployment, smoking and lack of exercise.

Members proceeded to ask the following questions:

- i) The GP Patient Survey Data in the cover report shows that most of the Barnsley results are similar to what was found nationally apart from there were poorer results in relation to phone access to GP surgeries, why is this?

Members were advised as every household does not have internet access this reduces the number of people who are able to book their appointment on line. This then leads to an increase in the number of patients using the telephone service however the CCG is investigating this to see how it can be addressed.

- ii) What is the uptake in relation to patients registering for appointments with their GP online?

The committee were advised there is currently a national initiative for 10% of access to GP appointments to be made online, with work being done towards this process to be paperless by 2020.

- iii) How do you see the future of the healthcare economy; are there enough GPs to provide Primary Care?

The group were advised nationally there is an 11% vacancy rate in relation to GPs; therefore there are not enough GPs in the country to fill the vacancies we have. The CCG are working with other clinicians to meet the demand for services such as Advanced Nurse Practitioners and Healthcare Practitioners. We have recently recruited 17 Healthcare Specialists and 40 Healthcare Assistants.

- iv) Please can you provide some context around the workforce figures provided on page 19 of the attached report?

Members were advised that as referred to previously, there is a shortage of GPs both locally and nationally and we have to consider how GPs manage the increase in complex demand for services. We find that a lot of Barnsley patients are visiting GPs for social rather than medical reasons, such as loneliness and isolation. Medicines aren't the solution to this therefore we are working with partners to look at 'social prescribing' such as befriending services and attendance at social clubs.

- v) In the Central Area Council we commissioned the Royal Voluntary Service (RVS) to offer assistance with care in relation to non-medical conditions however the response from medical practitioners has been disappointing with limited engagement?

The service advised the committee they welcomed this feedback. They acknowledged this work had been slow to progress however hoped this would become available across the Borough and that Link Workers would pick this up with

practices. The CCG advised this information will be fed back at the next meeting of the Barnsley CCG Membership Council.

- vi) The 'I Heart' service was supposed to help to reduce the pressure on the Accident and Emergency (A & E) department; are there any solid plans to make sure that this service is benefitting the community?

The group were advised there has been a general misconception over the role of the 'I Heart' service; its purpose is to offer additional primary care services, rather than replacing existing services. 'I Heart' offers extended appointment times including evenings and Saturday mornings. We are also looking to extend the services to Sunday opening and we're due to launch video consultations before June. In future we are looking to extend the service to be open 365 days per year. 'I Heart' has been collecting data around where people would have gone if they had not accessed this service; during May they found 30% of patients would have attended A & E. This is however a secondary benefit to the service and not its primary purpose. Additional funding to support the 'I Heart' service has been approved up until 2019 which allows for further development of the service.

- vii) Not many people in our communities are aware of the 'I Heart' service; how is it being promoted?

Members were advised a lot of promotion work was done in November 2015; also the service is the number one search item in Google when people are looking for health advice in Barnsley. There will be a stall in the Alhambra Centre in Barnsley next week that will be promoting the 'I Heart' service, which has the potential audience of a weekly footfall of 170,000. We are also looking to develop Facebook and Twitter accounts and market the service further through GP practices.

- viii) Whilst people are aware of 'I Heart', they are not always knowledgeable as to what it represents?

The group were advised the CCG has undertaken promotional work to highlight the benefits of the 'I Heart' service, which can provide additional primary care for the Barnsley residents. This has included working with community services as well as the hospital, to ensure all partner agencies are aware in addition to next week's planned event at the Alhambra. The CCG welcomed ideas from members of the committee as to how the 'I Heart' service can be further promoted. A member of the committee commented on the figures in the report about the GP Patient Survey, specifically the percentage of people able to get a convenient appointment; which did not seem to reflect their own anecdotal feedback.

- ix) With reference to paragraph 2.2 in report 4b, what are the perceived and actual conflicts of interest?

When CCGs first formed, commissioning of Primary Medical Care was the responsibility of NHS England. As a CCG, we were offered to take on delegated responsibility. We have very clear processes and systems in place to manage conflicts of interest and guidance in relation to delegated commissioning is very clear. We also undertake internal audits in relation to this. GPs are the gatekeepers to the whole NHS with 90% of NHS contact coming through primary Care. The advantage of the CCG being responsible for commissioning is that the people who

know the population best are making informed decisions over what services need to be provided.

- x) A member of the committee suggested to engage with patients further, an information file containing the details of community groups, as well as services such as 'I Heart' and information on Ward Alliances could be displayed in GP practices. Also, a volunteer from a local group could be present to provide additional assistance?

The members of the committee were given an excellent response to this suggestion, with the CCG acknowledging this idea would enhance social prescribing. It was agreed that the Member and CCG would liaise outside this meeting to progress the idea further.

- xi) There is no mention in the report of patients with mental health issues; also often isolation can be due to a lack of public transport in a local area; what is being done regarding these issues?

The committee were advised that GPs would say 50% of their patients suffer with mental health issues. This can be low level mental health as a result of loneliness and isolation; therefore we need to focus efforts on social prescribing before issues become more complex. People with complex mental health problems also tend to have poorer physical health; therefore the CCG is working with South West Yorkshire NHS Foundation Trust (SWYPFT) to ensure parity of esteem. The NHS constitution also has pledges regarding mental health services and recognises that access to these is not as good as it could be.

In relation to transport the services acknowledged this was a very important issue and that problems tend to occur in communities where patient numbers are low. Members of the committee were encouraged to engage with the Barnsley Bus Partnership in their Network Consultation over planned changes to bus routes in the borough which were taking place the following week. The committee was also advised of Berneslai Homes' concern over low level mental health issues on our estates and are looking to employ a specific officer in relation to this.

- xii) The report provides information comparing the ratio of clinical to non-clinical posts which identifies that 'Barnsley is only second to Sheffield in the South Yorkshire and Bassetlaw area'; please can you clarify this?

Members were advised this referred to Barnsley being second from the bottom to Sheffield in this comparison.

- xiii) What is being done to attract GPs to Barnsley as well as ensuring they are retained?

The committee were advised we are trying to be as innovative as possible in relation to GP posts and offering fellowships to make posts more exciting and varied. A key role in this is Barnsley GP Federation which is looking at how we can encourage GPs into the Barnsley area by providing competitive packages including integrated posts which work in different areas of the health service. We are also working with young people to encourage them to consider a career within the health service.



- xiv) Smoking, alcohol and a lack of exercise have all been identified as causes that can result in long term health issues; what is being done to educate people to adopt a healthier, more active lifestyle?

The group were advised the service works in partnership with the Council's Public Health department and has recently employed a joint position to help drive and promote healthier lifestyles and targeting those most at risk.

- xv) An example of a conflict of interest was given in relation to a recent meeting; following this the committee member stated that conflicts of interest and perceptions of conflicts of interest should be managed and asked how effective are Barnsley CCG's governance arrangements in relation to this?

Members were advised a 360 Audit review was undertaken of governance arrangements which showed there were no high or medium risks, the report of which the service will circulate to the committee. NHS England also have concerns in relation to conflicts of interest and have created statutory guidance in relation to this, therefore we have to be confident that the decisions made are appropriate.

In relation to the meeting example given, this was a judgement call, the meeting was being held in public for transparency which meant those with a conflict of interest could have attended as Members of the public anyway. Those individuals were not involved in the meeting discussion which was purely sharing the outcome of a decision which could not be altered. Conflicts of interest are an area for concern; we did have two lay members, however as our accountabilities have increased we are looking to amend our procedures and have an additional lay member who is also a 'Champion' in relation to conflicts of interest.

- xvi) The report identifies following Care Quality Commission (CQC) inspections, of the 27 GP practices that have been inspected, 22 were rated as 'Good' and 3 'Requires Improvement' with 1 in 'Special Measures'. Do these ratings reflect any inherent trends and what measures are in place to address these?

One common theme was in relation to monitoring of fridge temperatures in relation to vaccines. It wasn't that the practices weren't monitoring them but they weren't recording it. The other theme was to make sure that every member of a practice understands how the practice functions; therefore our Head of Quality is working with practices to learn how to prepare for CQC inspections and to share best practice. It is important to note that inspections are a snapshot of a single day in a practice. 22 rated as 'Good' is a very good result for Barnsley and a common theme was that they all provided good, caring services.

- xvii) What was the reason for the one practice being placed under 'Special Measures'?

The group were advised this was due to subdomain ratings in relation to patient safety and quality due to record keeping and safeguarding. A lot of work has been done at the practice and the issues have been rectified rapidly, therefore the practice is now rated overall as 'Requires Improvement' not 'Special Measures'.

- xviii) Why was the contract for Highgate Practice in Shafton awarded to a new provider rather than the established one?

Members were advised the contract for the provision of healthcare at the practice had come to an end, therefore under European Union (EU) Regulation we were forced to take the contract out to tender; this was subsequently awarded to the preferred bidder.

- xix) Is the service proactively in contact with local schools to encourage young people to live a healthy lifestyle; if not, are there any plans to do this? Also, do the practices inspected by the CQC have their ratings displayed for patients to see?

The committee were advised the service works with colleagues in Public Health to improve the wellbeing of children in the borough, for example the CCG will work with the Council on the 0-19 Service Pathway. It is really important that we undertake this work as 1 in 4 children in Barnsley are currently living in poverty; therefore we need to manage this to manage demand on services.

In relation to displaying CQC ratings of GP practices in their surgeries, the ratings and reports are available in the public domain. The service is also working with their communications department to ensure these displays are both prominent and highly visible.

- xx) How are the decisions made as to the level of access to mental health services across the borough?

The committee were advised this item is on the agenda of the Health and Wellbeing Board meeting this afternoon to consider the Mental Health Strategy, Action Plan and 'You Said We Listened Report'. We look at figures in relation to the incidence of mental health and where we need to invest resources including seeking feedback from service users. Papers from the meeting can be circulated to the committee.

- xxi) When do you review the commissioning of community services?

Members were advised these are reviewed on an ongoing basis. We have an annual cycle and contract review in relation to community services and consider where we can make changes to and develop services.

- xxii) How many GPs are members of the Barnsley Healthcare Federation; what challenges do they face; and how are these being addressed?

The group were advised the Barnsley Healthcare Federation is a not-for-profit Community Interest Company. It currently has 28 local member practices which are able to share best practice amongst each other. The Federation also has a core clinical management team to look at the contracts it delivers. The challenge in Barnsley is the recruitment of GPs; therefore the Healthcare Federation has one salaried GP as well as a number of GPs contracted on a long term basis. Due to life expectancy rates and complex conditions within the borough we're working with the hospital, community services and primary care to ensure a holistic approach to services.

- xxiii) As 28 out of 36 GP practices in Barnsley are part of the Federation could this be seen to be a monopoly situation?

The committee were advised the CCG is very positive with the large number of practices in the Federation as it's about independent business coming together. If we had multiple federations this would become very complex and having a federation provides strength in the recruitment of GPs. The Barnsley Federation secured funding of £2.3m for the 'I Heart' service in Barnsley on behalf of the whole population; therefore this is available to all GP's patients regardless of whether they are part of the federation.

The contract at the Highgate practice at Shafton had reached the end of its term, therefore the procurement process ensued. Through this process we maintained GP services for 2500 people, whereas in other areas with numbers as small as this, practices no longer exist therefore it's positive that we have managed to maintain the service. We could do more in terms of communication in relation to this; however we followed a process where a contract was bid for, we evaluated them against set criteria and the contract was awarded to the winning bid.

A member of the committee commented that this had not been handled in an appropriate way as we should be celebrating and publicising those achievements. The CCG responded that they would take this on board. The committee was that since the contract was taken over there were now more appointments available for patients and the service has been open and running every day.

- xxiv) The report identifies there is a financial challenge of £500 million over the next five years across the South Yorkshire and Bassetlaw area; what affect will this have on the services that can be provided?

Members were advised the funding applies to the whole of the South Yorkshire and Bassetlaw region including NHS and social care budgets. There has also been a change to the funding formula, previously Barnsley benefited from how this was calculated which was based on per head of population including deprivation and age. The formula is now more focussed on age, therefore Barnsley will loose out and more money will go to the South of the country where there are higher elderly populations. By 2020 there will be a deficit of £20 billion pounds nationally; therefore we need to make sure our hospitals work more effectively together. We also need to ensure we transform out of hospital care and work with the voluntary sector, self-care schemes and help people to live healthier lives at home.

Carriane Stones, Healthwatch Barnsley Manager advised the group of the work being done by Healthwatch. They gather feedback from people's experience of health and social care services and have recently launched an online Feedback Centre where people can put their views and services can respond directly to them. They have recently worked with Councillor Gollick who approached them as the local area had a number of concerns about access to GP services. Through this Healthwatch spoke to over 80 members of the public and held events at GP practices to understand the barriers to services. Following this Healthwatch is due to produce a report and feed this back to the local services. In addition to online contact, Healthwatch can be contacted by phone. Through the process, Healthwatch also identified people were unaware of both the Pharmacy First scheme which provides an alternative resource to obtain advice / medicines for less serious illnesses from your local pharmacy, without having to visit your GP, as well as the 'I Heart' service; therefore they gave people further information about both of these services.

- xxv) A member of the committee began by complimenting Healthwatch on the excellent work they are doing, followed by enquiring whether they have a direct influence on improvement action plans?

The committee were advised Healthwatch have a number of systems where they can feed into, to improve performance, including meetings with the Chief Nurse of the CCG and other colleagues. They speak directly to providers and also attend the GP co-commissioning group so can influence work undertaken.

The Chair brought this item to a close and thanked the witnesses for their attendance and contribution.

## **5 Overview and Scrutiny Committee (OSC) Work Programme 2016-17**

Cllr Ennis resumed the role of Chair for the meeting and began by explaining to the committee the new arrangements for Scrutiny meetings, which will combine the roles of both the OSC and the Safeguarding Scrutiny Committee (SSC). Alternate OSC meetings will examine a safeguarding issue; this format will be trialled for 9 months to evaluate how successful it is. Members of the committee were advised at meetings where there is a safeguarding topic focus, following this a Private Member Briefing will be held on Social Care performance information. To provide members with knowledge of how to scrutinise the safeguarding data, there will be a training session as part of the meeting on 12th July 2016, which Cllr Ennis recommended every member to attend.

Members were advised, item 3.4 on the report details the proposed OSC meetings for the 2016/17 Municipal Year, this includes the annual topics that are due to be looked at: Cllr Ennis explained some of the meetings had spare capacity to include other topics to be agreed nearer the time and advised that 'The Local Sustainability and Transformation Plan (STP) would be considered on 4<sup>th</sup> October 2016 meeting as this was an important piece of work in relation to the delivery of Health and Social Care services. Additionally, there will be 3 Task and Finish Groups (TFGs) which are due to investigate Higher Level Skills and Jobs, Fly Tipping and Flooding Resilience.

Cllr Ennis advised members to either notify himself or Anna Morley of any additional issues which they felt ought to be considered for the Work Programme and asked the members of the committee to put themselves forward for one of the TFGs.

- i) Following discussions within the Central Area Council, should Neighbourhood Services be an area that could be looked at?

Members were advised that as the issues raised were specific to the Central Area Council, we would need to contact the Area Chairs to establish if there were Borough-wide issues, then this could be considered by the OSC.

The Chair thanked all for their attendance and declared the meeting closed.

### **Action Points**

- 1) Barnsley CCG to feed back comments to the next Membership Council meeting regarding poor engagement from medical practitioners in relation to social

prescribing services provided by the Royal Voluntary Service (RVS) which had been commissioned.

- 2) Members to advise the Barnsley Healthcare Federation/CCG of any further ideas how the 'I Heart' service can be promoted further.
- 3) Elected Member and CCG to liaise regarding the development and implementation of a file within GP practices, containing information on local community groups/services.
- 4) Members to engage with the Barnsley Bus Partnership in their Network Consultation.
- 5) CCG 360 Assurance internal audit report on the CCG co-commissioning governance process to be circulated to the committee.
- 6) Mental Health Strategy, Action Plan and 'You Said, We Listened' Report to be distributed to Members.
- 7) Members to advise Cllr Ennis or Anna Morley of any additional issues to be considered for the Scrutiny Work Programme 2016-17.
- 8) All members of the committee to put themselves forward for one of the TFGs.

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<b>MEETING:</b>	Dearne Area Council
<b>DATE:</b>	Monday, 6 June 2016
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Meeting Room, Goldthorpe Library

## MINUTES

**Present** Councillors Noble (Chair), Gardiner, Gollick, C. Johnson, Philips and Sixsmith MBE.

### 1 **Declarations of Pecuniary and Non-Pecuniary Interests**

There were no declarations of pecuniary or non-pecuniary interests.

### 2 **Minutes of the Previous Meeting of Dearne Area Council held on 4th April, 2016 (Dac.06.06.2016/2)**

The meeting received the minutes from the previous meeting of Dearne Area Council.

**RESOLVED** that the minutes of the Dearne Area Council meeting held on 4<sup>th</sup> April, 2016 be approved as a true and correct record.

### 3 **Performance Report (Dac.06.06.2016/3)**

The Area Council Manager introduced a report providing an update on the delivery of the Area Council's commissions, Service Level Agreements and services paid for through the Dearne Development Fund. Officers from the Safer Communities Service attended the meeting and presented detailed information on the private sector housing enforcement activity that had been undertaken during January to March 2016, including action taken in respect of fly tipping, noise complaints, anti-social behaviour, rat infestations, requests for service, advice and referrals and in identifying and supporting vulnerable households etc.

Members welcomed the work being carried out and in particular recognised the impact of working with families and individuals, getting to know communities and getting access to homes that previously have not had the benefit of any kind of support, which enabled valuable early intervention where necessary.

The comfortable achievement of performance targets, as set out in Part A of the report, was noted and it was suggested that the level of the targets for future commissions should be given careful consideration to ensure the correct level of challenge.

It was stated that the three Dearne Area Council contracts and the service level agreement with Barnsley MBC Safer Communities Service continue to perform satisfactorily with no significant issues identified. With regard to Skills and Learning for Work it was noted that, even though the contract had now ended, volunteers continued to provide assistance at the Salvation Army, providing a legacy from the commission. There was overall satisfaction that Kingdom was performing well in

respect of the Environmental Enforcement contract, despite the late submission of monitoring information. It was noted that a recent dog fouling operation had resulted in 14 fixed penalty notices being issued in the Dearne area.

It was reported that the nine Dearne Development Fund projects had got off to a very positive start. The Dearne Valley Bulldogs had been successful in their bid for £85,000 of funding from Sports England and they will now receive £15,000 from Area Council funds to enable them to progress their project. The work being carried out by TADS, who had received funding through the Development Fund, in order to give young people access to complimentary therapists to enhance their emotional wellbeing and leave them with better coping strategies, was noted. It was suggested that Jenny Britain from Phoenix Futures be invited to the next Area Council meeting.

**RESOLVED:-**

- (i) that the progress being made on the three Dearne Area Council commissions and service level agreement with Barnsley MBC, as set out in Appendix 1 of the report now submitted, be noted; and
- (ii) that the progress of the Dearne Development Fund applications, as set out in Part C of Appendix 1 of the report, be noted.

**4 Dearne Area Council updated financial position (Dac.06.06.2016/4)**

The Area Council Manager presented a report providing an updated financial position for all Dearne Area Council spending and outlined the unallocated amounts. At the end of the 2015/16 financial year the Area Council had spent £262,257 of its £255,438 allocation, leaving a deficit of £6,819. This figure was offset against £27,483, the year end income from fixed penalty notices, leaving £20,664 to carry forward into the 2016/17 budget.

The Area Council has an allocation of £200,000 to spend in 2016/17 and to date has spent and earmarked £122,846 on previously agreed projects/services. This, plus the income of £1,525 from parking fixed penalty notices leaves an unspent allocation of £99,343 to spend for the financial year 2016/17.

**RESOLVED** that the updated financial position for the Dearne Area Council and the unallocated amount remaining for 2016/17, as detailed in Appendix 1 to the report now submitted, be noted.

