

MEETING:	Full Council
DATE:	Thursday, 1 February 2018
TIME:	10.30 am
VENUE:	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. Policing in South Yorkshire

The Council will receive a presentation by Dr A Billings, Police and Crime Commissioner, and the Chief Constable, Mr S Watson, on Policing in South Yorkshire with particular reference to Policing in Barnsley.

3. Minutes (*Pages 7 - 14*)

To approve as a correct record the minutes of the meeting of the Council held on the 23rd November, 2017.

4. Communications

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

5. 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.

6. 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.

7. Sheffield City Region Combined Authority - 30th October, 2017 (*Pages 15 - 22*)

8. Sheffield City Region Combined Authority (Draft) - 11th December, 2017 (*Pages 23 - 28*)

9. Police and Crime Panel - 9th November, 2017 (*Pages 29 - 32*)

10. Police and Crime Panel (Draft) - 15th December, 2017 *(Pages 33 - 48)*
11. South Yorkshire Fire and Rescue Authority (Draft) - 27th November, 2017 *(Pages 49 - 72)*
12. South Yorkshire Pensions Authority - 30th November, 2017 *(Pages 73 - 78)*

Minutes of the Regulatory Boards

13. Planning Regulatory Board - 21st November, 2017 *(Pages 79 - 82)*
14. Audit Committee - 6th December, 2017 *(Pages 83 - 90)*
15. Planning Regulatory Board - 19th December, 2017 *(Pages 91 - 94)*
16. General Licensing Regulatory Board - 20th December, 2017 *(Pages 95 - 100)*
17. Statutory Licensing Regulatory Board - 20th December, 2017 *(Pages 101 - 104)*
18. Audit Committee - 17th January, 2017 *(To Follow)*
19. General Licensing Panel - Various *(Pages 105 - 106)*
20. Appeals, Awards and Standards - Various *(Pages 107 - 108)*

Minutes of the Scrutiny Committees

21. Overview and Scrutiny Committee - 5th December, 2017 *(Pages 109 - 114)*
22. Overview and Scrutiny Committee - 9th January, 2018 *(Pages 115 - 118)*

Minutes of the Area Councils

23. Central Area Council - 6th November, 2017 *(Pages 119 - 124)*
24. Dearne Area Council - 20th November, 2017 *(Pages 125 - 130)*
25. North Area Council - 20th November, 2017 *(Pages 131 - 136)*
26. North East Area Council - 30th November, 2017 *(Pages 137 - 140)*
27. Penistone Area Council - 7th December, 2017 *(Pages 141 - 146)*
28. South Area Council - 15th December, 2017 *(Pages 147 - 150)*

Items for Decision

29. Combined Authority (Mayoral Elections) Order 2017 - Appointment of Local Returning Officer *(Pages 151 - 152)*

To consider a report of the Executive Director Core Services recommending, in

accordance with the Combined Authority (Mayoral Elections) Order 2017, the appointment of the Chief Executive, Diana Terris, as the Local Returning Officer for the Council at the Combined Authority Mayoral Elections to be held in May 2018.

30. Appointment of Member to Regulatory Boards

Proposed – Councillor Sumner to fill the existing vacancies on the General Licensing, Statutory Licensing and Appeals, Awards and Standards Regulatory Boards.

Recommendations to Council

All reports detailed below are subject to Cabinet recommendation and are available to download from the Council's website. The Cabinet Spokesperson for the Service in question will respond to any comments or amendments concerning these minutes.

31. Housing Revenue Account - Draft Budget 2018/19 and Housing Capital Investment Programme 2018-2023 (Cab.10.01.2018/10) (Pages 153 - 170)

RECOMMENDATION TO COUNCIL:-

- (i) that the Housing Revenue Account Draft Budget for 2018/19 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 in consultation with Cabinet Spokesperson for Core Services and Service Director Finance (Section 151);
- (ii) that the Development Proposals for 2018/19 as set out in Appendix C and Section 3.10 - 3.21 of the report be agreed;
- (iii) that the Service Charge Proposals for 2018/19 as set out at Appendix E and Sections 3.33 and 3.35 of the report be approved;
- (iv) that the 2018/19 Berneslai Homes Management Fee at Section 3.45 of the report 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;
- (v) that the use of Unallocated Working Balances as outlined in Section 3.30 – 3.31 of the report be approved;
- (vi) that the Council Housing Capital Investment programme for 2022/23 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 core 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.

