

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Thursday, 4 February 2016
<b>TIME:</b>	10.30 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## MINUTES

### Present

The Mayor (Councillor Mathers)

- Central Ward - Councillors D. Birkinshaw, Bruff and M. Dyson
- Cudworth Ward - Councillors Hayward, Houghton CBE and C. Wraith MBE
- Darfield Ward - Councillors Coates and Saunders
- Darton East Ward - Councillors Duerden, Miller and Spence
- Darton West Ward - Councillors Burgess, Cave and Howard
- Dearne North Ward - Councillors Gardiner, Gollick and Worton
- Dearne South Ward - Councillors Brook and Noble
- Dodworth Ward - Councillors P. Birkinshaw, J. Carr and Riggs
- Hoyland Milton Ward - Councillors Franklin, Shepherd and Stowe
- Kingstone Ward - Councillors D. Green, Mitchell and Williams
- Monk Bretton Ward - Councillors S. Green, Richardson and Sheard
- North East Ward - Councillors Ennis, Hampson and Higginbottom
- Old Town Ward - Councillors Cherryholme and Grundy
- Penistone East Ward - Councillors Barnard, Hand-Davis and Wilson
- Penistone West Ward - Councillors 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 K. Dyson and Johnson
- Wombwell Ward - Councillors Frost, Morgan and R. Wraith
- Worsbrough Ward - Councillors G. Carr, Clarke and Pourali

### 134. Declarations of Personal Interests

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

### **135. Minutes**

The minutes of the meeting held on 26<sup>th</sup> November 2015 were taken as read and signed by the Chair as a correct record.

### **136. Communications**

#### **(a) National takeover day**

The Chief Executive reported that on 17<sup>th</sup> November 2015 Barnsley had taken part in the 'takeover challenge', a national event led by the Children's Commissioner for England whereby young people in care and care leavers were given the opportunity to shadow officers and Members across the Council. The aim was to give the young people the opportunity to experience the world of work and observe how decisions were made. The day was a great success and the young people enjoyed it immensely. Barnsley received a silver award from the Children's Commissioner, Anne Longfield in recognition of this success. The Chief Executive reiterated that the 'takeover day' was not a one-off activity and that two young people would be presenting reports at Cabinet the following week.

Councillor Bruff, Cabinet Spokesperson for People (Safeguarding), added her congratulations to the young people who took part in the day with enthusiasm and energy.

#### **(b) Carlton Community College**

The Chief Executive reported that Carlton Community College had now been assessed by Ofsted and rated as 'good'. This was a huge achievement and meant that 50% of secondary schools in the borough were now either 'good' or outstanding.

The Mayor and Members of the Council congratulated Paul Tarn, the Executive Principal, staff and students in the usual manner.

#### **(c) Trans Pennine Trail**

The Chief Executive was delighted to inform Members that the Trans Pennine Trail had been awarded the Access Award from the British Horse Society in recognition of its significant contribution to the equestrian community. Over two-thirds of the Trail was available to horse riders, including sections that were several miles in length. The TPT ran through a huge variety of landscapes, urban as well as rural, which made the Trail highly accessible to equestrians.

The Chief Executive, the Mayor and Members of the Council expressed their thanks to the Strategic Trans Pennine Trail Team, Mandy Loach and Hanna Beaumont, also Public Rights of Way Officer Sarah Ford, for all their hard

work in continuing to develop and promote the Trans Pennine Trail and to congratulate them on this fantastic achievement.

Cllr Miller, Cabinet Spokesperson for Place, added his thanks for the work on the Trans Pennine Trail which was of benefit not just to horse riders but also to people on bikes and walkers too. He also mentioned that Robin Norbury was the powerhouse behind the scheme which had now obtained national recognition for Barnsley.