**5 Housing Enforcement Service Level Agreement (Dac.06.06.2016/5)**

The Area Council Manager presented a report outlining the role of the Housing Enforcement and Investigations Officer and containing a proposal for funding the post until March 2017. This would extend the post in line with the Private Sector Housing Officer post, which was also funded to March 2017, and would maintain current service provision.

**RESOLVED** that approval be given to the funding of the Enforcement and Investigations Officer post until March 2017, as detailed in the report now submitted,



and to the allocation of approximately £12,000 out of the commissioning budget to continue the level of housing and enforcement provision that already exists within the Dearne area.

## **6 Clean and Tidy Service (Dac.06.06.2016/6)**

The Area Council Manager presented a report setting out options for the future provision of a clean and tidy service for the Dearne area.

Following a formal procurement exercise the service was committed for a one year period in September 2015. The Area Council was provided with three options to take the service forward beyond September 2016: A) do nothing; B) put the contract out for three quotes for a period of six months; and C) undertake a full tender process for a period of one year.

**RESOLVED** that approval be given to seek three quotes for a contract for a period of six months for a clean and tidy service for the Dearne area (Option B), as set out in the report now submitted.

## **7 Notes from the Ward Alliances (Dac.06.06.2016/7)**

The meeting received the minutes from the Dearne South Ward Alliance meeting held on 13<sup>th</sup> April, 2016 and the Dearne North Ward Alliance meeting held on 19<sup>th</sup> April, 2016.

With reference to the Dearne South Ward Alliance it was suggested that a discussion on the operation of the Alliance be held at the next Alliance meeting.

With regard to the Dearne North Ward Alliance it was noted that there was a need for representation from residents of Goldthorpe on the Alliance and noted that the Area Council Manager would follow-up the interest shown in this position.

**RESOLVED** that notes from the respective Ward Alliances be received.

## **8 Report on the Use of Devolved Ward Budgets and Ward Alliance Funds (Dac.06.06.2016/8)**

The Area Manager presented a report confirming that both the Dearne North and Dearne South Wards had spent all of their Devolved Ward Budget allocation for 2015/16 and that there would be no Devolved Ward Budget for 2016/17.

For Dearne North, the 2015/16 Ward Alliance underspent by £69 and therefore would have a starting budget for 2016/17 of £10,069.

For Dearne South, the 2015/16 Ward Alliance underspent by £1,160 and therefore the starting budget for 2016/17 would be £11,160.

**RESOLVED** that the report on the Devolved Ward Budgets and the Ward Alliance Funds be received.

**9 Allan Sneddon, Tasking Officer**

**RESOLVED** that Allan Sneddon, Tasking Officer, be requested to attend the next Area Council meeting to discuss current service provision.

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Chair

<b>MEETING:</b>	North Area Council
<b>DATE:</b>	Monday, 6 June 2016
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Meeting Room 1, Barnsley Town Hall

## MINUTES

### Present

Councillors Leech (Chair), Burgess, Cave, Charlesworth, Cherryholme, Grundy, Howard, Lofts, Miller, Platts, Spence and Tattersall.

### 1 Appreciation

Councillor Leech gave thanks to Councillor Burgess as outgoing chair, praising her hard work in establishing North Area Council and helping it develop to its current position. This sentiment was echoed by those Members present.

### 2 Declarations of Pecuniary and Non-Pecuniary Interests

Councillor Burgess declared a non-pecuniary interest in minute numbers 6 and 9 as a trustee of Barnsley Citizen's Advice Bureau.

### 3 Minutes of the North Area Council meeting held on 4th April 2016

The Area Council received the minutes of the previous meeting held on 4<sup>th</sup> April, 2016.

With regards to minute 58, the development of a pilot project to establish the needs of small businesses, it was noted that a meeting was to be held imminently to progress this,

**RESOLVED** that the minutes of the North Area Council meeting held on the 4<sup>th</sup> April, 2016 be approved as a true and correct record.

### 4 Clean and Green Project Update

Neil Spencer and Martyn Hall from Anvil CIC were welcomed to the meeting to present progress on the Clean and Green commission.

Work had commenced in late September, early October 2015, but much of the winter had been used to build relationships within the area. Within the second quarter the team had been more active in engaging the community to improve areas with a 'doing with' approach. This had included working with existing groups but also beginning to nurture and stimulate new groups.

To date 103 volunteers had been engaged and a total of 603 bags of waste collected. Members were made aware of work with schools in the area to engage young people and a number of activities had been planned for the summer holidays.

The meeting heard about a number of activities planned throughout the North area, and also links with Coalfields Regeneration Trust and with Barnsley College to develop skills and employability.

It was suggested that it would be useful for the details of groups and individuals engaged be circulated to Members, and it was noted that in the future volunteering hours would also be collated.

Members gave thanks for the positive impact the commission was making, and complemented the team on their engagement of residents in improving the community.

**RESOLVED that:-**

- (i) Thanks be given to Neil Spencer and Martyn Hall for their attendance;
- (ii) Details of groups engaged be circulated to Members;
- (iii) Moving forward the volunteer information collected be more tangible.

## **5 Data Review**

Liz Pitt, Research & Business Intelligence Manager, was welcomed to the meeting to give a presentation on the most recent data for the area, linked to the Area Priorities.

A caution was given highlighting issues with using data at a very small level; due to low numbers there could be considerable variation.

Members were made aware of current population estimates within the area and the proportion of residents who were ethnic minorities. Also considered was the deprivation in the area using data from the Indices of Multiple Deprivation, noting that 16% of the North Area was within the 10% most deprived area in England. Changes in deprivation between 2010 and 2015 were discussed, noting that the two sources of data were not directly comparable.

Members noted the changes over time and also the significance of health deprivation and disability in the overall figures.

The meeting was presented with information relating to poverty in the area, and it was noted that 21% of children aged under 16 in the North Area lived in low income families, compared to 24% in Barnsley. However, there was significant variation within the North Area itself.

With regards to environmental data, the meeting considered the number of dog fouling and litter incidents, recognising that these were only those that had been recorded by Neighbourhood Services. It was noted that incidences of fly-tipping had increased in all Area Councils apart from North, though Members said that this did not resonate with their experiences locally.

Presented were the causes of death between 2009 and 2013, and it was noted that cardiovascular diseases and cancer figured highly. The risk factors for health were noted, with smoking, high blood pressure and high cholesterol being the three main risks. With regards to smoking prevalence it was noted that rates were lower in the North Area than was average in Barnsley. However, Members acknowledged the high rates of smoking in pregnancy in the St. Helen's ward.

Excess weight in children was discussed and it was noted that there was a general upward trend in 4-5 year olds, but no consistent trend in 10-11 year olds, though rates were thought to be generally high.

Members went on to consider data relating to the economy in the area, and heard how the percentage of working age population had generally reduced over the past two years, however the number of new business starts had been declining year on year since 2010.

The meeting received information on the academic performance of young people both resident and in schools in the area, and went on to consider levels of NEETs in the area, noting a decrease in Barnsley as a whole, and in each of the Wards of the North Area.

Thanks were given for the presentation, and it was agreed to share the contents of the presentation with Ward Alliances in the area. It was also suggested that more information at a Ward level would be useful for Members.

## **6 Commissioned Project Update**

The item was introduced by the North Area Council Manager. Members attention was drawn to recent quarterly report submitted by Kingdom Security. During the final quarter 128 Fixed Penalty Notices had been issued with 10 of these being for dog fouling, and the remaining for littering. A further 32 notices had also been issued for parking violations. As a result the Area Council had received £70,765 income.

The meeting discussed administration costs associated with Parking Charge Notices. It was noted that any costs associated with the processing of Fixed Penalty Notices was covered in the Service Level Agreement with Community Safety and Enforcement, this was not the case for Parking Charge Notices.

The meeting then went on to consider the performance of the contract with CAB and DIAL. Members noted the sessions being held in each Ward, and the 251 people who had already accessed the service this quarter, leading to a total of 456 client contacts and a benefit gain of £577,019. This equated to £15 for every pound invested in the project.

Members discussed the current levels of demand and it was agreed to monitor levels to ensure all interested parties could access the service. A suggestion was made to make enquiries as to whether the sessions held in the area impacted on the numbers attending town centre sessions.

The contract with The Forge – Anvil CIC was discussed very briefly, as much of this had been covered earlier in the meeting. Two of the performance measures were rated as ‘Amber’ due to additional information being requested to evidence the outputs claimed.

Members noted the final performance report for the ‘Now you’re cooking’ contract with SWYPFT. The Area Council Manager made members aware that an extensive end of contract final report was available on request. The meeting discussed the legacy of the project, highlighting a number of cook and eat sessions continuing to be run by volunteers in the area. The celebration event held on the 31<sup>st</sup> of March had been a huge success, well attended with presentation delivered from groups that had benefited from the project.

**RESOLVED** that the report be noted.

## **7 Stronger Communities Grant Performance**

The item was introduced by the Area Council Manager.

A project summary and narrative update was provided for each of the projects funded. Case studies had also been provided as part of the monitoring process. The information provided constituted a final report for all bar the RVS and Romero projects, noting that they had both been delayed for different reasons.

Members discussed the impact each project had made in the area, with beneficiaries including residents both young and old, and also helped build relationships with other organisations in the area such as schools.

**RESOLVED** that the report be noted.

## **8 Opportunities for Young People Project Proposal**

The Area Council Manager referenced two working groups held on 25<sup>th</sup> April and 18<sup>th</sup> May, 2016 to discuss and refine the proposed idea, which built on the positive results of the Summer Holiday Internship.

The working groups involved Members, and representatives from Targeted Information Advice and Guidance, and from the Young People's Skills and Enterprise Service. Together a positive way forward was arrived at, and the basis of a coproduced specification that would be additional and complementary to existing services.

The initial project was outlined in appendix 1 of the report, and it was proposed that the service would engage 20 people, but it was thought this should be higher. It was suggested that the project would require engaging 2 part time staff for approximately 18 months. It was therefore suggested that an indicative figure of £50,000 per annum be allocated to the project.

Members agreed that a more developed specification for the project be developed, with a further meeting of the working group being convened if required.

### **RESOLVED**

- (i)** that the draft project proposal be endorsed;
- (ii)** and that a detailed specification be developed for consideration at a future meeting of the Area Council, with an indicative allocation of £50,000 per annum.

## **9 Commissioning - Contract Extensions: (i) Anti-Poverty, (ii) Clean and Green**

The meeting considered the report which reminded Members of two contracts that were let on the basis of one year, with an extension for a further year if Members so wished. The contracts were for the Clean and Green Service, and for the Anti-Poverty Outreach Service, both of which commenced in September, 2015.

Both projects were thought to be delivering effectively and therefore it was agreed to extend both for a further year until September, 2017.

**RESOLVED:-** that

- (i) The Clean and Green Service be extended by a further year to September, 2017 at a cost of £75,096;
- (ii) The Anti-Poverty Outreach Service be extended by a further year to September, 2017 at a cost of £74,060.

## **10 Priority Working Groups - ward representation**

Members were reminded of the purpose of the priority working groups, which assisted with the design of projects and often acted as a steering group once were operational.

It was noted that the following working groups existed:- Young People; Health and Wellbeing; Environment; Anti-Poverty; Community Magazines – Editorial Group, and SCG Grants Panel. In addition it was proposed that a group be convened to support the Economic Regeneration Priority.

The meeting agreed the following memberships:-

Young People – Councillors Charlesworth, Burgess, Lofts, and Tattersall.

Health and Wellbeing – Councillors Spence, Cave Grundy, and Platts.

Environment – Councillors Spence, Howards, Lofts, and Tattersall.

Anti-Poverty – Councillors Miller, Burgess, Cherryholme, and Leech

Economic Regeneration – Councillors Tattersall, Grundy, Charlesworth and Burgess.

Community Magazines – Councillors Leech (Chair), Miller, Cave, Cherryholme and Tattersall.

SCG Grants Panel 2016/17 – Councillors Spence, Howard, Grundy, Tattersall, and Phil Hollingsworth (Chair) Membership for 2017/18 to be revised following a review of the criteria and approval process by the existing panel.

**RESOLVED** that the membership of the working groups be as detailed above.

## **11 Report on the use of Devolved Ward Budgets and Ward Alliance Funds**

The report was introduced by the Area Council Manager, and attention drawn to the levels of finance carried forward, and current levels of expenditure. It was noted that most wards had a number of projects pending.

Members were made aware of the changes in how the Ward Alliance Fund could now be utilised, with only half of the finance available requiring funds to be matched with volunteer time or from other sources.

**RESOLVED** that each Ward prioritises the efficient expenditure of the remaining Ward Alliance Funds in line with the guidance on spend.

## **12 Notes from the Ward Alliances**

The meeting received the notes from the Darton East Ward Alliance held on 10<sup>th</sup> March, and 14<sup>th</sup> April, 2016; Darton West Ward Alliance held on 14<sup>th</sup> March, 11<sup>th</sup>

April, and 9<sup>th</sup> May, 2016; Old Town Ward Alliance held on 2<sup>nd</sup> March, 6<sup>th</sup> April, and 4<sup>th</sup> May, 2016; and St Helen's Ward Alliance held on 7<sup>th</sup> April, and 12<sup>th</sup> May, 2016.

Councillor Spence provided a brief overview of the work of Darton East Ward Alliance, noting that two business representatives had joined the Ward Alliance. A dementia support social club had been established, which was going well. Members spoke about the proposed clean-up of land near Birkinshaw's, Darton. It was also noted that work was underway to try to move the mailbox on Shaw Lane to improve safety.

Councillor Burgess gave an update on the work of Darton West Ward Alliance. An action plan has been agreed for the current year, with each priority area assigned a lead member of the Ward Alliance and a lead Councillor. Members noted that the Community Choir was going well and was open to all to join. The Alliance had discussed Christmas lights and would be looking for business sponsorship. Also discussed was litter, with litter being thrown from passing cars an issue.

Councillor Cherryholme made Members aware of a recent event held by the Old Town Ward Alliance which was well attended and also helped to raise money. The Alliance was working at reviewing the Ward plan, and a website had been established for residents to forward their priorities. Members noted that the Wilthorpe Park play area had now been opened, and that Old Town Carnival had been arranged for 3<sup>rd</sup> July, 2016 on St. Paul's Field.

Councillor Platts highlighted some of the recent work of St. Helen's Ward Alliance. A gala had been arranged to take place on 29<sup>th</sup> July, 2016 on the Memorial Field and with lots of stalls confirmed. An update was provided on the work of Coalfields Regeneration Trust and the intention to open a Community Shop in Athersley in August. The Ward Alliance was still receiving bids for funding and had recently supported the guides in to purchase 3 PCs and a printer.

**RESOLVED** that the notes of the respective Ward Alliances be noted.

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Chair



<b>MEETING:</b>	North East Area Council
<b>DATE:</b>	Thursday, 9 June 2016
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Meeting Room 1, Barnsley Town Hall

## MINUTES

### Present

Councillors Hayward (Chair), Cheetham, Clements, Ennis, S. Green, Hampson, Higginbottom, Makinson, Sheard and C. Wraith MBE

### 1 Declarations of Pecuniary and Non-Pecuniary Interests

Councillor Hayward declared a non-pecuniary interest in Item 4 on the agenda as he is the Chair of Barnsley Community Build (BCB).

### 2 Minutes of the Previous Meeting of North East Area Council held on Thursday, 14th April, 2016

The meeting considered the minutes from the previous meeting of the North East Area Council held on 14<sup>th</sup> April 2016.

It was highlighted that the standard of grass cutting in Cudworth Park was not very good, with a lack of strimming and missed corners. This needs to be rectified before judging for the Barnsley in Bloom Awards. It appears that this is the case across all areas as problems have been noted around Burton Road, Rotherham Road playing fields, Monk Bretton, Grimethorpe, Houghton and Royston. On the other hand, the Community Payback scheme was praised for the excellent work they have been doing, particularly on Cudworth Bowling Green.

**RESOLVED** that the minutes of the North East Area Council held on 14<sup>th</sup> April 2016 be approved as a true and correct record and furthermore that a letter of complaint should be sent to the relevant department regarding the poor standard of ground maintenance. The possibility of purchasing ground maintenance equipment for the North East Area Council will also be explored further.

### 3 Notes of the following Ward Alliances, with feedback from each Ward Alliance Chair:

The meeting received notes from the Cudworth, Monk Bretton, North East and Royston Ward Alliances held in recent months. The following updates were noted:-

*Cudworth* – The Academic Achievement Awards will take place on 14<sup>th</sup> June, involving 3 local primary schools. Summer Holiday Activities are being planned together with a Winter Health Fayre in November. Birdboxes have been installed in

Cudworth Park, which the Barnsley in Bloom judges will be visiting on 7<sup>th</sup> July. An open day will be held at Robert Street allotments on 29<sup>th</sup> June, which has been funded by AMCO. Councillor Hayward will be attending a Somme Remembrance Event on 1<sup>st</sup> July in Serre, France.

*Monk Bretton* – The Summer Gala is planned for 6<sup>th</sup> August. Paul Jolley and David Gill were thanked for their hard work organising this. Five new planters have been purchased for the memorial, which will be planted up on 23<sup>rd</sup> June. Voluntary work around contacting the elderly is being planned and leaflets have been purchased, which will be displayed prominently in the area. The Awards Event at the Town Hall was a great success. It was highlighted that a Child Poverty Sub-Group should be formed to address child poverty in the area, as approximately 700 children live in poverty in the Monk Bretton ward alone.

*North East* – The Queen's 90<sup>th</sup> Birthday Celebration Event will be held on 10<sup>th</sup> June at St. Lukes. The defibrillator has been installed outside the Welfare Hall at a cost of £990. Training is being taken up and a demonstration will take place at the school after September. Figures indicate an 80% survival rate when a defibrillator is used. The EDF Community Grant Scheme was approached for help towards the cost but the process was not user friendly. The litter pick at Grimethorpe was very successful.

*Royston* – The Love Where You Live Celebration Event will take place on 14<sup>th</sup> June involving 3 local schools. BMBC employees had volunteered to work at planting-up in Royston Park. The Community Orchard is taking shape. The Gala is planned for 19<sup>th</sup> June and will involve Royston Dynamos, a Brass Band etc. There has been an unprecedented interest in stalls at the event. Preparations are underway for Yorkshire in Bloom. Seventeen planters have been installed under the 'Adopt a Planter' scheme and these will be installed next week. A new notice board has been installed at the park. Forty new allotments are now available. The DIAL/CAB project will now continue until March 2017 as it is a proven success. The Summer Holiday Activity Programme has been approved.

**RESOLVED** that the notes from the Ward Alliances be received.

#### **4 North East Area Council Project Performance Report - update on the delivery of commissioned projects.**

The Senior Support Officer introduced this item and provided an update on the delivery of commissioned projects across the North East Area Council's agreed priorities.

*Apprenticeship and Employability Study Programme:* It was noted that Barnsley Community Build have won the tender for the Apprenticeship and Employability Study Programme focusing on the local Environment. The budget for the contract was identified at £245,000 per annum and includes a £20,000 contingency sum for potential additional activities with a contract start date of 1st June 2016. New vans and livery will improve the public profile of the project across the local area.

*Fit Me initiative* – Referrals have been made through word of mouth/GPs etc. Instructors were local and delivered the programme across Shafton, Grimethorpe and Great Houghton. Paul Jolley will investigate why the programme did not run in the Monk Bretton and Royston wards. A case study and outcome table indicated positive outcomes were achieved and that attendance at the sessions and subsequent retention was high.

*QDOS dance and theatre Healthy Lifestyles Performance Update* – Sessions are taking place in primary schools. Councillor Wraith had attended one of the sessions and spoke positively about it.

*Employability for the Under 16's* – Recruitment is taking place at Carlton Community College, Shafton ALC and Holy Trinity Catholic and Church of England Schools. Updates will be provided as the project progresses.