- 32.** Community Asset Transfer; The Pavilion, Brierley Park, Brierley Grant Of A 25 Year Lease By The Council As Trustee Of The Miners Welfare Recreation Ground, Brierley, To Brierley Playmates (Cab.10.01.2018/12) *(Pages 171 - 178)*

RECOMMENDED TO COUNCIL:-

- (i) that, subject to the statutory procedures under the Charities Act 2011 being complied with, the Council, in its capacity as Trustee of the Brierley Miners Welfare Scheme, approves the grant of a 25 year lease to Brierley Playmates, as detailed in the report submitted;
- (ii) that the Service Director Assets be authorised to finalise the Heads of Terms for the proposed 25 year lease, in accordance with charity legislation; and
- (iii) that the Executive Director Core Services be authorised to complete the lease to Brierley Playmates.

- 33.** Home to School Travel Assistance Policy 2018 - 2020 (Cab.10.01.2018/14) *(Pages 179 - 238)*

RECOMMENDATION TO COUNCIL:-

- (i) that the consultations and findings set out in the updated Home to School/College Travel Assistance Policy 2018 – 2020 be noted;
- (ii) that support be given to the strategic drive of alternative transport provisions such as travel training, the use of personal budgets and mileage payments, where appropriate, to be used as a way of developing independence in children, providing them with life skills and preparing them for further education, apprenticeships or further employment;
- (iii) that the continued engagement with parents, carers and key professional stakeholders to produce operational guidelines to support the Travel Assistance Policy be supported; and
- (iv) that support be given to the recommendation that Full Council approves the Home to School/College Travel Assistance Policy 2018 – 2020.

Minutes of the Cabinet Meetings

- 34.** Cabinet - 15th November, 2017 *(Pages 239 - 242)*
- 35.** Cabinet - 29th November, 2017 *(Pages 243 - 248)*
- 36.** Cabinet - 13th December, 2017 *(Pages 249 - 252)*
- 37.** Cabinet - 10th January, 2018 *(Pages 253 - 258)*

(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, 24 January 2018

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MEETING:	Full Council
DATE:	Thursday, 23 November 2017
TIME:	10.30 am
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

- | | |
|---------------------|---|
| | The Mayor (Councillor Ennis) |
| Central Ward | - Councillors D. Birkinshaw, Bruff and M. Dyson |
| Cudworth Ward | - Councillors Hayward and C. Wraith MBE |
| Darfield Ward | - Councillors Coates, Markham and Saunders |
| Darton East Ward | - Councillors Miller and Spence |
| Darton West Ward | - Councillors Burgess, Cave and Howard |
| Dearne North Ward | - Councillors Gardiner, Gollick and Phillips |
| Dearne South Ward | - Councillors C. Johnson, Noble and Sixsmith MBE |
| Dodworth Ward | - Councillors P. Birkinshaw, J. Carr and Riggs |
| Hoyland Milton Ward | - Councillors Franklin, Shepherd and Stowe |
| Kingstone Ward | - Councillors Murray and Williams |
| Monk Bretton Ward | - Councillors S. Green, Richardson and Sheard |
| North East Ward | - Councillors Hampson and Higginbottom |
| Old Town Ward | - Councillors Cherryholme and Lofts |
| Penistone East Ward | - Councillors Barnard, Hand-Davis and Wilson |
| Penistone West Ward | - Councillors David Griffin |
| 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 W. Johnson |
| Wombwell Ward | - Councillors Frost, Daniel Griffin and R. Wraith |
| Worsbrough Ward | - Councillors G. Carr, Clarke and Pourali |

133. Mayor's Announcements

(a) Councillor Murray

The Mayor and Members of the Council welcomed Councillor Murray (Kingstone Ward) to this her first Council meeting.

(b) Mrs P Newman and Mrs K Evans

The Mayor reminded Members of the Council that since the last meeting two former Councillors had sadly passed away, namely Mrs P Newman (former Mayoress and Councillor for the Athersley Ward) and Mrs K Evans (former Mayor and Councillor for the Dearne Thurnscoe Ward).