Cllr Platts, Cabinet Spokesperson for Communities, also thanked the team and the many volunteers for their hard work and commitment

(d) Museum Learning Team

The Chief Executive reported that the Museum Learning Team had been awarded the prestigious Sandford Award for its work at the Experience Barnsley Museum. The Sandford Award was an independently judged, quality assured assessment of education programmes at heritage sites, museums, archives and collections with a focus on formal curriculum linked education opportunities. It was a nationally recognised kite mark for high quality education provision.

Cllr Miller, Cabinet Spokesperson for Place, added his congratulation to the team for their excellent work in obtaining this prestigious mark of quality. He highlighted that Barnsley was one of only ten teams in the country to receive DfE funding. They were now operating as a self-funding traded service and last year over 6000 children had taken part in organised activities.

(e) Carbon Trust Award

The Chief Executive was delighted to announce that Barnsley had won a further Carbon Trust Award for excellence by reducing carbon emissions by 10.3% over 4 years through investment in energy and lighting technology in both council buildings and street lighting; and for the use of electric cars and the fitting of solar panels. The award demonstrated that Barnsley was able to measure and control emissions effectively.

Cllr Miller, Cabinet Spokesperson for Place, added his personal thanks to Mike Rawlings and the Asset Team for their help in reducing Barnsley's carbon footprint and spoke about his experience of riding in one of Barnsley's electric cars.

Cllr Platts, Cabinet Spokesperson for Communities, highlighted that fitting of solar panels to 341 properties, mainly older people's bungalows, was particularly appreciated by the community as people were able to save money on energy bills. The provision of energy saving bulbs on the estates was also well received.

The Mayor and Members of the Council expressed their congratulations on these achievements in the usual manner.

### 137. Questions by Elected Members

The Chief Executive reported that pursuant to Standing Order No. 10 she had received the following question, in three parts, from Councillor G Carr:

*'How many SEN pupils within the borough with a special needs statement for a placement in a specialist facility are receiving their education in mainstream schools?'*

Councillor Cheetham, Cabinet Spokesperson for People (Achieving Potential) commented that specialist placements were only named in an SEN statement once the placement had been secured for the pupil. There was currently one exception whereby a named specialist school placement was secured for a pupil but parents refused to send the child to that school due to an unfavourable Ofsted report. The pupil remained in a mainstream setting until an acceptable alternative was secured.

*'Out of the overall school population, how many exclusions have been imposed because of the risk to the pupils, staff or children?'*

Fixed Term Exclusions were recorded by categories defined by the DfE and were not specific to risk, to pupils, staff or children. However, the majority of exclusions in Secondary schools were for 'attitude towards staff' (1086) followed by 'defiance' (571). In primary schools the data showed that 'violence to pupils' carried the highest number of fixed term exclusions (48) followed by 'violence to staff' (43). It was difficult to define if the exclusions were due to risk to staff or children because schools choose the category in which to record the reason for exclusion. For example, 'inappropriate behaviour' could mean anything from assault to disruption. In addition, the data showed that a number of children with Special Educational Needs also receive Fixed Term Exclusions. However the numbers reduce when pupils had received an Educational Health Care Plan or Statement of Special Educational Need. This could be due to the extra provision they were receiving in school or that they have been moved on to a more specialist provision that better meet their needs.

*'What are the predicted numbers of places for the future? How are the numbers calculated when planning new homes developments?'*

The formula for estimating the numbers of additional pupils from new developments was 21 primary pupils and 15 secondary pupils per 100 dwellings. Current net capacity for primary schools was 19827, with 19218 currently on roll, reflecting an oversupply of 609 places. This oversupply was forecast to fall to 247 for the academic year 2016/17, before rising to 423 for 2017/18, 719 for 2018/19 and 1011 for 2019/20. For secondary schools the current net capacity was 12800 places. According to census information there were currently 10682 pupils on roll, reflecting an oversupply of 2118 places. This 'oversupply' figure was forecast to gradually reduce year on year until 2022 when there would be a shortage of 25 places, increasing to a shortage of 236 places in 2023.

Councillor G. Carr commented that the question related specifically to SEN pupils, not the general school population, as this seems to be an escalating problem. She declined to ask a supplementary question.