*Housing Enforcement Officer* – The postholder will commence her duties on 20<sup>th</sup> June. Councillors were encouraged to send hot spot information to the Area Council Manager for onward transmission to the Housing Enforcement Officer.

**RESOLVED** that the report on the performance of commissioned projects be noted.

## **5 North East Area Council Financial Position and Procurement Update**

The Senior Support Officer introduced this item and presented an updated commissioning budget financial analysis for 2014/15 to 2016/17, detailing contracts held, delivery bodies, contract start dates together with length and total cost of the contracts. All but £84,000 of spend has been committed.

**RESOLVED** that the financial analysis be received and noted.

## **6 Report on the Use of Area Council Budgets, Devolved Ward Budgets and Ward Alliance Funds**

The Senior Support Officer introduced this item and highlighted the spend to date. It was highlighted that for 2016/17 each Ward will have an allocation of £10,000 from the Ward Alliance Fund. 50% of the funding requires a match-funding element of volunteer time. Area Councils also have the option to allocate up to £20,000 from the Area Council budget to their Ward Alliance.

**RESOLVED** that the report on the use of Area Council Budgets, Devolved Ward Budgets and Ward Alliance Funds be received and noted.

## **7 Graduate Apprentice Report**

The Senior Support Officer introduced this item, which seek approval to support an Undergraduate Apprenticeship Placement from Sheffield Hallam University for a fixed

term 12 months period commencing in August/September 2016 to provide assistance and support in the planning and development, delivery and evaluation of key projects of the North East Area Council, at a cost of £14,000 with a £500 contingency for associated on-costs. Questions were asked around the selection process for candidates.

**RESOLVED** that the North East Area Council approves £14,500 to support an Undergraduate Apprenticeship Placement from Sheffield Hallam University, subject to appropriate consultation with Human Resources and Finance.

## **8 Biodiversity and Habitat Improvements across the North East Area Council**

The Area Council Support Officer introduced this item, demonstrating the hedgehog house together with hedgehogs made from various materials. The report seeks approval to support the proposed linkages with the Barnsley Biodiversity Action Plan with regard to both Local Action and BMBC Land Ownership and Management at a cost of £2,000

**RESOLVED** that local biodiversity improvements, with a particular reference to supporting hedgehog habitats and promoting safe crossing points.

## **9 Community Magazine**

It was highlighted that the next edition of the Community Magazine will have a 'name the hedgehog' section. It will be delivered on the 14<sup>th</sup> July to 20,553 homes and will include village names and ward contacts this time. Unfortunately there is no space for a list of local activities in each ward. Delivery has been commissioned locally and will be tracked due to problems last time.

## **10 Volunteering Celebration Event**

Planning for the Volunteering Celebration Event is well underway, led by Councillor Richardson. Members were reminded of the need to provide details of those invited. A maximum of 25 people will be invited, together with 25 guests.

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Chair

<b>MEETING:</b>	Penistone Area Council
<b>DATE:</b>	Thursday, 16 June 2016
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Council Chamber, Penistone Town Hall

## MINUTES

**Present** Councillors Barnard (Chair), David Griffin, Hand-Davis, Millner and Unsworth.

### 1 **Declarations of pecuniary and non-pecuniary interests**

No Members declared an interest in any item on the agenda.

### 2 **DIAL drop-in sessions**

Nigel Brown from DIAL was invited to give a presentation on the performance of the drop-in sessions held in Penistone.

Members were reminded about DIAL and its work as a user led charitable organisation, first established in 1985.

The outreach sessions started on 7<sup>th</sup> January, 2016 at Penistone Town Hall, and were held each week. Members heard how 44 residents had now received face to face advice and the projected amount of unclaimed benefits generated through the session was £61,224. For every £1 invested the project had brought £25 in to the area.

It was noted that 90% of residents reported feeling less anxious as a result of using the service, and 100% reported that their health and wellbeing had improved three months after using the service. Members noted how 50% of residents attending the session did not have access to the internet, and many of the claim forms are now electronic. The meeting discussed this figure in some detail and it was agreed that this be disaggregated if possible, in order to ascertain if residents did not have access to the internet due to a lack of infrastructure or lack of skills.

The presentation went on to cover the areas of law the project had focused on, and the types of benefits for which advice had been given. Demographic data for users was then discussed.

Members gave thanks for the presentation and praised the project and its impact. Questions were asked regarding the demand for the service and plans should queuing become unmanageable. It was noted that demand for the service and the complexity of the assistance required is extremely hard to predict. Assurance was given that as many clients as possible are helped within the time available.

**RESOLVED** that thanks be given for the presentation and the work of DIAL in the area.

**3 Minutes of the Penistone Area Council meeting held on 14th April, 2016 (PAC.16.06.2016/2)**

The Area Council received the minutes of the previous meeting held on 14<sup>th</sup> April, 2016.

The meeting discussed the ongoing dialogue regarding the displaying of banners on the Transpennine Trail bridge over Bridge Street. It was noted that many community groups adopted this practice, and it helped to ensure community events are well attended. It was agreed to try to discuss this issue again with relevant officers.

**RESOLVED** that the minutes of the Penistone Area Council meeting held on the 14<sup>th</sup> April, 2016 be approved as a true and correct record.

**4 Notes from the Penistone East and West Ward Alliance held on 28th April, 2016 (PAC.16.06.2016/3)**

The meeting received the notes from the Penistone East and West Ward Alliance held on 28<sup>th</sup> April, 2016.

Members discussed the recent fatalities at the crossroads at Hazelhead and it was noted that the chair of Dunford Parish Council was due to present a number of ideas for improvement.

It was suggested that a meeting be arranged between the Highways Department, Penistone West Elected Members and Dunford Parish Council.

On the subject of highways, Members commented on the ongoing safety issues associated with the 'squareabout'. It was suggested that the Chair brokers a discussion with senior officers in highways.

Members noted that two nominations had been submitted for the Best of Barnsley Awards.

**RESOLVED** that the notes from the Penistone East and West Ward Alliance held on 28<sup>th</sup> April, 2016 be received.

**5 Report on the use of the Ward Alliance Fund (PAC.16.06.2016/4)**

The item was introduced by the Area Council Manager, who provided up to date figures detailing expenditure from the Ward Alliance Fund. It was noted that the figure available for allocation in 2016/17 was £31,000, which included £11,000 carried forward from 2015/16, and a new allocation of £10,000 per ward.

Members noted that since the beginning of the financial year a number of projects had received funding, including a number which had been processed since the publication of reports. Therefore £15,264 of Ward Alliance Fund remained.

**RESOLVED** that the report detailing the use of the Ward Alliance Fund be noted.

## **6 Performance report (PAC.16.06.2016/5)**

The item was introduced by the Area Council Manager. Attention was drawn to Part A, which provided an overview of how the combined commissioned services impacted on the area. It was noted that the Working Together Fund for Penistone FM had unfortunately been omitted from the report, and this had a value of £15,000.

The meeting went on to consider Part B, which provided a narrative on the performance of each commission. It was noted that the Countryside Skills Commission had now come to an end.

The meeting discussed the Clean and Tidy commission, acknowledging that a number of the performance measures were rated 'Red'. This was due to the performance management meeting having to be rescheduled, and that further information had been requested in order to evidence outputs.

Members noted that the commission had not had the number of referrals expected and various suggestions were made as to how the service could be publicised, including the use of social media and Penistone FM.

It was agreed to invite the Clean and Tidy Service Team Leader to the next meeting of the Area Council to discuss the delivery of the service in more detail.

### **RESOLVED that:-**

- (i) the contents of the Performance Report be noted;
- (ii) the Clean and Tidy Service Team Leader be invited to the next meeting of Penistone Area Council.

## **7 Penistone Market Check and Challenge Exercise**

The item was introduced by the Area Council Manager, who made Members aware that the subject had been raised at a recent meeting with the Area Chair.

The market at Penistone was seen as an asset for community use, but it was suggested that it was not achieving its full potential. Various comments had been put forward that the facility was under used for markets on a Saturday, and although other uses, such as for music events, had in the past been successful, these only took place sporadically.

It was suggested that the Area Council approached the service with the view to undertaking a Check and Challenge exercise. This would involve the service articulating their remit, plans, and current levels of performance. Members would then be able to ask questions in relation to the information presented, discuss options for the future, and work with officers to improve the service delivered wherever possible.

Members were supportive of the proposal, and it was agreed that this be pursued by the Area Council Manager.

**RESOLVED** that a Check and Challenge on the delivery of the Market Service and use of the Market Barn in Penistone be pursued.

## **8 Procurement and financial update (PAC.16.06.2016/8)**

The report was introduced by the Area Council Manager.

Members discussed the Working Together Fund. It was noted that although interest may have not been to the level first anticipated, much promotion had taken place and the number of applications being developed had increased.

The scoring of projects was discussed, and it was suggested that an additional question be added to the application form and scoring criteria, to ascertain whether the project would be deliverable without the use of Working Together Fund finance.

The meeting discussed the current arrangements to procure a service to support Isolated and Vulnerable Older People. Originally the commission was to finish at the end of March, 2017, which due to delays in commissioning would result in delivery only over a period of 6 months. It was noted that, if commissioned by the end of the year, the budget from the current financial year could now be spent in the 2017/18 financial year. It was therefore suggested that the length of commission therefore be extended to take place over a year period.

Members discussed the composition of the Tender Evaluation Panel for the contract, and it was agreed that Councillor Wilson and Councillor David Griffin take part in the exercise.

The meeting considered the expenditure to date and finance remaining within the 2016/17 financial year. A total of £55,400 remained unallocated, however it was noted that this was in addition to that reserved, but not yet approved, for use as part of the Working Together Fund.

A number of suggestions for use of the remaining finance were considered. These included increased enforcement of parking, littering, and dogfouling in the area; devolving Area Council finance to the Ward Alliance; supporting tourism in the area; and establishing a volunteering hub. It was agreed that these all be pursued by the Area Council Manager.

**RESOLVED** that:-

- (i) £78,033 remains allocated to the Working Together Fund, and this be reconsidered at a later date;
- (ii) Approval be given for the contract for an Isolated and Vulnerable Older People Service to be delivered over a period of one year;
- (iii) Councillors David Griffin, and Wilson take part in the Tender Evaluation Panel for the Isolated and Vulnerable Older People Service;
- (iv) The financial position of the Area Council be noted, and that the areas for potential expenditure be taken forward by the Area Council Manager.

## **9 Undergraduate placement (PAC.16.06.2016/9)**

The Area Council Manager introduced the item, which had arisen after a student had worked alongside the Area Team on coordinating activities as part of the 'Clean for the Queen' campaign.



The suggestion was that a sum of money could be made available to engage a student from a local university on a course such as Community Development or Social Policy to assist the Area Team. Members supported the idea of an undergraduate placement, and endorsed the Council's work to support young people through placements and apprenticeships.

It was agreed that the Area Council Manager further develops the proposal, and that this be discussed in more detail at a future meeting of the Area Council.

**RESOLVED** that:-

- (i) The proposal to create an undergraduate placement be supported in principle;
- (ii) The Area Council Manager further develops the proposal, at an indicative cost of £14,000, and undertakes relevant consultation with finance, and human resources.

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Chair

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<b>MEETING:</b>	South Area Council
<b>DATE:</b>	Friday, 17 June 2016
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Wombwell Library

## MINUTES

### Present

Councillors Stowe (Chair), Dures, Franklin, Frost, Daniel Griffin, Markham, Saunders, Shepherd and R. Wraith.

### 1 Silence for Jo Cox

A minute silence was held in memory of Jo Cox.

### 2 Declarations of Pecuniary and Non-Pecuniary Interests

No Member wished to declare an interest in any item on the agenda.

### 3 Minutes of the Meeting of South Area Council held on 22nd April, 2016 (Sac.17.06.2016/2)

The meeting considered the minutes of South Area Council held on 22<sup>nd</sup> April, 2016.

**RESOLVED** that the minutes of the South Area Council held on 22<sup>nd</sup> April, 2016 be approved as a true and correct record.

### 4 Notes of the Ward Alliances (Sac.17.06.2016/3)

The meeting received the notes from the Hoyland Milton and Rockingham Ward Alliance held on 23<sup>rd</sup> May, and Darfield Ward Alliance held on 19<sup>th</sup> May, 2016.

**RESOLVED** that the notes from the Ward Alliances be received.

### 5 Presentation from Darfield Ward Alliance (Sac.17.06.2016/4)

Councillors Markham and Saunders gave a presentation on the achievements of Darfield Ward Alliance over the past 12 months.

Members were made aware of the priorities of the Ward, and it was noted that work to address these was undertaken by funding activity and by organising activity.

The meeting heard about projects the Ward Alliance had undertaken, which included litter picks in the community, events for 'Clean for the Queen', and developing an Emergency Resilience Plan. Members noted that the Alliance had organised a summer gala, which was to be held on 23<sup>rd</sup> July, 2016.

Members heard of the work undertaken to improve Parkhill Nature Reserve, and it was noted that this did not require any finance, but was undertaken through volunteer efforts.

The meeting also noted the work of the Ward Alliance in ensuring each village in the Ward had its own community notice board, and that these were regularly updated.

Members heard about the food safety and first aid training organised to ensure the appropriate level of knowledge was on hand for community events.

The work with volunteers, assisted by the Tidy Team, to establish 'love your village' days in Billingley was acknowledged. Noted were the efforts to replicate this successful approach in other areas within the Ward.

Members heard of the plans over the next 12 months, which included taking forward a 'green project' and to distribute winter packs to older and more vulnerable residents.

**RESOLVED** that thanks be given for the presentation.

## **6 Youth Asset Mapping Exercise (Sac.17.06.2016/7)**

John Lang and Neil Spencer gave a presentation on the Youth Asset Mapping Exercise recently undertaken by Forge Community Partnership.

Members were made aware that the exercise started in January, 2016 and were reminded of the aims of the project. These were to undertake a consultation led by young people to map existing provision and identify gaps. This would then be used to inform future provision.

The meeting heard of the work undertaken to build the skills of young people, which involved the Youth Partnership working with the Digital Media Clubs. It was noted that this provided a positive opportunity for children of different ages to work together.

A survey was then undertaken using SurveyMonkey. This was added to by using pop-up events in the area, which provided an opportunity for young people to complete paper surveys. In total this yielded 1455 responses.

The responses were analysed and a report produced. 62 different activities had been identified, and a number of concerns of young people had been highlighted. This information was further enhanced by a series of more in-depth interviews.

Finally an event was held at Netherwood ALC, which engaged pupils from 8 primary schools in the area, and pupils from Year 7 to Year 10 from Netherwood School itself.

Four main areas were highlighted from the report. These were:-

- A need to provide accessible information that promotes both existing and new events and activities.
- More organised activities / events that utilise existing space / parks to promote and encouraging participation and a sense of shared ownership.
- Personal support that is less formal and easy to access in both areas of wellbeing and career pathways.
- That digital media is part of young people's lives.

Members discussed the findings, noting that the recent Health Conference highlighted echoed some of the findings with regards to the use of green space.

The meeting gave thanks to Forge, and the Area Team for their work. Praise was also given to Netherwood ALC for engaging whole heartedly in the exercise. It was agreed that the Chair writes a letter of thanks to echo this.

**RESOLVED** that:-

- (i) Thanks be given to Forge Community Partnership for presentation and their work in undertaking the exercise;
- (ii) A letter of thanks be sent to Netherwood ALC to thank them for their support and participation in the exercise.

## **7 Update on New Commissions (Sac.17.06.2016/8)**

The item was introduced by the Area Council Manager, who firstly provided an update on the commissions already approved.

Members discussed the recently held Health Asset Mapping Conference, and thanks were given to the Area Team for organising such a positive event.

It was noted that the first of the two Achieving Respect and Confidence (ARC) courses had recently commenced. 14 individuals had started the course, with 11 completing.

Member heard how the Social Return On Investment Training had been arranged to take place on the afternoon of 2<sup>nd</sup> September, 2016.

The meeting noted that the Private Sector Housing Management post had been advertised, and it was hoped that the officer would be in post by the end of August. It was suggested that a workshop be held in September, to help identify 'hotspots' in the area.

The meeting heard how the organisation for the Lifeskills course was progressing very well. It was noted that the course had now been renamed by young people as 'Urban Survival'.

The attention of the meeting was drawn to the amount of finance remaining in 2016/17, which was £20,194.50 when the income from Kingdom Security was taken into account.

The Area Council Manager made Members aware of two project ideas which had emerged. The first had come directly out of the Youth Asset Mapping Exercise, and was a social media project designed and managed by young people to run through the summer holidays. It was expected that this should cost around £2,000.

The second responded to information from both youth and health events and was to provide 'pop-up' events in parks in the area throughout the October half term. It was suggested that these may be based around themes such as Sport and Fitness; Health and Wellbeing including building confidence and self-esteem; and Healthy Cooking and Eating. It was suggested that £2,500 be allocated to fund these.

A further project idea was put forward for discussion. This would provide informal drop in provision away from school premises, focusing on mental wellbeing. Here young people could confidentially discuss with adults any issues troubling them.

It was agreed that this proposal be further developed, and the Senior Management Link Officer agreed to support this, investigating good practice from other areas.

**RESOLVED** that:-

- (i) The progress of projects funded by the Area Council be noted;
- (ii) The finance remaining unallocated for 2016/16 be noted;
- (iii) That authorisation approval be given to deliver a Social Media project with young people at a cost of up to £2,000;
- (iv) That authorisation be given to the host a number of 'pop up' events throughout the Area in the October half-term holiday, at a cost of up to £2,500;
- (v) That the proposal to develop an informal drop in service for young people to discuss their issues confidentially be supported, that this be further developed by the Area Manager in consultation with relevant officers, and that this be considered in more detail at a future meeting of the Area Council.

## **8 Report on the Use of Ward Alliance Funds (Sac.17.06.2016/5)**

Members received the report which provided details of the latest expenditure from the Ward Alliance Funds.

**RESOLVED** that the report on the use of Ward Alliance Funds be received.

## **9 Performance Report (17.06.2016/6)**

The report was introduced by the Area Council Manager. The attention of Members was drawn to Part A, and the overview of performance. The meeting heard how the figure relating to '£ of benefits gained as a result of advice received' was incorrect and that the correct figure was £1,315,718.40. The meeting noted that the number of volunteers was still increasing, and also noted the high numbers of business and community groups supported.

Part B of the report was then considered, where a narrative for each of the projects commissioned had been provided.

With regards to the One Stop Shop, it was noted that the project had just reached the end of a second very successful year.

Members heard a full re-commissioning process for the Tidy Team contract had taken place, which had included interviews with those submitting tenders. As a result of this Forge Community Partnership were again successful in gaining the contract, which Members were delighted with.

The meeting discussed the implementation of the second Summer Holiday Internship programme, and it was noted that officers had been successful in recruiting a number of interested young people from Netherwood ALC. However, none had been forthcoming from Kirk Balk Academy, and it was noted that C+K Careers staff employed as part of the commission were experiencing difficulties in engaging the school.

**RESOLVED** that:-

- (i) The report be noted;

- (ii) That the difficulties in engaging Kirk Balk Academy be discussed with the Executive Director People and the Cabinet Spokesperson for People (Achieving Potential).

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Chair

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<b>MEETING:</b>	Central Area Council
<b>DATE:</b>	Monday, 4 July 2016
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

### Present

Councillors D. Green (Chair), D. Birkinshaw, P. Birkinshaw, Bruff, G. Carr, J. Carr, Clarke, W. Johnson, Riggs and Williams.

### 1. Declaration of Pecuniary and Non-Pecuniary Interests

Councillor G. Carr declared a non-pecuniary interest in minute number 5 as trustee of HomeStart South Yorkshire.

### 2. Minutes of the Previous Meeting of Central Area Council held on 9th May, 2016 (Cen.04.07.2016/2)

The meeting received the minutes from the previous meeting of Central Area Council held on 9<sup>th</sup> May, 2016.

The Chair gave thanks to Councillor Williams for acting as Chair at the previous meeting.