Members stood in silence as a mark of respect.

134. Declarations of Interests

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

135. Minutes

The minutes of the meeting held on 28th September and 9th November 2017 were taken as read and signed by the Chair as a correct record.

136. Communications

There were no communications submitted by the Mayor or the Chief Executive.

137. Questions by Elected Members

No questions from Elected Members in accordance with Standing Order No. 11 have been received.

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

No questions from Elected Members in accordance with Standing Order No. 12 have been received.

139. Sheffield City Region Combined Authority - 11th September, 2017

RESOLVED that the minutes be noted.

140. Sheffield City Region Combined Authority (Extra Ordinary Meeting) - 18th September, 2017

RESOLVED that the minutes be noted.

141. South Yorkshire Fire and Rescue Authority - 18th September, 2017

RESOLVED that the minutes be noted.

142. South Yorkshire Fire and Rescue Authority (Draft) - 16th October, 2017

RESOLVED that the minutes be noted.

143. Police and Crime Panel (Draft) - 29th September, 2017

RESOLVED that the minutes be noted.

144. South Yorkshire Pensions Authority (Draft) - 5th October, 2017

RESOLVED that the minutes be noted.

145. Planning Regulatory Board - 26th September, 2017

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 26th September 2017 be received.

146. Planning Regulatory Board - 24th October, 2017

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 24th October 2017 be received.

147. General Licensing Regulatory Board - 25th October, 2017

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the General Licensing Regulatory Board Panel meeting held on 3rd October 2017 be received.

148. Statutory Licensing Regulatory Board - 14th November, 2017

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

RESOLVED that the minutes now submitted of the proceedings of the Statutory Licensing Regulatory Board meeting held on 14th November be received.

149. General Licensing Panel - 3rd October, 2017

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

RESOLVED that the details of the General Licensing Regulatory Board Panel meeting held on 3rd October 2017 together with its decisions be received.

150. 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.

151. Health and Wellbeing Board - 3rd October, 2017

Moved by Councillor Andrews BEM – 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 3rd October 2017 be received.

152. Overview and Scrutiny Committee - 27th September, 2017

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on 27th September 2017 be received.

153. Overview & Scrutiny Committee - 17th October, 2017

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on 17th October, 2017 be received.

154. Central Area Council - 4th September, 2017

Moved by Councillor Riggs - Seconded by Councillor Williams; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Central Area Council held on 4th September 2017 be received.

155. Dearne Area Council - 18th September, 2017

Moved by Councillor Noble – Seconded by Councillor Sixsmith MBE; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on 18th September 2017 be received.

156. North Area Council - 18th September, 2017

Moved by Councillor Leech – Seconded by Councillor Cherryholme; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the North Area Council held on 18th September 2017 be received.

157. South Area Council - 19th September, 2017

Moved by Councillor Stowe – Seconded by Councillor Lamb; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the South Area Council held on 19th September 2017 be received.

158. North East Area Council - 28th September, 2017

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the North East Area Council held on 28th September 2017 be received.

159. Penistone Area Council - 5th October, 2017

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on 5th October 2017 be received.

160. South Area Council - 20th October, 2017

Moved by Councillor Stowe – Seconded by Councillor Lamb; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the South Area Council held on 20th October 2017 be received.

161. Appointment of Members to Regulatory Boards

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

RESOLVED that

- (i) Councillor P Birkinshaw replace Councillor Sheard on the General Licensing Regulatory Board and
- (ii) Councillor Murray fill an existing vacancy on the General Licensing Regulatory Board and
- (iii) Councillor Murray fill an existing vacancy on the Appeals, Awards and Standards Board.

162. Barnsley Youth Justice Plan (2017/18) (Cab.20.9.2017/10)

Moved by Councillor Cheetham – Seconded by Councillor Pourali; and

RESOLVED that the Barnsley Youth Justice Plan for 2017/18, as set out in Appendix 1 of the report now submitted, be adopted.