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

The Chief Executive reported that she had received no questions from Elected Members in accordance with Standing Order No. 12.

**139. South Yorkshire Pensions Authority - 19th November, 2015**

**RESOLVED** that the minutes be noted.

**140. South Yorkshire Pensions Authority - 3rd December 2015**

**RESOLVED** that the minutes be noted.

**141. South Yorkshire Pensions Authority - 10th December, 2015**

**RESOLVED** that the minutes be noted.

**142. Police and Crime Panel - 27th November, 2015**

**RESOLVED** that the minutes be noted.

**143. South Yorkshire Fire and Rescue Authority - 30th November, 2015**

**RESOLVED** that the minutes be noted.

**144. South Yorkshire Fire and Rescue Authority - 4th January, 2016**

**RESOLVED** that the minutes be noted.

**145. Sheffield City Region Combined Authority - 7th December, 2015**

**RESOLVED** that the minutes be noted.

**146. Planning Regulatory Board - 24th November, 2015**

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 24<sup>th</sup> November, 2015 be received.

**147. Planning Regulatory Board - 22nd December, 2015**

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 22<sup>nd</sup> December, 2015 be received.

**148. General Licensing Regulatory Board - 23rd December, 2015**

Moved by Councillor C. Wraith, MBE – Seconded by Councillor S Green; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the General Licensing Regulatory Board held on the 23<sup>rd</sup> December, 2015 be received.

**149. Audit Committee - 20th January, 2016**

Moved by Councillor Richardson - Seconded by Councillor Barnard; and

**RESOLVED** that the minutes now submitted of the proceedings of the Audit Committee held on 20<sup>th</sup> January, 2016 be received.

**150. General Licensing Panel - 12th January, 2016**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the General Licensing Panel held on the 12<sup>th</sup> January, 2016 be received.

**151. Appeals, Awards and Standards Panels - Various**

Moved by Councillor Leech – Seconded by Councillor Shepherd; 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.

**152. Health and Wellbeing Board - 8th December, 2015**

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 8<sup>th</sup> December, 2015 be received.

**153. Overview and Scrutiny Committee - 1st December, 2015**

Moved by Councillor Ennis – Seconded by Councillor Unsworth; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on 1<sup>st</sup> December, 2015 be received.

**154. Safeguarding Scrutiny Committee - 19th January, 2016**

Moved by Councillor Worton – Seconded by Councillor C Wraith MBE ; and

**RESOLVED** that the minutes now submitted of the proceedings of the Safeguarding Scrutiny Committee held on 19<sup>th</sup> January, 2016 be received.

**155. Dearne Area Council - 16th November, 2015**

Moved by Councillor Noble – Seconded by Councillor Gardiner; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on 16<sup>th</sup> November, 2015 be received.

**156. North Area Council - 23rd November, 2015**

Moved by Councillor Burgess – Seconded by Councillor Cave; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the North Area Council held on 23<sup>rd</sup> November, 2015 be received.

**157. North East Area Council - 3rd December, 2015**

Moved by Councillor Hayward – Seconded by Councillor C Wraith MBE; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the North East Area Council held on 3<sup>rd</sup> December, 2015 be received.

**158. Penistone Area Council - 10th December, 2015**

Moved by Councillor Barnard – Seconded by Councillor Griffin; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on 10<sup>th</sup> December, 2015 be received.

**159. South Area Council - 18th December, 2015**

Moved by Councillor Stowe - Seconded by Councillor Frost; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the South Area Council held on 18<sup>th</sup> December, 2015 be received.

**160. Central Area Council - 11th January, 2016**

Moved by Councillor D. Green - Seconded by Councillor Clarke; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Central Area Council held on 11<sup>th</sup> January, 2016 be received.