With regards to the reporting of intelligence for enforcement action, the Area Council Manager updated Members on the work undertaken to improve the reporting pathway, ensuring that calls from Members, and from the general public were directed to the appropriate department.

With reference to RVS and the lack of referrals from GPs, Councillor W Johnson made the meeting aware that he had recently chaired a Scrutiny meeting with the Clinical Commissioning Group, and had the opportunity to highlight this issue. It was noted that that representatives from the Clinical Commissioning Group would investigate this further.

It was noted that Councillor Williams unfortunately could not attend the Youth Programme Coordinators meeting, but had been provided with a written update. It was agreed to circulate this to all Members of the Area Council. Members noted that the Summer Programme was currently being updated and would be circulated when available.

Councillor Bruff raised concerns with the delivery of the Youth Programme, reminding Members that outreach provision had been specified as part of the programme, but it was perceived that much of that being delivered was based in community centres. It was suggested that effective outreach provision could assist in adverting issues, such as that recently seen in the Hoyle Mill area.

In relation to the RVS contract, it was agreed that the Area Council Manager raises the issue of steering group meetings being reconvened as part of the RVS at the next contract monitoring meeting.

Members expressed concern at minute 43, Neighbourhood Services Question and Answer session. The meeting felt that the minute did not adequately express their frustrations with the service, which related to an historic lack of response, and an inability to provide performance information.

It was also noted that some Members had yet to receive service schedules and associated maps, and it was agreed to remedy this.

The Chair made Members aware of recent discussions with the Executive Director Place (Matt Gladstone) regarding the provision of performance information relating to Neighbourhood Services, as part of the recent Check and Challenge Exercise. The service had a number of performance measures, such as fly tipping, which were reported as part of the Corporate Plan. However data relating to the delivery of service standards was not currently collected. The outcome of the discussion was that the service would reconsider their service standards and the performance information it collected, and would report back to the Area Council in six months on progress in relation to the Check and Challenge exercise.

Members noted that there were positive examples of the work of Neighbourhood Services, most recently around the Broadway area of town, and those present recognised the impact of financial reductions on provision. However, the importance of providing performance information and accurate schedules of work was stressed, this would help to ensure the contracted services of the Area Council did not duplicate existing provision.

**RESOLVED** that, subject to relevant amendments to minute number 43 to adequately reflect the discussion, the minutes of the Central Area Council held on 9<sup>th</sup> May, 2016 be approved as a true and correct record.

### **3. Private Sector Housing Enforcement - Presentation (Cen.04.07.2016/3)**

The Enforcement and Investigations Officer (Nicola Dagnall) and Private Sector Housing and Environment Officer (Diane Dodds) were invited to the meeting. Members were reminded of the content of the Service Level Agreement, and the work of the team. This included dealing with a number of issues that had a detrimental impact on others, working closely alongside other agencies. Also noted were the aims and objectives the team had set.

The presentation went on to provide three case studies, showcasing the work of the team, the first of which related to an area of fly-tipping, anti-social behaviour and street drinking/drug taking.

A proactive visit led to the examination of fly-tipping and subsequent investigation. This ultimately resulted in fines and CPN warning letters issued. Members noted that the area was subsequently cleared, and following work with residents and local businesses, has remained clear.

The second case study referred to a residence, where neighbours had complained about rubbish in the grounds of the property. On investigation officers found that occupier was terminally ill. Support was therefore given in order to clear the waste, and to work with the landlord to make necessary repairs, enabling the resident to avoid eviction. A referral was also made to the vulnerable person's officer for

assistance, and the family were referred to support services such as bereavement support.

The third case study referred to work with a family, which had been identified as vulnerable by Police. There were concerns with child neglect and subsequently issues such as domestic violence, drug and alcohol misuse, a rat infestation, and safeguarding issues were found.

Social care was engaged, and referrals were made to a number of agencies including Victim Support, Phoenix Futures, Pest Control, and Welfare Rights. Officers worked with the family to assist with rehoming, and as a result of the assistance the children involved were now attending school with the parent attending parenting classes. The extended family had also received support.

Members were made aware that 686 different cases had been investigated, and the range of issues addressed was noted. Officers made the meeting aware that every referral is investigated, as often minor issues, when investigated, led to unearthing further problems.

Members gave praise to the staff for their hard work, the impact the project had made, and the feedback Members had received from the team. It was suggested that the early help given could help prevent the need for more high cost and more in-depth intervention later on.

A question was asked regarding whether landlords were resistant to intervention by the project. It was noted that generally, once officers intervened, the landlords cooperated. Further discussion took place on the impact of charging for pest control services, and whether this offered a deterrent to using the service.

#### **RESOLVED:-**

- (i) That thanks be given for the presentation and for the hard work the officers had undertaken;
- (ii) That the Stronger Barnsley Locality Manager (Joe Micheli) and Interim Service Director, Stronger, Safer and Healthier Communities (Paul Hussey) share the good practice of the project with relevant directors, stressing the impact of early intervention and prevention.

#### **4. Feedback from the Health Workshop (Cen.04.07.2016/4)**

Councillor Williams provided an update regarding the Health Workshop recently held. The workshop focused on the three key areas of: - Smoking; Oral Health; and Physical Activity. Under these themes the workshop considered what was being delivered, and where Central Area Council could provide support and add value.

With regards to smoking prevalence, it was noted that there were high levels of smoking during pregnancy in the area. Members thought that the numbers using the stop smoking drop-in facility had reduced and that there was now less outreach provision. It was noted that a significant amount of publicity material was available, and that the support could be given to help update and distribute this. A number of other actions suggested at a ward level contained within the report were also noted,

which included ensuring local crime and community safety groups were aware of, and discussed, illicit tobacco control.

Members went on to discuss the Oral Health theme, and suggested actions within the report. These focused on disseminating information and resources via Area Council's contracted partners, through community venues, and at community events.

With regards to Physical Activity, it was suggested that much available provision was linked to the Shaw Lane facility and that more outreach provision could be arranged. A number of actions at a ward level were considered, including promoting available provision and helping to reduce barriers to participation.

Members expressed thanks for the hosting of the workshop, and discussed the historic investment in the themes discussed, and the impact seen specifically in improving oral health.

The meeting discussed materials to increase physical activity in the area, such as walking and cycling maps, and the cycling, walking and running clubs established in the area. It was suggested that all of which could be further promoted.

Members discussed the prevalence of vaping, noting that it had been discussed at the workshop, and was not something that was promoted. However, it was agreed to be less dangerous when compared to smoking, and was an aid some adult smokers preferred to use.

It was noted that Scrutiny had recently undertaken an investigation on this subject, and arrived at a number of recommendations. It was acknowledged that the Area Council did not want to replicate any of this work, but that there was an opportunity to aid delivery of health related activity at a ward level.

**RESOLVED:-**

- (i) that the report be received, and the recommended actions contained within be supported;
- (ii) that a future meeting of the Area Council receives a progress report on the delivery of actions contained within the report.

**5. Procurement and Financial Update (Cen.04.07.2016/5)**

The item was introduced by the Area Council Manager, and reference was made to the current contracts let by the Area Council. These included the recent award of a contract to Homestart South Yorkshire to provide a 'Private rented home visiting and support service for families with young children', which would run from 1<sup>st</sup> June, 2016 to 31<sup>st</sup> March, 2017.

Members noted the need to consider what activity the Area Council may wish to consider funding post March, 2017, as the procurement for services to start in April, 2017 would need to commence in the autumn of 2016.

The meeting discussed the current priority areas previously agreed for the Central Area, and whether they were still valid. Through discussion the meeting arrived at the following priorities: - Family Support; Children and Young People (including emotional resilience and wellbeing); Adults (including vulnerable and older people);

and the Environment. In addition Cohesion, and Early Help and Prevention were seen as underpinning principles.

It was suggested that task groups be established to review current provision for the priority areas suggested, and define the service need. The groups would then look to develop a business case for intervention, and consider how this may best be procured. Members noted the suggested timescales for this process to ensure effective delivery from April, 2017.

The Area Council Manager went on to provide an update on the financial position for the Area Council. Taking into account income from Fixed Penalty Notices and Parking Charge Notices, £97,535 remained unallocated for the 2016/17 financial year.

**RESOLVED that:-**

- (i) The updates on all the contracts of Central Area Council be noted, including the outcome of the procurement to deliver a 'Private rented home visiting and support service for families with young children';
- (ii) The following areas be agreed as priorities for the Area Council moving forward:- Family Support; Children and Young People (including emotional resilience and wellbeing); Adults (including vulnerable and older people); and the Environment;
- (iii) That Cohesion, and Early Help and Prevention be adopted as underpinning principles for the Area Council;
- (iv) That the review process as outlined in the report, including the establishment of task groups, be approved;
- (v) The financial position for the Area Council, as contained in Appendix 1 of the report be noted.

**6. Notes of the Ward Alliances (Cen.04.07.2016/6)**

The meeting received the notes of the meetings of the Ward Alliances within the Central Area held in March, April, and May 2016.

Members gave praise to all involved in the arrangement of the recent Springfest event, which was considered to be a great success. Specific mention was made to Doreen Gwilliam and Andrea Greaves for their hard work, and it was agreed that the Chair sends a letter of thanks to them on behalf of the Area Council.

The meeting was made aware of the intention to highlight Springfest in the next Corporate Plan report as a model of good practice.

**RESOLVED** that the notes of the Ward Alliances be received.

**7. Report on the Use of the Ward Alliance Funds (Cen.04.07.2016/7)**

The meeting received a report detailing expenditure from the Ward Alliance Funds for the year to 6<sup>th</sup> June, 2016.

**RESOLVED** that the report be noted.

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Chair

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# Item 32

**Report of the Service Director Culture,  
Housing and Regulation to the  
Statutory Licensing Regulatory Board  
to be held on the 29<sup>th</sup> June 2016**

## **GAMBLING ACT 2005 – STATEMENT OF LICENSING POLICY**

### **1. Purpose of Report**

1.1 To inform Members of changes to the framework governing the licensing of gambling and to seek their approval for a new Statement of Licensing Policy for the Council.

### **2. Recommendation**

**2.1 That the Gambling Act Statement of Licensing Policy 2016 be approved for adoption by the Council.**

### **3. Current Position**

3.1 The Gambling Act 2005 consolidated and updated previous gambling legislation, creating a framework for three different types of gambling; gaming, betting and lotteries. The Gambling Commission is responsible for regulating gambling in accordance with the Act and for issuing national operating licences to gambling businesses and personal licences to individuals. They are required to “aim to permit” gambling.

3.2 Licensing authorities are a key partner in gambling regulation, with a responsibility for overseeing non-remote gambling in their local areas. This includes undertaking inspection and enforcement duties (including tackling illegal gambling), considering applications and issuing licences, reviewing or revoking premises licences and issuing permits for some forms of gambling.

3.3 Barnsley MBC is a Licensing Authority for the purposes of the Gambling Act 2005 and it has a statutory duty to publish a Statement of Gambling Policy under the Act. The objective of this statement of principles is to provide a vision for the local area and a statement of intent that guides practice: licensing authorities must have regard to this statement when carrying out their functions.

3.4 The Statement of Gambling Policy should be reviewed on a regular basis. Following changes to the license conditions and codes of practice in 2015, a new social responsibility (mandatory) code was introduced requiring all operators with

premises licences to produce a local risk assessment by 6<sup>th</sup> April 2016. These risk assessments show how vulnerable people, including people with gambling dependencies, and children, are to be protected from the potential adverse effects of gambling.

3.5 The Gambling Act 2005 has three licensing objectives to ensure, where possible, that local people are not adversely affected by gambling. These are;

- Preventing gambling from being a source of crime and disorder or being used to support crime.
- Ensuring gambling is carried out in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

3.6 Protecting children and other vulnerable people from being harmed or exploited by gambling is an important licensing objective. Ensuring that this objective is upheld is one of the core responsibilities licensing authorities must meet.

3.7 The existing policy does not include reference to the requirements of the latest guidance, and is therefore out dated. The new policy covers these issues.

3.8 Failing to approve the policy would result in the Council being unable to meet its statutory functions in that applications for licences and permits together with reviews of licences have to be dealt with in line with the adopted policy.

#### **4. Proposal**

4.1 The Statement of Gambling Licensing Policy has certain key objectives;

- Provide applicants with a clear, consistent basis for submitting applications and notices in the Borough.
- Provide a clear, consistent basis for determining licence applications in Barnsley.
- Ensure the relevant views of those affected by licensed premises are taken into consideration.
- Ensure local area issues are taken into account by licensed premises.
- Support the wider strategies of the Council and the approach to gambling across the Borough.

4.2 The adoption of the Policy is a legal requirement. The overarching ethos of the policy is to ensure that the licensing objectives are met throughout the Authority and that communities are not undermined by illegal gambling.

4.3 The revised draft policy has been amended to take account of additional guidance and regulations which have been issued since the policy was last adopted by the Council. Failure to update the policy could leave the Authority in a significantly weaker position if it were to be challenged on a decision on that issue. Adoption of the new revised policy would help to pre-empt any legal challenges.



4.4 The new requirements of the guidance applies to all non-remote adult gaming centres, bingo, family entertainment centres and betting licences. Licensees must now assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. These risk assessments must be reviewed and updated periodically to take into account local conditions and circumstances.

4.5 The new requirements for a risk assessment and premises specific mitigation to reduce the risk of gambling related harm should be of benefit to all members of the community, but especially to those who are vulnerable to potential gambling related harm.

4.6 The new arrangements also allow for the Council to address concerns where a significant accumulation of gambling premises occurs in a specific area. Any restrictions on premise licensing can only be considered on the production of verifiable evidence that one or more of the gambling licensing objections has been compromised.

4.7 Once adopted, the policy will be published on the Licensing web site. The Policy will therefore be available to all interested parties.

## **5. Consultation Results**

5.1 In accordance with the legislation, consultation on the proposed new policy has been undertaken with the prescribed statutory consultees, responsible authorities, parish councils and all premises, individuals and groups who hold a gambling licence in the Borough. Consultation lasted for a period of 6 weeks.

5.2 Under section 349(3) of the Gambling Act 2005, the Licensing Authority must in any case consult with;

- The Chief Officer of Police for the Authorities area.
- One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authorities area.
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authorities functions under the Gambling Act 2005.

5.3 Almost 500 letters were sent to advise stakeholders of the consultation. The revised Statement of Gambling Policy was publically available on the Licensing web site during the consultation period.

5.4 Twenty-one responses were received, sixteen of which had no comments to make on the revised Policy.

5.5 Comments were received from South Yorkshire Police (see section 16), Public Health (see section 12), the Equality and Inclusion Manager (see section 15), Dearne South Community Board and Gosschalks solicitors on behalf of the Association of British Bookmakers.

5.6 Dearne South Community Board queried the age of a “child” in the Policy. The Policy has been altered to clarify that for the purposes of the Act a child is under the age of 16 and a “young person” is under 18.

5.7 The solicitors on behalf of the Association of Bookmakers raised a number of concerns, in particular around the potential additional regulatory burden on operators, and the need for an evidence based approach when creating any local area profiles. They also made a number of specific Policy comments which have been assessed by BMBC Legal Services and, where appropriate, the policy amended.

5.8 Public Health commented that in the absence of a specific Public Health objective for Licensing, there is limited additional information to include. However, they did ask if reference could be made in the introduction to the social, economic and health impacts of problem gambling. A paragraph has therefore been added to the Policy. They also supported the siting of gambling establishments away from environments that have services for vulnerable adults and schools etc. Unfortunately the siting of establishments is outside of the Council’s powers to consider.

5.9 The Equality and Inclusion Manager commented that the Policy doesn’t give specifics as to the measures we would expect gambling premises to take to protect children and vulnerable people from experiencing harm from gambling. The reason for this is that the Authority are not allowed to be prescriptive in their requirements for individual risk assessments, they can only draw attention in the Policy to areas of risk which might need to be addressed. This is because the purpose of the risk assessment is that it is specific to the locality, the premises and the corresponding risk.

5.10 On consultation, South Yorkshire Police suggested additional sentences be inserted into the report regarding the exchange of information, discussion of proposals with the applicant, Police and Licensing prior to making a formal application and a comment regarding door supervisors. These changes have been made to the final document.

## **6. Background Papers**

Statement of Gambling Policy

Gambling Act 2005

Gambling Commission Guidance to Local Authorities 5<sup>th</sup> Edition

Consultation Responses

## **7. Officer Contact**

Caroline Petty – Tel: 01226 772482



**BARNSLEY**  
Metropolitan Borough Council

# **Gambling Act 2005**

## Statement of Licensing Policy

April 2016

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**REGULATORY SERVICES**

Barnsley Metropolitan Borough Council  
Statement of Licensing Policy

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# Statement of Licensing Policy

## Part A – General

### 1.1 Introduction

1.1.1 Barnsley Metropolitan Borough Council are the Licensing Authority under the Gambling Act 2005 and the Council is responsible for granting premises licences and permits in the Metropolitan Borough of Barnsley in respect of:-

- a) Casino premises;
- b) Bingo premises;
- c) Betting premises, including tracks;
- d) Adult Gaming Centres;
- e) Family Entertainment Centres;
- f) Permits, Temporary and Occasional Use notices.

1.1.2 The Gambling Act 2005 requires the Council to prepare and publish a “Statement of Licensing Policy” that sets out the policies that the Council will generally apply to promote the Licensing Objectives when making decisions on applications made under the Act.

1.1.3 Each Policy lasts for a maximum of three years, but can be reviewed and revised by the Council at any time.

1.1.4 In producing this statement, the Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities and the Licence Conditions and Codes of Practice (LCCP) issued by the Gambling Commission, and any responses from those consulted on the statement.

1.1.5 It should be noted that this statement of licensing principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

1.1.6 The formal Statement of Licensing Policy will be available on Barnsley Metropolitan Borough Council's website.

1.1.7 The policy will come into effect on the date of adoption by the Council.

## **1.2 The Borough of Barnsley**

1.2.1 Future Council ambitions together with the 'One Barnsley' strategic partnership define an achievable vision of a future in which Barnsley is an innovative and vibrant 21st-Century market town at the centre of a modern dynamic economy and a "great place to live". Priorities within the Community Plan to transform the Borough include bringing about a step change in our approach to provision of regeneration in the Borough, ensuring that we achieve a new and sustainable economic future in the community.

1.2.2 The urban core of Barnsley is home to 82,000 people. Barnsley town centre is the focus of the Borough's main shopping, administrative, commercial and entertainment activities. It is long famous for its market and more recently has become noted for its club scene and nightlife. To the west of the urban core is the lightly populated attractive hilly country centred on the market town of Penistone. To the south and east there are a number of dispersed towns and villages, separated by open land of the former coalfield, which are home to some 95,000 people. Remaking Barnsley is a long-term strategy to revitalise Barnsley town centre and the wider economy. The Barnsley urban area will play a pivotal role and the town centre in itself will be transformed into a modern urban living space offering shoppers and visitors exciting retail, recreational, entertainment and cultural experiences that will enable it to compete successfully with neighbouring centres.

## **1.3 Consultation**

1.3.1 The Licensing Authority is committed to consulting with as wide and varied an audience as possible with regards to this Policy.

1.3.2 Under section 349(3) of the Act, the Licensing Authority must in any case consult with;

- The Chief Officer of Police for the Authority's area;
- One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area;
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Gambling Act 2005.