163. Revision to Assisted Waste and Recycling Collection Policy (Cab.15.11.1017/8)

Moved by Councillor Miller – Seconded by Councillor Frost; and

RESOLVED that

- (i) the proposed changes to the current Assisted Waste and Recycling Collection Policy, as detailed in the report now submitted, be approved;

- (ii) the current eligibility criteria be amended so that the age of applicants is no longer considered as a determining factor, for new applicants after 1st December, 2017;
- (iii) approval be given to support Option 2 to introduce a single, one-off administration fee contribution of £10 (marked as C in the table at 4.3.15 of the report now submitted), which will be applied to all current service users receiving the service after 1st December, 2017. All new applicants will also be charged a single, one-off administration fee contribution of £10 for applications after 1st December, 2017;
- (iv) a revised application process for service users be introduced to reduce the time taken to determine applications; and
- (v) a pilot project be supported that determines whether waste and recycling technology is suitably developed to consider the implementation of an 'on-demand' assisted collection scheme.

164. Local Plan Examination - Modifications and Additional Sites Consultation (Cab.15.11.2017/6)

Moved by Councillor Miller – Seconded by Councillor Frost; and

RESOLVED that

- (i) the updates on the Local Plan Examination and consultation on modifications, as detailed in the report now submitted, be approved;
- (ii) the Jobs and Business Plan and Housing Strategy are reviewed and updated to align with the Local Plan (as modified);
- (iii) subject to the outcome of the Sustainability Appraisal, the total number of jobs provided for during the Local Plan period be modified to approximately 28,840, including around 16,920 net additional jobs;
- (iv) subject to the outcome of the Sustainability Appraisal, the objectively assessed housing need figure be a maximum of 1,134 dwellings per year based on the Policy On Employment-Led CR Sens Scenario in the Barnsley Demographic Forecasts October 2017 Report by Edge Analytics;
- (v) for the remainder of the examination, authority be delegated to the Head of Planning and Building Control, in consultation with the Cabinet Spokesperson for Place, to agree to main modifications and associated consultation, including those requested by the Inspector at stages 1 and 2 of the examination, any further main modifications arising following the stage 3 hearings and in response to the Inspector's Interim Findings. This will include additional site allocations, changes to existing site allocations if required and any further changes to the figures in recommendations 2.2 and 2.3 if requested by the Inspector;
- (vi) subject to the Inspector agreeing, consultation on modifications to the plan, including any additional site allocations, begins in January 2018 for a period of 6 weeks; and

- (vii) approval be given to extend the Programme Officer Post to the end of July 2018.

165. Cabinet - 20th September, 2017

Moved by Councillor Andrews BEM - Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Cabinet meeting held on 20th September 2017 be received.

166. Cabinet - 4th October, 2017

Moved by Councillor Andrews BEM - Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Cabinet meeting held on 4th October 2017 be received.

167. Cabinet - 18th October, 2017

Moved by Councillor Andrews BEM - Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Cabinet meeting held on 18th October 2017 be received.

168. Cabinet - 1st November, 2017

Moved by Councillor Andrews BEM - Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Cabinet meeting held on 1st November 2017 be received.

169. Additional Announcements

(a) BBC Radio Sheffield

The Mayor made reference to the video that was on display in the Reception Room prior to the start of the Council meeting in which he took part celebrating the 50th anniversary of the start of Radio Sheffield. Radio Sheffield was the second BBC local radio station to go on air, behind BBC Radio Leicester which had commenced one week previously.

The Mayor commented that Radio Sheffield provided an invaluable service not only to the residents of Sheffield but also to those of Barnsley and the whole of South Yorkshire.

(b) Mayor's Charity Ball – 1st December, 2017

The Mayor commented that two of the singers in the choir that featured in the video referred to above were local to the area, one was Shaun Doane a member of the Everly Pregnant Brothers and the other was Janine Dyer.

Janine Dyer was to sing at the Mayor's Charity Ball to be held on the 1st December, 2017 and tickets to this event were still available from the Mayor's Parlour.

In closing the Meeting, the Mayor commented that this would be the last Council meeting of the year and he extended all Members and Officers his best wishes for a Happy Christmas and a prosperous New Year.