**161. Housing Revenue Account - Draft Budget 2016/17 & Housing Capital Investment Programme 2016-2021 (Cab.16.12.2015/9)**

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

**RESOLVED:-**

- (i) that the Housing Revenue Account Draft Budget for 2016/17, as detailed in the report now submitted, be approved, with any final amendments/additions being delegated to the Cabinet Spokesperson for Place and the Executive Director for Place;
- (ii) that the Service Charge Proposals for 2016/17, as set out at Appendix D and Sections 3.13 and 3.16, be approved;
- (iii) that the 2016/17 Berneslai Homes Management Fee be approved with any final amendments/additions being delegated to the Service Director Culture,

Housing and Regulation and the Executive Director Place in consultation with the Cabinet Spokesperson for Place;

- (iv) that the use of Berneslai Homes Ltd retained surplus as outlined in Section 3.27 be approved;
- (v) that the earmarking of Housing Revenue Account Working Balance as outlined in Sections 3.8 – 3.12 be approved;
- (vi) that the Council Housing Capital Investment Programme for 2020-21 be approved;
- (vii) that a rent reduction in line with Government's rent policy be approved; and
- (viii) that the Board of Berneslai Homes be authorised to vary any of the approved capital schemes subject to a maximum variation on existing budgets of £250,000, with variations above this amount carried out in agreement with the Executive Director Place and the Cabinet Spokesperson for Place.

**162. Council Nominations to the Berneslai Homes Board (Cab. 13.1.2016/9)**

Moved by Councillor Howard – Seconded by Councillor Griffin; and

**RESOLVED** that the nomination of Councillors Ennis and Makinson to the Berneslai Homes Board for a three year term be approved with immediate effect.

**163. Cabinet Meeting - 18th November, 2015**

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 18<sup>TH</sup> November, 2015 be received.

**164. Cabinet Meeting - 2nd December, 2015**

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 2<sup>nd</sup> December, 2015 be received.

**165. Cabinet Meeting - 16th December, 2015**

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 16<sup>th</sup> December, 2015 be received.



## **166. Cabinet Meeting - 13th January, 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 13<sup>th</sup> January, 2016 be received.

## **167. Notice of Motion - Housing and Planning Bill**

A Notice of Motion submitted in accordance with Standing Order No 6 in relation to the Housing and Planning Bill was:

Moved by Councillor Miller – Seconded by Councillor Mitchell; and

**RESOLVED:**

(i) That the Council notes:

- That the Housing and Planning Bill is currently being debated in Parliament, and if passed will threaten the provision of affordable homes for rent and buy through:
  - forcing 'high-value' council homes to be sold on the open market
  - extending the right-to-buy to housing association tenants and
  - undermining Section 106 requirements on private developers to provide affordable homes
- That there is no commitment in the Bill that affordable homes will be replaced like for like in the local area.
- That whilst measures to help (first-time buyers are welcome, the 'starter homes' proposals in the Bill will be unaffordable to families and young people on ordinary incomes in most parts of the country; will not preserve the taxpayer investment; and will be built at the expense of genuinely-affordable homes to rent and buy.
- That the Bill undermines localism by taking 32 new wide and open-ended powers for the Secretary over councils and local communities, including the ability to override local plans, to mandate rents for social tenants, and to impose a levy on stock-holding councils, violating the terms of the housing revenue account self-financing deal.
- That the Bill, whilst introducing some welcome measures to get to grips with rogue landlords, does not help with the high rents, poor conditions and insecurity affecting many of England's 11m private renters - including one in four families with children - and does nothing to help arrest the recent rise in homelessness; and

(ii) That the Council:

- analyse and report on the likely impact of the forced sale of council homes, the extension of right-to-buy and the 'starter homes' requirement on the local availability of affordable homes□
- analyse and report on any further likely impacts of the Bill on the local area
- use this information to:
  - support the Leader of the Council in writing to the Secretary of State with the Council's concerns about the Bill
  - set up an urgent meeting between the Leader of the Council and the Chief Executive with the Local Members of Parliament to raise these concerns
  - make public these concerns, including by publishing the above information on the Council's website and promoting through the local press.

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Chair