#### **1.4 Glossary of Terms**

1.4.1 Within this Statement of Policy, the following words and terms are defined as stated:

<b>Licensing</b>	As defined in section 1.6.1 below
<b>Objectives:</b>	
<b>Council:</b>	Barnsley Metropolitan Borough Council
<b>Borough:</b>	The area of South Yorkshire administered by Barnsley Metropolitan Borough Council (Map appended at Appendix A)
<b>Licences:</b>	As specified in section 1.12.1 below
<b>Applications:</b>	Applications for licences and permits as defined in section 1.12.1 below
<b>Notifications:</b>	Means notification of temporary and occasional use notices
<b>Act:</b>	The Gambling Act 2005
<b>Regulations:</b>	Regulations made under the Gambling Act 2005
<b>Premises:</b>	Any place, including a vehicle, vessel or moveable structure
<b>Code of</b>	Means any relevant code of practice under section 24 of the



<b>Practice:</b>	Gambling Act 2005
<b>Mandatory Condition:</b>	Means a specified condition provided by regulations to be attached to a licence
<b>Default Condition:</b>	Means a specified condition provided by regulations to be attached to a licence, unless excluded by Barnsley Metropolitan Borough Council
<b>Interested Party:</b>	For the purposes of this Act, a person is an interested party in relation to a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person:- <ul style="list-style-type: none"> <li>a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities;</li> <li>b) Has business interests that might be affected by the authorised activities;</li> <li>c) Represents persons who satisfy a) or b) above.</li> </ul>
<b>Responsible Authority:</b>	For the purposes of this Act, those listed in section 1.7 of this Policy are responsible authorities in relation to premises.
<b>The Commission</b>	The Gambling Commission
<b>The Policy</b>	Refers to this Statement of Principles (policy) as required under sec 349 (1) of the Gambling Act 2005
<b>The Licensing Authority</b>	Barnsley Metropolitan Borough Council which carries out it's functions as the Licensing Authority under the Gambling Act 2005 within the borough boundary.
<b>Child</b>	Person under the age of 16 years.
<b>Young Person</b>	Person under the age of 18 years

## **1.5 Scope of Licensing Policy**

1.3.3 The purpose of the Licensing Policy is to:

- Provide applicants with a clear, consistent basis for submitting applications and notices in the Borough;
- Provide a clear, consistent basis for determining licence applications in Barnsley;
- Ensure the relevant views of those affected by licensed premises are taken into consideration;
- Ensure local area issues are taken into account by licensed premises; and
- Support the wider strategies of the Council and the approach to gambling across the Borough.

## **1.6 Promotion of the Licensing Objectives**

1.6.1 The Council will carry out its functions under the Gambling Act 2005 Act with a view to aiming to permit the use of premises for gambling in so far as it is reasonably consistent with the three licensing objectives set out at Section 1 of the Act:- The licensing objectives are:

- a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- b) Ensuring that gambling is carried out in a fair and open way;
- c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.6.2 The Gambling Commission has stated that the requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling. People who are vulnerable to gambling related harm may risk becoming problem gamblers, where problem gambling is defined as an individual's gambling that

disrupts or damages personal, family or recreational pursuits. The social, economic and health impacts of problem gambling are well documented. In a severe form it becomes an addiction which is recognised as a clinical psychiatric diagnosis, 'disordered gambling.'

1.6.3 The 2012 Health Survey for England found that in the previous year 68 per cent of men and 61 per cent of women had gambled, and that problem gambling rates were 0.8 per cent for men and 0.2 per cent for women.

## **1.7 General Principles**

1.7.1 Nothing in this Statement of Policy will:-

- a) Undermine the rights of any person to apply, under the Act, for a variety of permissions and have the application considered on its individual merits; or
- b) Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.

1.7.2 The Council is aware, as per Section 153 of the Act, that in exercising its functions it must aim to permit the use of premises for gambling in so far as the Authority thinks it is:

- a) in accordance with any relevant code of practice issued by the Gambling Commission;
- b) in accordance with any relevant guidance issued by the Gambling Commission;
- c) reasonably consistent with the licensing objectives; and
- d) in accordance with the Council's Statement of Gambling Policy.

1.7.3 The starting point in determining applications will be to grant the application without additional conditions. Conditions will only be considered where they are needed to meet the requirements of the licensing objectives, and any conditions applied will not be overly onerous and will be proportionate to the scale of the application and the risks involved. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

1.7.4 All applicants for Premises Licences will be required to set out how they will promote the licensing objectives, as specified in section 1.6, and what measures they intend to employ to ensure compliance with them. With effect from 6 April 2016, the Licensing Authority will also expect to receive a copy on request of the applicant's local risk assessment in accordance with the LCCP and Social Responsibility Code. When determining an application to grant a Premises Licence or review a Premises Licence, regard will be taken to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families with children. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be determined on its individual merits. Therefore, if an applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

1.7.5 Licensing is concerned with the control of licensed premises, temporary use notices or occasional use notices within the terms of the Act. Conditions may be attached to licences that will cover matters that are within the control of individual operators.

1.7.6 When considering any conditions to be attached to licences, the Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The Secretary of State may, by regulation, provide for specified conditions to be attached to a premises licence as either "mandatory" or "default" conditions. In determining an application, the Licensing Authority may not have regard to the expected demand for the facilities, which it is proposed to provide.

1.7.7 The Licensing Authority recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:-

a) Planning controls;

b) Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council departments;

c) Regular liaison with the Police on law enforcement issues regarding disorder and anti-social behaviour;

d) The power of the Police, other responsible authorities or local residents and businesses to seek a review of the licence.

1.7.8 Any person making a representation in respect of a licence application will be required to relate their representation to one of more of the Licensing Objectives, as specified in section 1.6, before the Licensing Authority will be able to consider it.

1.7.9 The Licensing Authority, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different ethnic and minority groups.

## **1.8 Responsible Authorities**

1.8.1 Responsible authorities are public bodies that must be notified of applications and are entitled to make representations to the licensing authority in relation to applications for, and in relation to, premises licences. Section 157 of the Act identifies the bodies that are to be treated as responsible authorities. They are: -

- a licensing authority in England and Wales in whose area the premises is wholly/partly situated;
- the Gambling Commission;
- the South Yorkshire Police;
- the fire and rescue authority for the same area;
- the local planning authority;
- an authority which has functions in relation to pollution to the environment or harm to human health;

- anybody, designated in writing by the licensing authority as competent to advise about the protection of children from harm;
- HM Revenue & Customs; and
- any other person prescribed in regulations by the Secretary of State.

1.8.2 Responsible authorities also include navigation authorities that have statutory functions in relation to the waters where the vessel is usually moored or berthed or any water where it is proposed to be navigated at a time when it is used for licensable activities. This would include:-

- Environment Agency;
- British Waterways Board; and
- Secretary of State. (Note: in practice, the Secretary of State for Transport who acts through the Maritime and Coastguard Agency).

1.8.3 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:-

- The need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

1.8.4 In accordance with the Gambling Commission's Guidance for local authorities, the Council designates the Local Safeguarding Children Board for this purpose.

## **1.9 Interested Parties**

1.9.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:-

*“A person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person:-*

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,*
- b) has business interests that might be affected by the authorised activities, or*
- c) represents persons who satisfy paragraph (a) or (b)”.*

1.9.2 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:-

- Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making and will consider the examples of considerations provided in the Gambling Commission’s Guidance for local authorities. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- Interested parties can include trade associations and trade unions, and residents’ and tenants’ associations but the Council will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005, i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
- Interested parties can be persons who are democratically elected such as councillors and MP’s. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, the

Council will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

1.9.3 If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Licensing Section.

### **1.10 Exchange of Information**

1.10.1 Barnsley Metropolitan Borough Council will ensure it exercises its functions in accordance with the laws on exchange of information with respect to the exchange of information between it and the Gambling Commission, and its functions under the Act with the respect to the exchange of information between it and other persons listed in Schedule 6 to the Act.

1.10.2 The Council will act in accordance with the provisions of the Act in its exchange of information which includes complying with the Data Protection Act 1998 provisions. The Council will have regard to any guidance issued by the Gambling Commission as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

1.10.3 Where local protocols are established as regards to information exchange with other bodies these will be made available on request.

1.10.4 Details of those persons making representations will be made available to applicants to allow for negotiation and, in the event of a hearing being required, will form part of a public document. Anyone making representations or applying for a review of a premises licence will be informed that their details will be disclosed.



## **1.11 Enforcement**

1.11.1 Licensing Authorities are required by Regulation under the Gambling Act 2005 to state the principles to be applied by the Authority in exercising its functions under Part 15 of the Act with respect to the inspection of premises; and the powers under Section 346 of the Act to institute criminal proceedings in respect of specified offences.

1.11.2 Barnsley Metropolitan Borough Council will have regard to the Regulators Code and will follow the principles set out in it. The Code is based around the principles of consistency, transparency, proportionality and accountability. Regulation will be targeted where appropriate.

1.11.3 Regulatory Services has adopted and will have regard to the principles set out in its Enforcement Policy, which follows the principles of the Regulators Code.

1.11.4 The Regulators Code and Regulatory Services Enforcement Policy (available upon request) set out that a graduated response is taken where offences against legislation are found or where licence conditions have been contravened. An isolated administrative offence, such as failing to maintain certain records, may be dealt with by way of a written warning. More serious offences may result in a referral to Sub-Committee, the issue of a Formal Caution or a referral for prosecution.

1.11.5 Barnsley Metropolitan Borough Council will use a risk-based inspection programme, based on;

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission
- The principles set out in this statement of licensing policy.

1.11.6 Once licensed, it is essential that premises are monitored to ensure that they are run in accordance with their operating schedules, in compliance with the specific requirements of the Act and in compliance with any licence conditions. It will also be important to monitor the Borough for unlicensed premises.

1.11.7 The Council will seek to work actively with the Police in enforcing licensing legislation and has established protocols with The South Yorkshire Police, Barnsley Trading Standards and South Yorkshire's Fire and Rescue Service on enforcement issues to ensure an efficient deployment of police and council officers.

1.11.8 In accordance with the Gambling Commission's Guidance the Council will endeavour to avoid duplication with other regulatory regimes so far as is reasonably possible.

1.11.9 The main enforcement and compliance role for Barnsley Metropolitan Borough Council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions it authorises. It will investigate complaints about licensed/unlicensed premises where appropriate.

1.11.10 The Gambling Commission will be the enforcement body for the operating licences and personal licences it issues. The Council will not deal with concerns about manufacture, supply or repair of gaming machines. The Council will however notify the Gambling Commission of any significant issues relating to operating licences, personal licences and the supply, manufacture or repair of gaming machines that arise.

## **1.12 Equality, Diversity and Inclusion**

1.12.1 Barnsley is a multi-racial, multi-cultural and multi-faith borough. We value and celebrate the diversity that exists amongst the residents of Barnsley, and those who choose to visit or work in our town. As a Council we want to ensure that everyone can fully participate in the social, cultural, political and economic life of the borough.

1.12.2 As such, applicants are reminded of their duties under the Equality Act 2010, the Disability Discrimination Act 1995 (as amended by the Disability Discrimination Act 2005), the Race Relations Act 1976 (as amended by the Race Relations Amendment Act 2003), the Sex Discrimination Act 1975 (as amended) and the Gender Equality Act 2006. The Council will ensure that it has due regard to the above at all times.

### **1.13 Licensing Authority Functions**

1.13.1 Barnsley Metropolitan Borough Council is required under the Act to:-

- be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences;
- issue Provisional Statements;
- regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- issue Club Machine Permits to Commercial Clubs;
- grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres;
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- register small society lotteries below prescribed thresholds;
- issue Prize Gaming Permits;
- receive and Endorse Temporary Use Notices;
- Commission regarding details of licences issued (see section above on 'information exchange); and

- maintain registers of the permits and licences issued under these functions.

1.12.2 The Council will not get involved in licensing remote gambling at all. This will fall to the Gambling Commission and be controlled through the issue of operating licences.

## **Part B - Premises Licences**

### **2.1 General Principles**

2.1.1 Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities will also be able to exclude default conditions and also attach others, where it is believed to be appropriate.

2.1.2 Nothing in this Statement of Policy will:-

- a) Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits; OR
- b) Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.

2.1.3 The starting point in determining applications will be to grant the application without conditions. Conditions will only be considered where they are needed to meet the requirements of the licensing objectives, and any conditions applied will not be overly onerous and will be proportionate to the scale of the application and the risks involved. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

2.1.4 All applicants for Premises Licences will be required to set out how they will promote the licensing objectives, as specified in section 1.6.1 above, and what measures they intend to employ to ensure compliance with them.

2.1.5 When determining an application to grant a Premises Licence or review a Premises Licence, consideration will be taken regarding the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families with children. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits. Therefore, if an applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

2.1.6 Licensing is about the control of licensed premises, temporary use notices or occasional use notices within the terms of the Act. Conditions may be attached to licences that will cover matters that are within the control of individual licensees.

2.1.7 When considering any conditions to be attached to licences, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The Secretary of State may by regulation provide for specified conditions to be attached to a premises licence as either “mandatory” or “default” conditions. In determining an application the Council can not take into account the expected demand for the facilities, which it is proposed to provide.

2.1.8 The Council recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:-

- a) Planning controls;
- b) Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council departments;

- c) Regular liaison with the Police on law enforcement issues regarding disorder and anti-social behaviour;
- d) The power of the Police, other responsible authorities or local residents and businesses to seek a review of the licence.

2.1.9 Objectors will be required to relate their objection to one of more of the Licensing Objectives, as specified in section 1.6.1 above, before the Council will be able to consider it.

2.1.10 The Council, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different racial groups.

## **2.2 Definition of “premises”**

2.2.1 ‘Premises’ is defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premise at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. Notwithstanding, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

2.2.2 The Council takes particular note of the Gambling Commission’s guidance for local authorities which states that:-

- “Licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following;

a) the third licensing objective seeks to protect children from being harmed or exploited by gambling and premises should be configured so that children are

prohibited from participating in gambling, such that they are not invited to participate in, have accidental access to, or closely observe gambling

b) entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit”.

2.2.3 It should also be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that references to “the premises” are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. The Council agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensures that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

### **2.3 Location.**

2.3.1 Barnsley Metropolitan Borough Council is aware that ‘demand’ issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

2.3.2 With regards to these objectives it is the council’s policy, upon receipt of any relevant representations to look at specific location issues including:

- the possible impact a gambling premises may have on any premises that provide services to children or young people, i.e. a school, or vulnerable adult centres in the area

- the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children
- the size of the premises and the nature of the activities taking place
- any levels of organised crime in the area.

2.3.3 Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

2.3.4 Currently, there are no identified areas of the borough in which a concentration of licensed premises exist which are leading to problems concerning the licensing objectives. Should any specific policy be decided upon with regards to areas where gambling premises should not be located, this statement will be updated and each application will be considered on its merits.

## **2.4 Area Profiles and Risk Assessments.**

2.4.1 The council will need to be satisfied that there is sufficient evidence that the particular location of the premises would be reasonably consistent with the licensing objectives.

2.4.2 As of the 6<sup>th</sup> April 2016, it will be a requirement of the Gambling Commission's Licence conditions and Codes of Practice that licensees assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises; and have policies, procedures and control measures in place to mitigate the risks. The Licensing Authority will require assessments to be submitted/ available from that date.

2.4.3 Licensees must review and update their local risk assessments:

- when applying for a variation of a premises licence;



- when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- to take account of significant changes in local circumstances, including those identified in this policy; and
- in any case, undertake a local risk assessment when applying for a new premises licence.

2.4.4 As a minimum, the Authority will expect applicants to consider the following in their local risk assessments:

- whether the premises is in an area of deprivation
- whether the premises is in an area subject to high levels of crime and/or disorder
- the ethnic profile of residents in the area
- the demographics of the area in relation to vulnerable groups
- the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather

2.4.5 The Licensing Authority will consider the following factors when deciding if an application is appropriate in a particular location:

- The possible impact a gambling premises may have on any premises that provide services to children, young people and vulnerable persons, such as a place of education, play, recreation or treatment or vulnerable adult centres in the area; and any mitigating factors put in place by the applicant to reduce risks
- The possible impact a gambling premise may have on residential areas where there may be a high concentration of families with children; and any mitigating factors put in place by the applicant to reduce risks.
- The size of the premises and the nature of the activities taking place.
- The appropriate level of staff and suitable supervision procedures.
- Levels of crime in the area and any impact of the granting of the licence

- Whether the applicant has offered any conditions to mitigate any risks and promote the licensing objectives
- Details of how the premises will operate to restrict access to children, young people and vulnerable persons
- Details of any partnership working arrangements the operator has in place with Police, Social Care or similar agencies.

2.4.6 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

## **2.5 Duplication with other Regulatory regimes**

2.5.1 Barnsley Metropolitan Borough Council will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. The Council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

## **2.6 Licensing Objectives**

2.6.1 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the Council has considered the Gambling Commission's Guidance to local authorities and these are referred to in 2.6.2, 2.6.5 and 2.6.7 below. Applicants are encouraged to discuss the crime prevention procedures in their premises with the Council's Licensing Officer and South Yorkshire Police before making a formal application.

2.6.2 Licensing Objective: **'Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime'**

The Council is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime the Council will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The Council is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance is required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

2.6.3 Considerations when determining whether the grant of a Premises licence will result in an increase in crime and disorder will include;

- The location of the premises
- Whether the premises has a history of crime and disorder, or has been associated with crime and/or disorder and whether there are any potential future risks of this occurring (including violence, public nuisance, public order or other crimes and policing problems)
- Whether the premises has been designed, laid out and fitted to minimise conflict and opportunities for crime and disorder (eg. physical security features, position of cash tills, CCTV etc.).
- What management measures are proposed to promote this licensing objective
- Have local supporting strategies, schemes and plans been assessed and included in the risk assessments to promote this licensing objective?

2.6.4 The Licensing Authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

2.6.5 Licensing Objective: **'Ensuring that gambling is conducted in a fair and open way'**

The Council recognises that the Gambling Commission does not generally expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks (see section 2.15).

2.6.6 When determining an application the following issues and other relevant factors should be considered in the risk assessment;

- Whether sufficient management measures are proposed, eg. is the management and operation of the premises open and transparent. Evidence of compliance with the Gambling Commissions Code of Practice, co-operation with enforcement agencies and relevant protocols and procedures are in place.
- The design, layout, fitting and lighting of the premises.

2.6.7 Licensing Objective: **‘Protecting children and other vulnerable persons from being harmed or exploited by gambling’**

BMBC recognises the Gambling Commission's guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective.

2.6.8 With regards to “vulnerable persons”, the Gambling Commission states that “it will for regulatory purposes assume that this group of people includes those who gamble more than they want to; those who gamble beyond their means; and those who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs”. The Council will consider this licensing objective on a case-by-case basis.

2.6.9 The following must be included in any risk assessment;

- The location of the premises (eg. close to premises frequented by children or other vulnerable persons etc.)

- Whether any promotional material/advertising associated with the premises might encourage use of the premises by children or vulnerable adults.
- Whether there are management measures in place to ensure adequate staff training is in place to protect children, young persons and vulnerable people who could be harmed or exploited by gambling. Staff should receive refresher and induction training in relation to the procedures and operating systems for the protection of children and young people. Staff training records should be kept and made available to the Licensing Authority on request. Self testing procedures should be in place to identify staff training needs and staff competence in relation to age verification.
- A risk assessment for safeguarding children and vulnerable people at gambling premises, the outcome of which should be used to inform staff training and operating policy.
- A member of staff to be designated to have lead responsibility for the operating systems relating to the protection of children and other vulnerable persons.
- A recognised Proof of Age scheme shall be operated in all areas of the premises where alcohol is on sale and at entrances to areas of the premises which give access to adult gambling facilities.
- A written record shall be maintained of all staff interventions that are made with customers for the protection of children and other vulnerable persons (eg. refusals of service or admission, the provision of self help information, membership records for the self exclusion scheme including photographic ID, records of interventions with parents/carers who fail to behave responsibly at the premises, record of persons barred).
- Signage to be displayed in areas where children are admitted.
- A customer charter promoting the principles of acceptable behaviour at the premises, including that adults must supervise their children at all times.

## **2.7 Codes of Practice**

2.7.1 The Council will take into account the Codes of Practice which the Gambling Commission issues from time to time with regards to the licensing objectives.