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Chair

SHEFFIELD CITY REGION COMBINED AUTHORITY

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

MINUTES OF THE MEETING HELD ON 30 OCTOBER 2017

PRESENT:

Councillor Tricia Gilby, Chesterfield BC (Chair)

Councillor Jim Andrews BEM, Barnsley MBC
Councillor Graham Baxter MBE, North East Derbyshire DC
Councillor Julie Dore, Sheffield CC
Councillor Simon Greaves, Bassetlaw DC
Mayor Ros Jones CBE, Doncaster MBC
Councillor Chris Read, Rotherham MBC
Councillor Lewis Rose OBE, Derbyshire Dales DC
Councillor Ann Syrett, Bolsover DC

Councillor Chris Furness, Derbyshire Dales
Councillor Simon Spencer, Derbyshire CC
Sir Nigel Knowles, SCR LEP Chair
Fiona Boden, SCR Exec Team
Huw Bowen, Chesterfield BC
Steve Davenport, SYPTE
Mel Dei Rossi, SCR Exec Team
Andrew Frosdick, Monitoring Officer
Andrew Gates, SCR Exec Team
Lee Hickin, Bolsover DC
Sharon Kemp, Rotherham MBC
Mark Lynam, SCR Exec Team
John Mothersole, Sheffield CC
Jo Miller, Doncaster MBC
Andrew Shirt, Joint Authorities Governance Unit
Dave Smith, SCR Exec Team
Neil Taylor, Bassetlaw DC
Diana Terris, Clerk / Barnsley MBC
Mike Thomas, SCC / SCR Exec Team
Eugene Walker, S.151 Officer
Lyndsey Whitaker, SCR Exec Team

Apologies for absence were received from Councillor S Houghton CBE, R Adams and C Tyler

1 APOLOGIES

Members' 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 confirmed that voting rights could not be conferred on non-Constituent Members in respect of agenda item 11 – 'Devolution/Mayoral Election' as this matter regards the constituent Local Authorities only.

It was agreed that there were no additional agenda items for which the non-Constituent Members should not have full voting rights.

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

None received.

7 REPORTS FROM AND QUESTIONS BY MEMBERS

None received.

8 RECEIPT OF PETITIONS

None received.

9 PUBLIC QUESTIONS

The Monitoring Officer reported that one question had been received from Mr Nigel Slack. Mr Slack had asked the Combined Authority (CA):

"With the clear conflict of interest between his position as Chair of the Combined Authority and his advocacy for the 'One Yorkshire' devolution proposals, will the CA insist that Councillor Houghton resign his role as Chair and elect a new Chair for the period up to the Mayoral Election?"

The Monitoring Officer replied that Councillor Houghton had informed him of his intention to resign from the role as CA Chair at the CA meeting arranged for 11th

December 2017. The appointment of a new CA Chair would then be agreed at the CA meeting scheduled for 29th January 2018.

It was noted that a written reply would be sent to Mr Slack after today's meeting.

10 MINUTES OF THE CA MEETINGS HELD ON 11TH AND 18TH SEPTEMBER

RESOLVED – That the minutes of the CA meetings held on 11th and 18th September 2017 were agreed to be an accurate record of the meetings.

11 DEVOLUTION/MAYORAL ELECTION

A report was received informing the CA that an election date was presently set in legislation for the 3rd May 2018. The Combined Authority (CA) now had a legal duty to appoint a Combined Authority Returning Officer (CARO).

It was noted that, in law the CARO is personally and independently responsible for the conduct of the election and must plan and prepare on the basis of the current legal position. The appointment was required at this time to provide sufficient time for the CARO to safely plan and to make all the necessary arrangements for the election with the minimum of risk.

The CA were made aware that, in seeking this decision it was not intended to imply a settled policy position within the CA over the issue of the Mayoral Election. It continued to be the case that the Constituent Members of the CA are divided between those who wish the election to go ahead and those who do not. The CARO is nevertheless required to plan and prepare for an election so long as this remains the legal position. Should the election be deferred then the CARO would act accordingly.

In assisting to manage the overall costs of the election and consistent with local practice in local elections, it was recommended that the CARO does not attract a fee for the conduct of the election.

Councillor Andrews requested a recorded vote be taken on the recommendations set out within the report. Mayor Jones seconded Councillor Andrews' request for a recorded vote.

The Monitoring Officer advised Members that, for the request to be moved, and in accordance with the requirements of procedural Standing Order 15.1 (d), three Members were required to support Councillor Andrews' request for a recorded vote.

Following discussion, the recommendations were put to a vote by show of hands. Two Constituent Members voted in favour of the recommendations; no Constituent Members voted against the recommendations and two Constituent Members abstained from voting.

The recommendations were therefore approved.

RESOLVED – That the Combined Authority:-

1. Appoint the Combined Authority's Head of Paid Service, as the Combined Authority Returning Officer (CARO) in respect of the Sheffield City Region Combined Authority Mayoral Election.
2. Agreed that no fee is payable to the CARO in fulfilling their role.

12 Q2 FINANCE REPORT

A report was received updating Members on the position of the CA's revenue budgets and Capital Programme as at the end of Quarter 2, 2017/18.

The report highlighted that there was a need for the Authority to identify any funding available to support the costs of the Mayoral Election from its reserves, without affecting the Authority's ability to meet ongoing expenditure and to cover its financial risks.

A number of budget variations were also recommended within the paper, which were noted and agreed by Members.

RESOLVED – That the Combined Authority:-

1. Noted the contents of the paper, including:
 - Forecast drawdown on unallocated reserves of £655k to support CA/LEP activity;
 - Forecast revenue budget underspend of £1.2m on SYPTE activity;
 - Forecast CA/LEP Capital Programme underspend of £23.6m against approved budget; and
 - Forecast underspend of £541k on the Local Transport Capital Programme.
2. Agreed the budget variation recommendations summarised in section 2 of the report.
3. Noted that further approvals for project level capital expenditure were sought within the 'Programme Approvals' report on today's agenda.

13 17/18 LGF PROGRAMME PERFORMANCE POSITION AT Q2

A report was received to provide the CA with an overview of the Local Growth Fund performance position as at Quarter 2 and sought Members approval to a range of actions to mitigate the risk of in-year slippage of the programme.

The report highlighted actions which would be recommended to the LEP Board to help address two significant problems:

- The over-commitment of the programme over its life, which peaks at £34.29m by 2020; and
- The 2017/18 in-year forecast underspend and the potential associated loss of grant.

RESOLVED – That the Combined Authority:-

1. Considered and approved delegated Authority to the Head of Paid Service, in conjunction with the Section 73 Officer to approve the requested changes and enter into the contractual arrangements required as a result of the approvals. Noting that this would be considered on a case by case basis when actions to reduce the over commitment and over programming are confirmed by each Authority.
2. Noted that the LEP Board would be asked to consider and approve publishing an open call for a reserve pipeline of projects which could deliver in the short to medium term.

14 FINANCIAL APPROVALS

A report was presented confirming and seeking endorsement of the CA Financial Approvals which had progressed through the Appraisal Framework.

RESOLVED – That the Combined Authority:-

1. Change Requests

- 1.1 Considered and approved the category 1 to category 4 changes as detailed in Appendix A to the report.
- 1.2 Considered the category 5 changes and approved delegated authority for the Head of Paid Service and Chief Financial Officer to approve individual change requests on a case by case basis, subject to satisfactory resolution to the over programming and over commitment of the programme.

2. Business Case Approvals

- 2.1 Considered and approved progression of Worksop Site Delivery – Phase 2a Mantonwood to Full Approval and Award of Contract at a cost of £1.246m to the SCR CA, subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix B to the report.
- 2.2 Considered and approved progression of Knowledge Gateway to Full Approval and Award of Contract at a cost of £4.115m to the SCR CA, subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix C to the report.

3. Housing – SCR Pilot Housing Fund

- 3.1 Considered and approved the Housing Fund mirroring the arrangements in operation for the Business Investment Fund with a delegated approval to Statutory Officers (or delegates) of up to £2m per individual investment.
- 3.2 Noted that the membership of the Housing Advisory Board would be reported to a future meeting of the Combined Authority.

4. Access Fund for Sustainable Travel

4.1 Considered and approve entering into the contractual arrangements required to deliver the Access Funds for the Sustainable Travel Programme.