## **2.8 Conditions**

2.8.1 The Council is aware that the Secretary of State has set mandatory conditions and default conditions and the Gambling Commission has set Licence Conditions and Codes of Practice which are necessary for the general good conduct of gambling premises, therefore it is unlikely that the council will need to impose individual conditions imposing a more restricted regime in relation to matters that have already been dealt with.

2.8.2 Where there are specific risks or problems associated with a particular locality, or specific premises, or class of premises, the council will attach individual conditions to address this.

2.8.3 Any conditions attached to licences will be proportionate and will be:-

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

2.8.4 Decisions upon individual conditions will be made on a case-by-case basis, although there will be a number of measures that the Council will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types in this policy. The Council will also expect licence

applicants to offer their own suggestions as to the way in which the licensing objectives can be met effectively.

2.8.5 The Council will consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

2.8.6 The Council will ensure that where category C (see Annex 2) or above machines are on offer in premises to which children are admitted that:-

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

2.8.7 The Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The Council will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

2.8.8 The Council recognises that there are certain conditions which cannot be attached to premises licences which are:-

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

## **2.9 Door Supervisors**

2.9.1 The Gambling Commission guidance advises licensing authorities to consider whether there is a need for door supervisors in terms of the licensing objectives of the protection of children and vulnerable persons from being harmed or exploited by gambling, and in terms of preventing premises becoming a source of crime. It is also recognised that the door supervisors at casinos or bingo premises cannot be licensed by the Security Industry Authority (SIA) if the premises are being used wholly or mainly for the purposes for which such a licence is required. The Council will however consider on a case by case basis whether door supervisors are required to work at casino or bingo premises and may have specific requirements appropriate to the individual premises by attaching conditions subject to any codes of practice. This is in recognition of the nature of the work in terms of searching individuals and dealing with potentially aggressive persons.

2.9.2 For premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances / machines is appropriate for particular cases but it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be.



## **2.10 Adult Gaming Centres**

2.10.1 Barnsley Metropolitan Borough Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

2.10.2 The Council will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/ licence conditions may cover issues such as:-

- Proof of age schemes
- Staff training
- Record keeping
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for gambling related organisations such as GamCare.
- Local area profiling.

The above list is not mandatory, nor exhaustive, and is merely indicative of example measures.

## **2.11 (Licensed) Family Entertainment Centres**

2.11.1 Barnsley Metropolitan Borough Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect applicants to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to 'adult only' gaming machine areas. Applicants will be expected to address the following;

- Promotion of the licensing objectives and the Licensing Authorities requirements under this Policy;
- Measures and procedures for any staff supervision requirements;
- The suitability of the location through the applicants local area risk assessment (including proximity to residential areas, shopping centres, places of education, play or recreation, specialist services for children/ vulnerable adults and /or community buildings etc.).

2.11.2 The Council will expect applicants to offer their own measures to meet the licensing objectives and appropriate measures/ licence conditions may cover issues such as:-

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for gambling related organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

- The suitability of the location of the premises through the applicant's local area risk assessment.

The above list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.11.3 The Council will, in line with the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The Council will also make itself aware of any mandatory or default conditions on these premises licences.

## **2.12 Casinos**

2.12.1 There are currently no casinos within the Metropolitan Borough of Barnsley.

2.12.2 The Gambling Act 2005 prevents Barnsley Metropolitan Borough Council from accepting any applications for new Casino premises licences. The Council was not named as an authority which could issue small or large casino premises licences under the Act.

## **2.13 Bingo Premises**

2.13.1 Bingo is not given a statutory definition in the Gambling Act 2005, although there are two main types;

- Cash bingo, where the stakes paid make up the cash prizes that are won
- Prize bingo, where various forms of prizes are won, not directly related to the stakes paid.

2.13.2 The Council acknowledges the Gambling Commission's guidance to local authorities in connection with bingo premises. Paragraph 18.7 of the guidance states:-

- "Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed. Social Responsibility (SR) code 3.2.5(3) states that "licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises" in order to prevent underage gambling".

2.13.3 When determining an application for a bingo licence, the Licensing Authority will require the applicant to demonstrate;

- Promotion of the licensing objectives and the relevant considerations as listed in this policy;
- Local area profiling via the risk assessment;
- Location of the premises
- Suitability and layout of the premises

This list is not exhaustive, and each application will be judged on its merits.

## **2.14 Betting Premises**

2.14.1 There are different types of premises, licensed under a single class of licence for betting. These are off course betting, on-course betting for tracks, betting machines and different categories of gaming machines (B2, B3, B4, C and D).

2.14.2 **Betting machines** - Section 181 contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the licensing authority, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff

to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable persons.

2.14.3 **Credit** - section 177 does not prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept credit cards (and debit cards) and the arrangement is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, nor make any payment in connection with the machines. The licensing authority will also take note of any restrictions and requirements on the Operating Licences for betting premises as regards credit.

2.14.4 **Betting shops** – Off course betting is betting that takes place other than at a track eg. a betting shop. When determining an application, the Licensing Authority will particularly take into account the following;

- The licensing objectives and relevant issues as listed in this policy;
- Local area profiling via risk assessment
- Location of the premises (in particular to young and vulnerable persons)
- Procedures in place to prevent access to young people under 18
- Suitability and layout of the premises
- Size of the premise in relation to the number of betting machines
- Ability of staff to monitor use /abuse of machines
- Self-exclusion systems
- Staff training in relation to responding to vulnerable or underage persons.

This list is not exhaustive and each case will be judged on its merits.

## **2.15 Tracks**

2.15.1 A track is defined in the Act as a “horse racecourse, greyhound track or other premises of which a race or other sporting event takes place or is intended to take place”.

2.15.2 The Council is aware that tracks may be subject to individual or multiple premises licences, provided each licence relates to a specified area of the track. In accordance with the Gambling Commission's guidance the Council will consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

2.15.3 The Council will expect premises licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

2.15.4 Barnsley Metropolitan Borough Council will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:-

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare
- Customer charter to promote responsibility behaviour and the supervision of children.

The above list is not mandatory, nor exhaustive, and is merely indicative of example measures.

**2.15.5 Gaming machines used on Tracks** - All machines must be located in accordance with Gambling Commission guidance and any special considerations that should apply in relation to, for example, supervision of the machines and preventing children from playing them. The Council supports the Commission's guidance that licensing authorities need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons will not be prohibited from playing category D gaming machines on a track.

**2.15.6 Betting machines used on Tracks** – The Council will take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It also supports the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.

**2.15.7 Condition on rules being displayed** - The Gambling Commission's guidance advises that licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public.

**2.15.8 Applications and plans** – All application must be made in accordance with the appropriate Regulations for premises licences and in accordance with the Gambling Commission's suggestion in its guidance. Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

2.15.9 The Council accepts the Gambling Commission's view that it would be preferable for all self-contained premises operated by off-course betting operators on a track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

## **2.16 Travelling Fairs**

2.16.1 Barnsley Metropolitan Borough Council will decide whether, where category D machines and/ or equal chance prize gaming (see Annex 2) without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

2.16.2 The Council will also consider whether the applicant falls within the statutory definition of a travelling fair.

2.16.3 The 27-day statutory maximum for land being used as a fair is per calendar year, and that applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Council will work with neighbouring authorities to ensure that land which crosses Council boundaries is monitored so that the statutory limits are not exceeded.



## **2.17 Provisional Statements**

2.17.1 Section 204 of the Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that they:

- Expect to be constructed
- Expect to be altered
- Expect to acquire a right to occupy

Developers may wish to apply for provisional statements before they enter into a contract to buy or lease property or land, to judge whether a development is worth taking forward in light of the need to obtain a premises licence.

2.17.2 The Council notes the Guidance from the Gambling Commission on this issue. It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence and requiring the building to be complete ensures that the authority could, if necessary, inspect it fully.

2.17.3 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:-

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which is in the authority's opinion reflect a change in the operator's circumstances.

2.17.4 The Council recognises that, as a licensing authority, it should not take into account irrelevant matters. An example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal.

## **2.18 Reviews and Representations**

2.18.1 The Council will carry out a review of a Premises Licence where it has received a formal application for review in accordance with the Act that is relevant to one or more of the Licensing Objectives. Representations may include issues relating to the following:-

- a) Use of licensed premises for the sale and distribution of class A drugs and/or the laundering of the proceeds of drugs crimes;
- b) Use of licensed premises for the sale and distribution of illegal firearms;
- c) Use of licensed premises for prostitution or the sale of unlawful pornography;
- d) Use of licensed premises as a base for organised crime activity;
- e) Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
- f) Use of licensed premises for the sale of smuggled tobacco or goods;
- g) Use of licensed premises for the sale of stolen goods;
- h) Children and/or vulnerable persons being put at risk.

Representations should include as much detail and evidence as possible.

2.18.2 Due consideration will be given to all relevant representations unless they fit the following:-

- a) The grounds are frivolous;
- b) The grounds are vexatious;
- c) The grounds are irrelevant;
- d) The grounds will not cause the Licensing Authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence;
- e) The grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or
- f) The grounds are substantially the same as representations made at the time the application for a premises licence was considered.

2.18.3 The Council (licensing authority) can also initiate a review of a licence based on any reason that it thinks is appropriate.

2.18.4 Representations made outside of the statutory period for making such representations or which otherwise fail to comply with the regulations will not be valid and will not be taken into consideration.

2.18.5 Where valid representations are received, the Authority will hold a hearing.

## **2.19 Decision Making**

2.19.1 The Council will be involved in a wide range of licensing decisions and functions and has established a Statutory Licensing Board to administer them.

2.19.2 Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Board has delegated certain decisions and functions and has established a Sub-Committee to deal with them.

2.19.3 A Licensing Sub-Committee of three Councillors will sit to hear applications where representations have been received from interested parties and responsible authorities. Ward Councillors will not sit on a Sub-Committee involving an application within their ward.

2.19.4 The Statutory Licensing Board will also sit to determine general licensing matters that have been delegated to it by the full Council that are not associated with the Gambling Act 2005.

2.19.5 Where a Councillor who is a member of the Statutory Licensing Board is making or has made representations regarding a licence on behalf of an interested

party, in the interests of good governance they will disqualify themselves from any involvement in the decision making process affecting the licence in question.

2.19.6 The Licensing Sub-Committee will also refer to the Statutory Licensing Board any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.

2.19.7 The Statutory Licensing Board will refer to the full Council any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.

2.19.8 Every determination of a licensing decision by the Statutory Licensing Board or a Licensing Sub-Committee shall be accompanied by clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the applicant and those who have made relevant representations as soon as practicable. A summary of the decision shall also be posted on the Council's website as soon as possible after the decision has been confirmed, where it will form part of the statutory licensing register required to be kept by the Council.

2.19.9 The Council's Licensing Officers will deal with all other licensing applications where either no representation has been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.

2.19.10 Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Council Officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the Statutory Licensing Board or Sub-Committee. Where representations are rejected, the person making that representation will be given a written reason as to why that is the case. There is no right of appeal against a determination that representations are not admissible.

2.19.11 The table shown at Annex 1 sets out the agreed delegation of decisions and functions to Statutory Licensing Board, Sub-Committee and Officers.

2.19.12 This form of delegation is without prejudice to Officers referring an application to a Sub-Committee or Statutory Licensing Board if considered appropriate in the circumstances of any particular case.

2.19.13 An applicant or person making representations will have a right of appeal to the Magistrates' Court if they are unhappy with any decision made by the Council.

## **2.20 Departure from Policy**

2.20.1 The Licensing Authority may choose to depart from this Policy if the individual circumstances of a case warrant such a departure, in the interests of fairness. and it is relevant to the matters listed below;

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of principles.

2.20.2 In such an event, the Licensing Authority will give full reasons for the decision to depart from this Policy, and each case will be dealt with on its own merits.

## **Part C – Permits / Temporary And Occasional Use Notices**

### **3.1 Unlicensed Family Entertainment Centre gaming machine permits**

#### **(Statement of Principles on Permits - Schedule 10 paragraph 7)**

3.1.1 Where a premise does not hold a premises licence but wishes to provide category D gaming machines only, it may apply to the licensing authority for this permit. Applicants must show that the premises will be wholly or mainly used for making gaming machines available for use.

3.1.2 The Gambling Act 2005 states that; "... a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25." The Gambling Commission's guidance also states; "a licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications for permits. In particular it may want to set out the matters that it will take into account in determining the suitability of the applicant. Given that the premises is likely to appeal particularly to children and young persons, licensing authorities may wish to give weight to matters relating to protection of children from being harmed or exploited by gambling and to ensure that staff supervision adequately reflects the level of risk to this group."

3.1.3 An application for a permit may be granted only if the Council (licensing authority) is satisfied that the premises will be used as an unlicensed FEC, and if the Chief Officer of Police has been consulted on the application. In addition, the Council will require applicants to demonstrate:-

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- A risk management plan is in place in relation to protecting children and vulnerable people;

- The Police and the Safeguarding Children Board have been consulted on the application;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes, and all other relevant issues.
- That the applicant is over 18 years of age;
- That proper and appropriate procedures are in place to protect children and vulnerable persons from harm;
- That there are measures set out to promote the licensing objectives;
- The location of the premises;
- local area profiling through via the risk assessment
- that a member of staff is designated with lead responsibility for safeguarding children and other vulnerable people;
- that there are policies and training available for safeguarding children and vulnerable others;
- provide details of the supplier of the machines and the licence number.
- provide a plan of the premises.

3.1.4 It should be noted that the Council (licensing authority) cannot attach conditions to this type of permit.

3.1.5 Applicants are required to obtain an enhanced disclosure from the Disclosure and Barring Service as part of the application process and regard will be given to any “Relevant convictions” (as defined by Schedule 7 of the Act) which may be revealed.

3.1.6 In addition to the Police, the Safeguarding Children’s Board will also be consulted on the application. The Council will expect applicants to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

**3.2 (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))**

3.2.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D (see Annex 2). These premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:-

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

3.2.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant.” The Council considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.



3.2.3 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

3.2.4 The licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

3.2.5 Holders of permits must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

### **3.3 Prize Gaming Permits**

3.3.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the Licensing Authority proposes to consider in determining the suitability of the applicant for a permit”.

3.3.2 Barnsley Metropolitan Borough Council’s Statement of Principles require applicants to set out the types of gaming that they intend to offer and be able to demonstrate:-

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

3.3.3 In making its decision on an application for a permit, applicants will be expected to demonstrate the following;

- the type of gaming they are intending to offer;
- that the applicant is over 18 years of age;
- that proper and appropriate procedures are in place to protect children and vulnerable persons from harm;

- that all staff have been fully trained in all the relevant issues;
- that the applicant has no relevant convictions;
- that there are measures in place to promote the Licensing Objectives;
- the location of premises;
- a local area profile risk assessment;
- that a member of staff is designated with lead responsibility for safeguarding children and vulnerable others;
- there are policies available for safeguarding children and other vulnerable persons;
- that the application has been copied to the Police and the Safeguarding Children Board

3.3.4 Applicants are required to obtain an enhanced disclosure from the Disclosure and Barring Service as part of the application process and regard will be had to any “Relevant convictions” (defined by Schedule 7 of the Act) which may be revealed.

3.3.5 There are conditions in the Gambling Act 2005 by which permit holders must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:-

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

### **3.4 Club Gaming and Club Machines Permits**

3.4.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

3.4.2 Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

3.4.3 The Council may only refuse an application on the grounds that:-

- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- b) the applicant's premises are used wholly or mainly by children and/or young persons;
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d) a permit held by the applicant has been cancelled in the previous ten years;  
or
- e) an objection has been lodged by the Commission or the police.

3.4.4 There is a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12

paragraph 10). Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the Police, and the grounds upon which an authority can refuse a permit are reduced. The grounds on which an application under the process may be refused are:-

- a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

3.4.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

### **3.5 Temporary Use Notices**

3.5.1 Temporary Use notices allow the use of premises for gambling where there is no premises licence, but where an operator wishes to use the premises temporarily for providing facilities for gambling.

3.5.2 There are a number of statutory limits with regards to temporary use notices. Section 218 of the Act in relation to these notices refers to a “set of premises”, which differs from the definition of premises in Part 8 of the Act. In considering whether a place falls within the definition, the licensing authority will consider the ownership, occupation and control of the premises.

3.5.3 Operators should note the following;

- A Temporary Use Notice can only be used to provide facilities for equal chance gaming which must be intended to produce a single overall winner;

- Cash games are not permitted;
- The Gambling Commission licensed operator which notifies the Temporary Use Notice bears full responsibility for the compliance of the event;
- All relevant licence conditions that apply to the Gambling Commission licensed operator responsible for the Temporary Use Notice, apply to the temporary premises.

3.5.4 In considering a Temporary Use Notice, the Local Authority will consider the following;

- Promotion of the licensing objectives;
- Suitability of the premises;
- Suitability of the location;
- Measures put in place for safeguarding; and
- Any guidance issued by the Gambling Commission or relevant authorities.

### **3.6 Occasional Use Notices**

3.6.1 The Council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will though consider the definition of a “track” and whether the applicant is permitted to avail him/herself of the notice.

## **Part D – Legislation, Policies and Strategies**

### **4.1 Legislation**

4.1.1 In undertaking its licensing function under the Gambling Act 2005, the Council is also bound by other legislation, including:-

- a) Section 17 of the Crime and Disorder Act 1988;
- b) Human Rights Act 1998;
- c) Health and Safety at Work Act 1974;
- d) Environmental Protection Act 1990;
- e) The Anti-Social Behaviour Act 2003;
- f) The Race Relations Act 1976 (as amended);

However, the policy is not intended to duplicate existing legislation and regulation regimes that already place obligations on employers and operators.

## **4.2 National Strategies**

4.2.1 The Council will seek to discharge its responsibilities identified by other Government Strategies, in so far as they impact on the objectives of the licensing function.

## **4.3 Local Strategies and Policies**

4.3.1 Where appropriate, the Council will consider applications with reference to other adopted local strategies and policies, including the following:-

- The Council's Corporate Strategy;
- The Community Safety Strategy;
- Regulators Code of Conduct and Regulatory Services Enforcement Policy.
- Safer and Sustainable Communities Plan

## **4.4 Integrating Strategies**

4.4.1 There are many stakeholders involved in the Leisure industry and many are involved in the promotion of the licensing objectives. A number of stakeholders'

plans and strategies deal with matters related to the licensing function. Where this is the case, the Council will aim, as far as possible, to co-ordinate them.

4.4.2 The Council recognises in particular the importance of the co-ordination and integration of the Gambling policy with other plans aimed at the management of town centres and the night-time economy. Relevant plans and strategies include:-

- a) **Crime and Disorder Strategy** – The Council will fulfil its duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough. As far as possible, licensing decisions will aim to contribute to the targets set in the Crime and Disorder Strategy and conditions attached to licences and certificates will reflect local crime prevention strategies.
- b) **Local Transport Plan** – the Council aims to work with the local transport authority and will consider ways in which the public can be dispersed from licensed premises and events so as to avoid disturbance, crime and disorder. The Police will be encouraged to report on matters related to the swift and safe dispersal of people from licensed premises.
- c) **Racial Equality** – The Council is required under race relations legislation to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups. The impact on these issues of the Gambling Policy will be monitored and amendments will be made as necessary.
- d) **Human Rights** – The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way which is incompatible with a Convention right. The Council will have particular regard to the following relevant provisions of the European Convention on Human Rights:-
  - i. Article 6 that in the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;
  - ii. Article 8 that everyone has the right to respect for his home and private and family life;

- iii. Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his or her possessions, including for example the possession of a licence.
- e) The Licensing Authority's Statutory Licensing Board will provide reports, when appropriate, to its Planning Committee on the situation regarding licensed premises in the area, including the general impact of gambling related crime and disorder, to enable the Planning Committee to have regard to such matters when taking its decisions.
- f) **Tourism and Town Centre Management** – The Council aims to promote a high quality thriving night-time economy.
- g) The Council will ensure that the Statutory Licensing Board receives reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations.
- h) **Economic Strategies** – The Council will ensure that the Statutory Licensing Board is appraised of the employment situation in the area and the need for new investment and employment where appropriate.
- i) **Enforcement Policy** – All licensing enforcement will be conducted in accordance with the Regulators Code and the Regulatory Services Enforcement Policy.