5. Delegated Authority

5.1 Considered and approved delegated Authority to the Head of Paid Service, in conjunction with the Section 73 Officer, to enter into the contractual and financial arrangements required as a result of the above approvals.

15 HEALTH LED EMPLOYMENT TRIAL GRANT ACCEPTANCE

A report was presented requesting approval from the CA to accept £7.558m from the Work and Health (DWP / Dept. of Health) Innovation Fund. The report also recommended that the CA approve the entering into of a Partnership Agreement with NHS Sheffield Clinical Commissioning Group (CCG) in order for them to procure and contract the appropriate provider(s) to deliver the SCR Health Led Employment Trial on behalf of the CA.

Members noted that the Sheffield City Region was one of only two city regions that had been awarded such funding and as such, the trial would be part of national evaluation.

RESOLVED – That the Combined Authority:-

1. Delegate authority to the Chief Financial Officer to accept the Innovation Funding from the Work and Health Unit, subject to due diligence on any conditions of award.
2. Delegate responsibility to the Head of Paid Service to mobilise the SCR Health Led Employment Trial and to agree the appropriate terms with suppliers and to enter into the necessary contractual arrangements required to deliver the trial within the available funding.
3. Approve the establishment of and entering into of a Partnership Agreement with Sheffield Clinical Commissioning Group (CCG) in order for the SCR Health Led Employment Trial to be procured as an NHS contract, as stipulated by the Work and Health Unit on terms to be agreed by the Head of Paid Services.

16 TRANSPORT STRATEGY REFRESH

A report was presented seeking approval from the CA on the draft SCR Transport Strategy in preparation for statutory consultation.

Members were reminded that the Transport Act and Local Transport Act 2008 placed a statutory obligation on the CA to produce a Local Transport Plan. The refreshed Transport Strategy would form part of the Local Transport Plan for the SCR.

Following public consultation the Transport Strategy would be further refined. The refreshed Transport Strategy was currently scheduled for publication in April 2018, with adoption by the SCR CA thereafter.

Members' requested a minor number of changes within the draft Transport Strategy; these were acknowledged by Officers.

RESOLVED – That the Combined Authority:-

1. Approves the draft SCR Transport Strategy for consultation, subject to minor amendments requested by Members' at today's meeting.
2. Commits to undertake a 12-week public consultation on the Draft Transport Strategy.

17 ONE PUBLIC ESTATE & LAND RELEASE FUND: FUNDING BID PROPOSAL

A report was submitted requesting the Combined Authority to approve the submission of a bid from the Sheffield City Region (SCR) to the national One Public Estate (OPE) programme for a minimum of £681,000 and to the DCLG Land Release Fund for a minimum of £950,000.

Members were informed that the final details of the bid content and partners in the bid were still being finalised up to the submission date.

A summary of the SCR projects currently receiving OPE funding along with a full list of the potential bid schemes were noted by Members.

RESOLVED – That the Combined Authority:-

1. Considered and endorsed the outline bids from Sheffield City Region partners in response to the latest round of national funding for One Public Estate and the Land Release Fund.
2. Delegate approval for sign off of any final bid document to the Head of Paid Service and Chief Finance Officer of the Combined Authority.
3. Approve delegations to the Head of Paid Service, such that if approved the bid can be operationalised including to contract with third parties for the delivery of all approved One Public Estate and Land Release Fund activity included in the SCR bid.

18 DELEGATED AUTHORITY REPORT

A report was presented updating the CA on delegations made in CA approved recommendations that have been acted upon in the last period.

RESOLVED – That the Combined Authority note the contents of the report providing confirmation of decisions made under CA delegation that have been acted upon in the last period.

19 EGM OF SYITA PROPERTIES LTD SHAREHOLDER - TO APPROVE COMPANY WIND UP

A report was presented outlining the need for the CA in its capacity as Shareholder of SYITA Properties Ltd to convene an extraordinary general meeting to resolve to wind up the company.

RESOLVED – That the Combined Authority adjourned its meeting in order to convene a Shareholders extraordinary meeting and at that meeting resolved to put the company SYITA Properties Ltd into voluntary liquidation.