4.4.3 In order to avoid duplication with other statutory regimes, the Council will not attach conditions to a licence unless they are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

4.4.4 Non-compliance with other statutory requirements may be taken into account in reaching a decision about whether to grant a licence, but only if relevant representations are received.

### **5.1 Ongoing Responsibilities of Licensed Premises**



5.1.1 The responsibility to promote the licensing objectives does not end when a licence is granted. Operators must continue to tackle the risks associated with the activities they provide.

5.1.2 All customer-facing and management staff in licensed premises are expected to have sufficient knowledge to promote responsible gambling and to address risks associated with gambling. This should include (where appropriate);

- The importance of social responsibility.
- Staff are familiar with partnership agencies, have relevant contact details and know how to report any concerns.
- The causes and consequences of problem gambling.
- Identifying and communicating with vulnerable persons; including primary intervention and escalation.
- How to deal with problem gamblers; including exclusion (mandatory and voluntary) and escalating for advice/treatment.
- The importance of maintaining records (such as refusals, self-exclusions, incident logs, age challenges).
- Refusal of entry (alcohol and drugs).
- Age verification procedures and the need to return stakes/withdraw winnings if underage persons are found gambling.
- The importance and enforcement of time/spend limits.
- Licence conditions.
- Offences under the Gambling Act.
- Categories of gaming machines and the stakes and odds associated with each machine.
- Types of gaming and the stakes and odds associated with each.
- Staff exclusions from gambling at the premises where they are employed and the reasons for that restriction.

- The ability to signpost customers to support services with respect to problem gambling, financial management, debt advice etc.
- Safe cash handling and the payment of winnings.
- How to identify forged ID, report it and procedures in relation to the offender (such as report to the Police, bar offenders from the premises).
- Knowledge of a problem gambling helpline number.
- The importance of not encouraging customers to increase the amount of money they have decided to gamble; enter into continuous gambling for a prolonged period; continue gambling when they have expressed a desire to stop; re-gamble winnings or chase losses.

## **6.1 Self Exclusion scheme.**

6.1.1 The Licensing Authority expects all premises to operate a voluntary exclusion scheme; which means that whenever a customer requests to be excluded from the premises, they are excluded for an agreed time-frame taking into account the Gambling Commissions Licence Conditions and Code of Practice minimum requirements.

6.1.2 A self-exclusion policy should be supported by a written agreement drawn up in accordance with the relevant Codes of Practice and trade association advice.

## Annex 1 – Delegations of Licensing Functions

<b>MATTER TO BE DEALT WITH</b>	<b>FULL COUNCIL</b>	<b>SUB-COMMITTEE</b>	<b>OFFICERS</b>
Three year licensing policy	Yes		
Policy not to permit casinos	Yes		
Fee Setting - when appropriate			Yes (to be approved by Executive Councillor)
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		Yes	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		Yes	
Applications for other permits			Yes
Cancellation of licensed premises gaming machine permits			Yes
Consideration of temporary use notice			Yes
Decision to give a counter notice to a temporary use notice		Yes	

## **Annex 2 – Definition of Gaming Machines**

### **Definition of Gaming Machines**

#### **Based on Gambling Commissions' guidance to Licensing Authorities**

Section 235 of the Act defines a “gaming machine” as; “a machine which is designed or adapted for use by individuals to gamble (whether or not it can also be used for other purposes)”. This definition is wider than those included in previous gaming legislation and covers all types of gambling activity which can take place on a machine, including betting on virtual events. However, the following should be noted:

- there remains a distinction between skill machines and gaming machines. Skill machines are unregulated; and
- section 235 contains important exemptions for equipment that is not to be considered a gaming machine, even when gambling can be performed on it. For example, a home PC is not to be classed as a gaming machine, even though someone can access remote gambling on it.

#### **Categories of gaming machines**

The maximum stakes and prizes for certain gaming machines were updated by the Gambling Commission in June 2009.

<b>Category of machine</b>	<b>Maximum Stake</b>	<b>Maximum Prize</b>
A	Unlimited	Unlimited
B1	£2	£4,000
B2	£100 (in multiples of £10)	£500
B3	£1	£500
B3A	£1	£500
B4	£1	£250
C	£1	£70
D non-monetary prize (other than crane grab machines)	30p	£8
D non-monetary prize (crane grab machines)	10p	£50
D money prizes	10p	£5
D combined money and non-money prize (coin pusher or penny falls machine)	10p	£15 cash (of which no more than £8 may be a money prize)

#### **Age restrictions**

- Categories A, B and C machines – minimum age of 18 years for all players;
- Category D – no minimum age for players, however the Secretary of State has a reserve of power to set a minimum age for playing category D machines with an associated power to exempt certain machines like cranes and penny pushers;
- The holder of a permit or premises licence will have to ensure that he complies with the Codes of Practice issued by the Commission on the location of and access to such machines by children and young persons, and their separation from category C and B machines where those are also located on the same premises.

## Summary of maximum number of machines by premises type

### Gaming machines on arcade premises

Gaming machines fall into categories depending on the maximum stake and prize available. Arcades are allowed to offer a certain number of gaming machines from each category:

	Machine category			
	B3	B4	C	D
<b>Adult gaming centre</b>	Maximum of 4 machines in category B3 or B4		No limit on category C or D machines	
<b>Family entertainment centre</b> (with premises licence)			No limit on category C or D machines	
<b>Family entertainment centre</b> (with permit)				No limit on category D machines

### Gaming machines on betting premises

Gaming machines can be sited on betting premises. All gaming machines sited on betting premises must comply with the Gambling Commission's gaming machines technical standards, and be tested to the appropriate standard by an approved test house.

#### What gaming machines can betting premises offer?

Gaming machines fall into categories depending on the maximum stake and prize available. A general betting (standard) operating licence, together with a betting premises licence, allows for up to four gaming machines from any of the following categories to be sited on that premises:

Machine category				
B2	B3	B4	C	D

**Betting premises and tracks occupied by pool betting**

Maximum of 4 machines in categories B2 to D

**Gaming machines on bingo premises**

Gaming machines can be sited on bingo premises. The rules for the positioning of gaming machines, in relation to other activities on a premises, are listed in the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 and the (Mandatory and Default Conditions) (Scotland) Regulations 2007.

All gaming machines sited on bingo premises must comply with the Gambling Commission’s Gaming Machine Technical Specifications and be tested to the appropriate standard by an approved test house.

**What gaming machines can bingo premises offer?**

Gaming machines fall into categories depending on the maximum stake and prize available. A licensed bingo operator is permitted up to eight gaming machines from category B3 or B4, and any number of category C or category D machines.

	<b>Machine category</b>			
	<b>B3</b>	<b>B4</b>	<b>C</b>	<b>D</b>
<b>Bingo premises</b>	Maximum of 8 machines in category B3 or B4			No limit on category C or D machines

**Gaming machines on casino premises**

Barnsley Metropolitan Borough Council currently has no casino premises and therefore information relating to gaming machines on casino premises has not been included within this policy. Further information on machine categories for casinos can be found at the Gambling Commission website.

**Pubs, clubs, and other qualifying alcohol licensed premises**

**Clubs or miners' welfare institutes**

Gaming machines fall into categories depending on the maximum stake and prize available.

	<b>Machine category</b>		
	<b>B4</b>	<b>C</b>	<b>D</b>
<b>Clubs or miners’ welfare institute</b> (with permits)		Maximum of 3 machines in categories B3A or B4 to D*	
<b>Qualifying alcohol-licensed premises</b>		1 or 2 machines of category C or D automatic upon notification	
<b>Qualifying alcohol-licensed premises</b> (with gaming machine permit)		Number as specified on permit	

### **Permits for additional gaming machines**

In addition to their automatic entitlement, pubs and other alcohol licensed premises may apply to the Council for a gaming machine permit which allows the provision of additional machines. The number of machines allowed will be specified on the permit.

### **Travelling fairs**

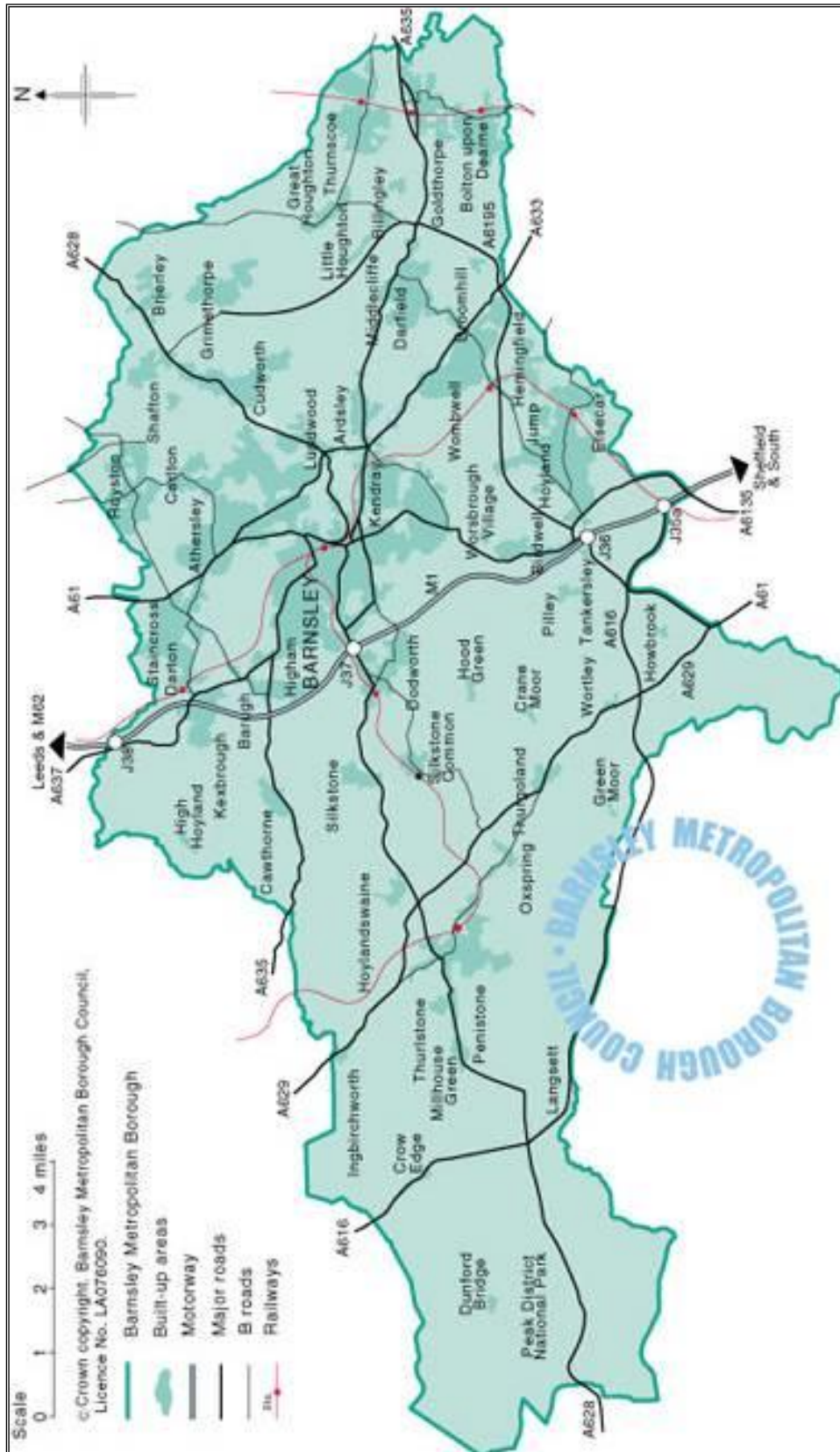
Gaming machines fall into categories depending on the maximum stake and prize available.

**Travelling fair**

#### **Machine category D**

No limit on category D machines

**Appendix A – Map of Barnsley Metropolitan Borough**





### **Further Information**

Further information about the Gambling Act 2005, this Statement of Licensing Policy or the application process can be obtained from:-

Barnsley Metropolitan Borough Council  
Regulatory Services  
PO Box 634  
Barnsley  
S70 9GG

Tel: 01226 773843  
Fax: 01226 775699  
Email: [regulatoryservices@barnsley.gov.uk](mailto:regulatoryservices@barnsley.gov.uk)  
Website: [www.barnsley.gov.uk](http://www.barnsley.gov.uk)

Information is also available from:-

Gambling Commission  
Berkshire House  
168-173 High Holborn  
London  
WC1V 7AA

Tel: 020 7306 6219  
Website: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

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# Item 33

## **BARNSELY METROPOLITAN BOROUGH COUNCIL**

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

### **REPORT OF THE DIRECTOR OF LEGAL AND GOVERNANCE TO CABINET ON 13 JULY 2016**

#### **Appointment of Representative to the Penistone School Trust**

##### **1. Purpose of Report**

1.1 To agree the nomination of a Penistone Ward Member to the Penistone School Trust.

##### **2. Recommendations**

**2.1 That approval be given to the re-appointment of Councillor Barnard to the Penistone School Trust for a further 4 year term.**

##### **3. Background**

3.1 The Penistone School Trust operates locally within the ecclesiastical parish of Penistone. The Trust owns one asset, the building known as The National School, Church Street, Penistone which they let to the Council on a long term lease. The objective of the charity is for the public benefit to promote the education, including social and physical training, of people (male and female) under the age of 25 years in the area of benefit in such ways as the charity trustees think fit, including by:-

- (a) Awarding to such persons scholarships, maintenance allowances or grants tenable at any school, university, college or institution of higher or further education;
- (b) Promoting the education of persons (including the study of music or other arts) who are in need of financial assistance by assisting them with travel in furtherance of that education or to prepare for entry to any occupation trade or profession on leaving any educational establishment; and
- (c) Supporting religious instruction in accordance with the tenets of the Church of England by means of Sunday Schools or otherwise or children and young people in the area of benefit.

3.2 Under the scheme there are 7 trustees:-

4 ex-officio trustees (Rector and Church Wardens of St. John the Baptist Church, Penistone)

2 trustees appointed by Penistone Town Council

1 trustee appointed by Barnsley MBC

#### **4. Current Position**

- 4.1 Councillor Barnard has acted as the Council's representative on the Trust for a 4 year term since 2011.
- 4.2 The Secretary to the Trust has contacted the Council to invite the nomination of a Penistone Ward Member to the charity for a further 4 year period.

#### **5. Proposal**

- 5.1 It is proposed that approval be given to the re-appointment of Councillor Barnard as a trustee to the Penistone School Trust for a further 4 year term.

#### **6. Financial, Staffing, Crime and Disorder and Local Area Implications**

- 6.1 None.

#### **7. Compatibility with the European Convention on Human Rights**

- 7.1 There are no implications relating to the Human Rights Act arising from this report.

#### **8. Background Papers**

Documentation available for inspection in the Council Governance Unit, Legal and Governance Director, Town Hall, Barnsley Telephone (01226) 773425.

**Officer Contact:** Craig Rogerson      **Telephone No:** 773425      **Date:** 1 July, 2016

# Item 34

## BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan.

REPORT OF THE  
DIRECTOR OF LEGAL AND GOVERNANCE  
TO CABINET ON 13 JULY 2016

### **COUNCIL REPRESENTATIVE ON BARNSELY AND ROTHERHAM CHAMBER OF COMMERCE AND BARNSELY COMMUNITY SAFETY PARTNERSHIP**

#### **1. INTRODUCTION**

- 1.1 To consider the Council's representatives on the Barnsley and Rotherham Chamber of Commerce Representative Council and the Barnsley Community Safety Partnership.

#### **2. RECOMMENDATIONS**

**Recommended to Council:-**

- (i) **that Councillor Miller be appointed as the Council's representative on the Barnsley and Rotherham Representative Council to replace Councillor Leech; and**
- (ii) **that a Police and Crime Panel representative be appointed as a Council representative on the Barnsley Community Safety Partnership.**

#### **3. BARNSELY AND ROTHERHAM CHAMBER OF COMMERCE**

##### **a) Background**

- 3.1 Barnsley and Rotherham Chamber of Commerce is the voice of local business and is the driving force to support members' productivity and profitability in challenging global markets. The Chamber aims to influence government at all levels, delivers value added commercial services, promotes inter-trading through networking and events, helps businesses raise the skills and competencies of its workforce, supports enterprise and entrepreneurship, and celebrates the success of members and their contribution to their locality.

- 3.2 In addition to a Board, the Chamber has a Representative Council consisting of a number of partner organisations including a Council representative.

##### **b) Current Position**

- 3.3 The Council's current representative on the Barnsley and Rotherham Chamber of Commerce Representative Council is Councillor Leech.

c) Proposal

3.4 It is proposed that Councillor Miller replaces Councillor Leech as the Council's representative on the Representative Council.

**4. BARNSELY COMMUNITY SAFETY PARTNERSHIP**

a) Background

4.1 Barnsley Community Safety Partnership is Barnsley's statutory Crime and Disorder Reduction Partnership. The Partnership considers issues across the breadth of community safety, such as crime, anti-social behaviour, drugs and alcohol misuse, community cohesion, preventing offending and re-offending and protecting vulnerable people.

b) Current Position

4.2 The Council has Member representation on the Panel. The Communities Cabinet Spokesperson, Councillor Platts, sits on the Panel and there is a vacancy for one of the Council's Police and Crime Panel representatives.

c) Proposal

4.3 It is recommended that a Police and Crime Panel representative be appointed to the Barnsley Community Safety Partnership.

**5. APPENDICES**

None.

**6. BACKGROUND PAPERS**

None.

**Officer Contact:** Craig Rogerson **Telephone No:** 773425 **Date:** 6 July 2016

# Item 35



<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 18 May 2016
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

**Present** Councillors Andrews BEM (Chair), Bruff, Cheetham, Gardiner, Howard, Miller and Platts

**Members in Attendance:** Councillors Ennis, David Griffin, Saunders and Sheard

### 254. Declaration of pecuniary and non-pecuniary interests

There were no declarations of pecuniary or non-pecuniary interests.

### 255. Deputy Leader - Call-in of Cabinet decisions

The Deputy Leader reported that no decisions from the previous meeting held on 20<sup>th</sup> April, 2016 had been called in.

### 256. Minutes of the previous meeting held on 20th April, 2016 (Cab.18.5.2016/3)

The minutes of the meeting held on 20<sup>th</sup> April, 2016 were taken as read and signed by the Chair as a correct record.

### 257. Decisions of Cabinet Spokespersons (Cab.18.5.2016/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the weeks ending 29<sup>th</sup> April, 2016 were noted.

### 258. Petitions received under Standing Order 44 (Cab.18.5.2016/5)

It was reported that no petitions had been received under Standing Order 44.

### Deputy Leader

### 259. Future Commissioning of the 0-19 Healthy Child Programme (Cab.18.5.2016/6)

The Deputy Leader presented a report on proposals for the future commissioning of the 0-19 Healthy Child Programme, following the recent decision by the South West Yorkshire Partnership NHS Trust to exit the current contract. The meeting noted the responsibility of the Council to now continue provision, within a financial context set by central government. However, contrary to press reports, as far as possible the focus would be on reducing overhead costs, rather than reducing front-line staff.

### RESOLVED:-

- (i) that the decision taken by the South West Yorkshire Partnership NHS Trust Board to exit the current contracts for the 0-19 Years Healthy Child

Programme, namely the Health Visiting and School Nursing contracts, be noted;

- (ii) that approval be given to extend current contracts for Health Visiting and School Nursing to 30<sup>th</sup> September 2016 allowing for safe transition of the service; and
- (iii) that approval be given to Option 3, the 'in house' service delivery option, transferring staff from the NHS to the Council while longer term options are assessed and considered, as detailed in the report now submitted.

### **Corporate Services Spokesperson**

#### **260. Piloting Early Implementation of 100% Business Rate Retention (Cab.18.5.2016/7)**

##### **RESOLVED:-**

- (i) that approval be given to be part of the Sheffield City Region Combined Authority pilot of the implementation of 100% Business Rates Retention with Government ahead of the full national roll out in 2020/21 under the terms set out at Appendix A of the report now submitted;
- (ii) that the pilot be subject to working internally within the SCR to develop a mechanism to ensure that there is no detriment at an individual authority level in terms of the resources that would have been available to each authority under the current local government finance regime, over the four year settlement period;
- (iii) that it be noted that 100% Business Rate Localisation was taking place within a wider reform of the Local Government Finance systems, including a commitment to review the 'relative needs' of individual authorities to 'reset' the distribution of resources for existing services by 2019/20; and
- (iv) that further reports be brought back to Cabinet updating the potential financial implications and shape of the additional service responsibilities arising from the pilot.

#### **261. Approval of UK Municipal Bonds Agency's Framework Agreement and Joint and Several Guarantee (Cab.18.5.2016/8)**

##### **RESOLVED:-**

- (i) that the background to the Municipal Bonds Agency and the key facets of the Framework Agreement be noted;
- (ii) that the Council's entry into the Framework Agreement and its accompanying schedules including the joint and several guarantee be approved;
- (iii) that the Director of Finance, Assets and Information Services as Section 151 Officer and Director of Legal and Governance as Monitoring Officer be authorised to sign the relevant documents; and



- (iv) that the Section 151 Officer be granted delegated authority to agree amendments to the Framework Agreement as appropriate.

**262. Quarterly Analysis of Selective Voluntary Early Retirement and Voluntary Severance for the period January to March 2016 (Cab.18.5.2016/9)**

**RESOLVED** that the Selective Voluntary Early Retirement and Voluntary Severances which have taken place in the period January – March, 2016, as detailed in the report now submitted, be noted.

**263. Annual Leave Buy Back (Cab.18.5.2016/10)**

**RESOLVED** that approval be given to implement the Annual Leave Purchase Scheme as detailed at Appendix 1 of the report now submitted.

**Place Spokesperson**

**264. Local Plan Publication Version Consultation and Submission for Examination (Cab.18.5.2016/11)**

**RECOMMENDED TO FULL COUNCIL ON 26<sup>TH</sup> MAY, 2016:-**

- (i) that, public consultation be carried out on the Local Plan Publication Version (LPPV);
- (ii) that, following consultation, provided there are no significant amendments required, authority be given to the Head of Planning and Building Control in consultation with the Cabinet Spokesperson for Place to prepare the submission version of the Local Plan and associated documents and submit them to the Secretary of State for Examination; and
- (iii) that Cabinet place on record its thanks to staff in analysing the many thousands of comments received in the earlier consultation process.

**265. Employment and Skills Strategy - More and Better Jobs Plan (Cab.18.5.2016/12)**

**RESOLVED:-**

- (i) that agreement be given to the Employment and Skills Strategy: More and Better Jobs Plan, as detailed at Appendix 1 of the report now submitted, and for it to be translated into a business plan which will outline how each work stream and project will be delivered, identifying the policy challenges which will require addressing if the Borough is to achieve the aspiration to close the skills gap and increase economic performance, be noted;
- (ii) that the proposed governance arrangements be endorsed and that these be embedded within the Council's overall governance framework; and
- (iii) that the proposals to align activity with city region strategies and maximise devolution and other opportunities by providing adequate resources to implement the strategy be supported.

**266. Statement of Licensing Policy - Gambling (Cab.18.5.2016/13)**

**RESOLVED** that the Gambling Act Statement of Licensing Policy 2016, as detailed at Appendix 1 of the report now submitted, be noted and referred to the Statutory Licensing Regulatory Board for recommendation to Full Council.

**267. Barnsley Bus Partnership - Heads of Terms (Cab.18.5.2016/14)**

**RESOLVED:-**

- (i) that approval be given to the signing of the Barnsley Bus Partnership Heads of Terms as set out in Appendix B of the report now submitted; and
- (ii) that the summary of the partnership's objectives in section 4.7 of the report be noted; and
- (iii) that the opportunity for Barnsley to feed into the proposed network review to be undertaken by SYPTE be noted.

**268. Appointment of Poet Laureate for Barnsley (Cab.18.5.2016/15)**

**RESOLVED:-**

- (i) that approval be given to the establishment of the position of Poet Laureate for Barnsley, the process and criteria for the appointment and review, as set out in the report now submitted; and
- (ii) that Ian McMillan be appointed as the inaugural Poet Laureate for Barnsley.

**269. Response to the Scrutiny Task and Finish Group Report on 'Work Readiness' (Cab.18.5.2016/16)**

**RESOLVED** that the responses to each of the recommendations made by the Scrutiny Task and Finish Group into 'Work Readiness', as set out in the report submitted, be endorsed.

**270. Response to the Scrutiny Task and Finish Group Report on Fly Tipping (Cab.18.5.2016/17)**

**RESOLVED:-**

- (i) that the responses to each of the recommendations made by the Scrutiny Task and Finish Group into 'Fly Tipping', as set out in the report submitted, be endorsed;
- (ii) that Service Directors and Group Managers be requested to support the aggregation of resources across the different teams in support of a 'one council' delivery plan; and
- (iii) that quarterly update reports on the progress of the agreed plan be provided.

**271. Objection to Traffic Regulation Order - Church Lane, Haigh Lane, Hoylandswaine - Introduction of Prohibition of Waiting at Any Time (Cab.18.5.2016/18)**

**RESOLVED:-**

- (i) that the objections received to the proposals for the Introduction of a Prohibition of Waiting at Any Time on Church Lane, Haigh Lane, Hoylandswaine, as detailed in the report now submitted, be overruled and the objectors be informed accordingly; and
- (ii) that the Head of Highways, Engineering and Transport and the Director of Legal and Governance be authorised to make and implement the Traffic Regulation Order.

**272. Objection to Traffic Regulation Order - Pontefract Road, Cudworth - Introduction of Prohibition of Waiting at Any Time (Cab.18.5.2016/19)**

**RESOLVED:-**

- (i) that the objections received to the proposals for the Introduction of a Prohibition of Waiting at Any Time on Pontefract Road, Cudworth, as detailed in the report now submitted, be overruled and the objectors be informed accordingly; and
- (ii) that the Head of Highways, Engineering and Transport and the Director of Legal and Governance be authorised to make and implement the Traffic Regulation Order.

**Communities Spokesperson**

**273. Response to the Scrutiny Task and Finish Group Report on Customer Services Strategy (Cab.18.5.2016/20)**

**RESOLVED** that the responses to each of the recommendations made by the Scrutiny Task and Finish Group into the 'Customer Services Strategy 2015-18', as set out in the report now submitted, be endorsed.

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Chair

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# Item 36



<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 1 June 2016
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

**Present** Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Franklin, Lamb and Miller

**Members in Attendance:** Councillors Saunders

### 1. Declaration of pecuniary and non-pecuniary interests

There were no declarations of pecuniary or non-pecuniary interests.

### 2. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 18<sup>th</sup> May, 2016 had been called in.

### 3. Minutes of the previous meeting held on 18th May, 2016 (Cab.1.6.2016/3)

The minutes of the meeting held on 18<sup>th</sup> May, 2016 were taken as read and signed by the Chair as a correct record.

### 4. Decisions of Cabinet Spokespersons (Cab.1.6.2016/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 20<sup>th</sup> May, 2016 were noted.

### 5. Petitions received under Standing Order 44 (Cab.1.6.2016/5)

It was reported that no petitions had been received under Standing Order 44.

### Corporate Services Spokesperson

### 6. Strategic Risk Register (Cab.1.6.2016/6)

#### RESOLVED:-

- (i) that it be confirmed that the high level strategic risks articulated within the Strategic Risk Register, as detailed in the report now submitted, fully reflects the current position of the Council;
- (ii) that Cabinet confirms its continued commitment to support the Corporate Risk Management process and the embedding of a Risk Management culture within the organisation; and

- (iii) that continuing work on developing the community's emergency resilience, and the need to attend to associated issues of east-west highways connectivity in the event of flooding in the Borough, be noted.

**7. Risk Management Framework Review (Cab.1.6.2016/7)**

**RESOLVED** that the Risk Management Framework Review be confirmed as being fit for purpose for 2016/17, as detailed in the report now submitted.

**People (Safeguarding) Spokesperson**

**8. Adult Learning Disability Transformation Progress (Cab.1.6.2016/8)**

**RESOLVED** that the progress made on the new service model that will deliver better outcomes at lower lifetime costs for adults with learning disability in Barnsley, as set out in the report submitted, be noted.

**People (Achieving Potential) Spokesperson**

**9. Barnsley Children and Young People's Plan (2016-19) (Cab.1.6.2016/9)**

**RESOLVED** that approval be given to the publication of the Barnsley Children and Young People's Plan for 2016-19 and that the Executive Director People be authorised to make any appropriate adjustments to finalise the Plan.

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Chair

# Item 37



<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 15 June 2016
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

**Present** Councillors Houghton CBE (Chair), Bruff, Cheetham, Franklin, David Griffin, Miller and Platts

**Members in Attendance:** Councillors Cherryholme, Lamb, Mitchell, Saunders and Sheard

### 10. Declaration of pecuniary and non-pecuniary interests

There were no declarations of pecuniary or non-pecuniary interests.

### 11. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 1<sup>st</sup> June, 2016 had been called in.

### 12. Minutes of the previous meeting held on 1st June, 2016 (Cab.15.6.2016/3)

The minutes of the meeting held on 1<sup>st</sup> June, 2016 were taken as read and signed by the Chair as a correct record.

### 13. Decisions of Cabinet Spokespersons (Cab.15.6.2016/4)

It was noted that no Record of Decisions had been taken by Cabinet Spokespersons under delegated powers.

### 14. Petitions received under Standing Order 44 (Cab.15.6.2016/5)

It was reported that no petitions had been received under Standing Order 44.

### Cabinet Spokesperson without Portfolio

### 15. Outside Body Representations - Changes to Ex-Officio Appointments (Cab.15.6.2016/6)

**RESOLVED** that the changes to ex-officio appointments to outside bodies, as detailed in Appendix 1 of the report now submitted, be noted.

## **Corporate Services Spokesperson**

### **16. Performance Monitoring Report for Quarter 4 2015/16 (Cab.15.6.2016/7)**

#### **RESOLVED:-**

- (i) that the delivery of the Corporate Plan priorities and outcomes for Quarter 4, as detailed in the performance report now submitted, be noted;
- (ii) that follow-up reports arising from the Quarter 4 performance be received for:-
  - Healthy life expectancy for women
  - Under 18 years of age conceptions
  - Percentage of assessments for children's social care carried out within 45 days of referral
  - Rising number of looked after children
  - Homelessness prevention
  - Adult social care; and
- (iii) that the Quarter 4 performance report be presented to the Overview and Scrutiny Committee to inform and support their ongoing work programme.

### **17. Corporate Finance Summary 2015/16 (Cab.15.6.2016/8)**

#### **RESOLVED:-**

- (i) that the 2015/16 draft revenue final accounts position, as detailed in the report now submitted, be noted;
- (ii) that the service operational overspend of £3.387m be a call on the Authority's strategic reserves;
- (iii) that the additional net 'one off' resources received during the year and savings on capital financing costs of £16.799m be transferred into the Authority's strategic reserves;
- (iv) that the total strategic reserves available for investment/budget support be noted as now standing at £26.9m subject to a review of all balances and reserves following the closure of the accounts;
- (v) that the setting aside of £3m of the total strategic reserves balance to provide an Invest to Improve fund be approved, with expenditure from that fund to be authorised in line with normal governance arrangements, and to be monitored by the Invest to Improve Board when established;
- (vi) that agreement be given to earmark the carry forward revenue resources as identified in Sections 1 to 8 and Appendices A and B of the report, subject to further reports being submitted for individual approvals where necessary;



- (vii) that a review of the reasoning behind the operational overspend be undertaken in the context of the 2016/17 budget and the plans currently being drawn up for our 2020 Council;
- (viii) that approval be given to write off historic bad debt totalling £2.042m as detailed in Section 8 of the report; and
- (ix) that the Director of Finance, Assets and Information Services be requested to submit a further report on the overall outturn position if any significant adjustments arise following external audit scrutiny.

**18. Housing Revenue Account - Final Accounts 2015/16 (Cab.15.6.2016/9)**

**RESOLVED:-**

- (i) that the final Housing Revenue Accounts for 2015/16, as detailed in the report now submitted, be noted;
- (ii) that the Director of Finance, Assets and Information Services be requested to submit a further report on the overall outturn position if there are significant adjustments to the accounts arising from External Audit or other factors; and
- (iii) that any unallocated working balance be earmarked to fund the Government's 'sale of higher value properties' levy.

**19. Capital Programme Performance - Year Ending 31st March, 2016 (Cab.15.6.2016/10)**

**RESOLVED:-**

- (i) that the final position of the 2015/16 Capital Programme, as detailed in the report now submitted, be noted;
- (ii) that the updated 2016/17 Capital Programme position for Quarter 1 be noted; and
- (iii) that the Bin Replacement Programme scheme as outlined in paragraph 3.10, to be funded from prudential borrowing, be approved.

**20. Treasury Management Position 2015/16 (Cab.15.6.2016/11)**

**RESOLVED:-**

- (i) that the treasury management and leasing activities undertaken in 2015/16, as described in the report submitted, be noted; and
- (ii) that the actual 2015/16 Prudential Indicators detailed within the report be approved.

**Place Spokesperson**

**21. Vulnerable and Older People's Housing Needs Assessment (Cab.15.6.2016/12)**

**RESOLVED** that the Vulnerable and Older People's Housing Needs Assessment, as detailed in the Appendices, be approved.

**Communities Spokesperson**

**22. Customer Services Annual Report 2015/16 (Cab.15.6.2016/13)**

**RESOLVED** that the Annual Customer Feedback Report relating to complaints, compliments and comments for the period 2015/16, as detailed in the Appendix to the report now submitted, be noted.

**People (Safeguarding) Spokesperson**

**23. Safeguarding Scrutiny Committee - Review of Arrangements (Cab.15.6.2016/14)**

**RESOLVED:-**

- (i) that the review of the Safeguarding Scrutiny Committee and the arrangements outlined in the report submitted, be approved; and
- (ii) that the work programme of the former Safeguarding Scrutiny Committee be subsumed into that of the Overview and Scrutiny Committee, but with a separate stream of work to be considered on the dates originally scheduled for the Safeguarding Scrutiny Committee.

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Chair

<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 13 July 2016
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

**Present** Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller and Platts

**Members in Attendance:** Councillors Franklin, David Griffin and Saunders

### 24. Declaration of pecuniary and non-pecuniary interests

There were no declarations of pecuniary or non-pecuniary interests.

### 25. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 15<sup>th</sup> June, 2016 had been called in.

### 26. Minutes of the previous meeting held on 15th June, 2016 (Cab.13.7.2016/3)

The minutes of the meeting held on 15<sup>th</sup> June, 2016 were taken as read and signed by the Chair as a correct record.

### 27. Decisions of Cabinet Spokespersons (Cab.13.7.2016/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 8<sup>th</sup> July, 2016 were noted.

### 28. Petitions received under Standing Order 44 (Cab.13.7.2016/5)

It was reported that no petitions had been received under Standing Order 44.

### Corporate Services Spokesperson

### 29. Construction Projects - Minimum Standards Charter (Cab.13.7.2016/6)

#### RESOLVED:-

- (i) that the Minimum Standards Charter for Construction Projects, attached as Appendix B of the report now submitted, be adopted by the Council;
- (ii) that the Council ensures that all potential and existing contractors and partners are aware of the Council's adoption of the Charter and that they reflect their commitment to support the Charter in their tender and contractual documentation; and
- (iii) that the Council monitors the performance of contractors and partners against the standards contained in the Charter and bring any concerns to the immediate attention of the contractor or partner.

## **Cabinet Spokesperson without Portfolio**

### **30. Appointment of Representative to the Penistone School Trust (Cab.13.7.2016/7)**

**RECOMMENDED TO FULL COUNCIL ON 28<sup>TH</sup> JULY, 2016** that approval be given to the re-appointment of Councillor Barnard to the Penistone School Trust for a further 4 year term.

### **31. Council Representation on Barnsley and Rotherham Chamber of Commerce and Barnsley Community Safety Partnership (Cab.13.7.2016/7.1)**

#### **RECOMMENDATION TO FULL COUNCIL ON 28<sup>TH</sup> JULY, 2016:-**

- (i) that Councillor Miller be appointed as the Council's representative on the Barnsley and Rotherham Representative Council to replace Councillor Leech; and
- (ii) that a Police and Crime Panel representative be appointed as a Council representative on the Barnsley Community Safety Partnership.

*(Note: The above item was accepted by the Chair as an urgent item in view of the need to make an appointment before the next meeting of the Barnsley and Rotherham Chamber of Commerce.)*

## **People (Achieving Potential) Spokesperson**

### **32. School Term Times and Holiday Dates for Community and Voluntary Controlled Primary and Secondary Schools (Cab.13.7.2016/8)**

#### **RESOLVED:-**

- (i) that, in view of the considerations highlighted in Paragraph 5.1 of the report now submitted, the decision made at Cabinet on 9<sup>th</sup> March, 2016 (Min No. 227) in respect of proposed term times and holiday dates for community and voluntary controlled schools for 2017/18 be rescinded;
- (ii) that the proposals outlined in Paragraphs 5.2 and 5.3, Option 1 of the original options be agreed as the holiday schedule for the school year 2017/18; and
- (iii) that a wider public consultation, during 2016/17 school year, on proposals for any future changes to school terms and holiday dates, be undertaken.

## **People (Safeguarding) Spokesperson**

### **33. Barnsley Placement and Sufficiency Strategy for Children in Care 2016-19 (Cab.13.7.2016/9)**

**RESOLVED** that the forecasts of children entering care, now reflected in the revised Placement and Sufficiency Strategy for Children in Care for the period 2016-19, as detailed in the report now submitted, be noted.

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Chair

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**Declarations of Interest contained within the Minute Book**

The following Members declared an interest in the minutes indicated:-

COUNCILLOR	MINUTE NO.	SUBJECT	INTEREST
<b>Planning Regulatory Board</b>			
Cllr Stowe	4	Planning Application 2016/0076 – Residential development of 14 no. dwellings and associated works at land at Newsome Avenue, Wombwell	Non-Pecuniary – Resides opposite the development
<b>Health and Wellbeing Board</b>			
Cllr Platts	6	Draft Refreshed Health and Wellbeing Strategy – Initial consultation	Non-Pecuniary – Member of Barnsley Hospital NHS Foundation Trust Governing Body insofar as the discussion related to the Trust
Cllr Platts	11	Accountable Care Partnership	Non-Pecuniary – Member of Barnsley Hospital NHS Foundation Trust Governing Body insofar as the discussion related to the Trust
<b>Overview and Scrutiny Committee</b>			
Cllr Ennis	4	GP (General Practice) services in Barnsley	Non-Pecuniary – Lay Member Director for public relations Barnsley Health Care Federation Community Interest Company
Cllr Unsworth	4	GP (General Practice) services in Barnsley	Non-Pecuniary – Governor at Barnsley Hospital NHS Foundation Trust

<b>COUNCILLOR</b>	<b>MINUTE NO.</b>	<b>SUBJECT</b>	<b>INTEREST</b>
<b>Area Councils</b>			
<i>North Area Council</i>			
Cllr Burgess	6	Commissioned Project Update	Non-Pecuniary – Trustee of Barnsley Citizens Advice Bureau
Cllr Burgess	9	Commissioning – Contract Extensions: i) anti-poverty; and ii) clean and green	Non-Pecuniary – Trustee of Barnsley Citizens Advice Bureau
<i>Central Area Council</i>			
Cllr G. Carr	5	Procurement and Financial Update	Non-Pecuniary – Trustee of HomeStart South Yorkshire