CHAIR

SHEFFIELD CITY REGION COMBINED AUTHORITY

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

MINUTES OF THE MEETING HELD ON 11 DECEMBER 2017

PRESENT:

Councillor Tricia Gilby, Chesterfield BC (Chair)
(Vice Chair)

Councillor Sir Steve Houghton CBE, Barnsley MBC
Councillor Julie Dore, Sheffield CC
Mayor Ros Jones CBE, Doncaster MBC
Councillor Chris Read, Rotherham MBC

Fiona Boden, SCR Exec Team
Huw Bowen, Chesterfield BC
Peter Dale, Doncaster MBC
Steve Davenport, SYPTE
Steve Edwards, SYPTE
Andrea Fitzgerald, Sheffield City Region Executive Team
Andrew Frosdick, Monitoring Officer
Andrew Gates, SCR Exec Team
Sharon Kemp, Rotherham MBC
Mark Lynam, SCR Exec Team
Mel Dei Rossi, SCR Exec Team
Dave Smith, SCR Exec Team
Neil Taylor, Bassetlaw DC
Mike Thomas, SCC / SCR Exec Team
Diana Terris, Clerk / Barnsley MBC
Craig Tyler, Joint Authorities Governance Unit
Eugene Walker, S.151 Officer

Apologies for absence were received from Councillor G Baxter, Councillor S Greaves,
Councillor L Rose OBE and Councillor A Syrett

1 APOLOGIES

Members' 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

It was noted an appendix to item 13 (Work and Health Programme – SCR / DWP Memorandum of Understanding) is to be considered in the absence of the public and press.

5 VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS

It was agreed there were no agenda items for which voting rights could not be conferred on non-Constituent Members.

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

As Leader of the sponsoring Local Authority, the Chair declared an interest in the Northern Gateway Project (to be considered at item 15 - LGF Capital Programme Approvals).

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 30TH OCTOBER 2017

RESOLVED, that the minutes of the meeting held on 30th October are agreed to be an accurate record.

11 APPOINTMENT OF CHAIR OF THE SCR COMBINED AUTHORITY

A report was received to inform Members of the requirement to invite nominations for, and appoint to, the position of Chair of the SCR Combined Authority (as

determined by Article 4 (Chairing of the Combined Authority) and Part 5A (Combined Authority Procedure Rules) of the Sheffield City Region Combined Authority Constitution), the vacancy having arisen due to the Chair giving notice to stand down.

RESOLVED, that Cllr Chris Read be appointed Chair of the SCR Combined Authority.

It was confirmed Cllr Tricia Gilby would continue to serve as Vice Chair.

12 SKILLS BANK OPTIONS

A report was received to provide Members with the position in relation to Phase Two of the current Skills Bank programme and to introduce options moving forward.

Members were reminded that in 2015 the SCR LEP secured a six-year Growth Deal with Government to fund the flagship Skills Bank programme. Skills Bank provides co-investment for businesses for training of existing employees with levels of investment determined by tangible propositions around growth. The Growth Fund was combined with European Social Fund (ESF) through a co-financing agreement with the Education, Skills Funding Agency (ESFA) to provide a joint funding pot for businesses of £21m. Delivery of the Skills Bank programme was contracted through the ESFA to Price Waterhouse Cooper (PwC) who to date have conducted 434 deals with businesses and supported 6,939 learners.

It was noted the current Skills Bank programme will end on the 31st March 2018 and the SCR Executive are currently in dialogue with Government in relation to the remaining three years of Growth Fund money (£10.5m) now the co-financing arrangement with the ESFA is due to come to an end. In preparation for the end of the current programme the SCR Executive is therefore working with the Managing Authority for ESF (DWP) to release an ESF Call for a third party to deliver and manage Phase Two of the Skills Bank programme at the end of January 2018 (as the last practical date for Calls to be issued prior to the UK exit from the European Union in March 2019).

The report introduced a series of options regarding how the Phase Two calls process might be progressed, taking account of currently unknown timings.

Mayor Jones requested this process be completed as quickly as possible and suggested a defined series of questions be used to ensure all required information is received from the potential bidders to run Phase Two.

Cllr Dore requested more evidence be drawn from how Skills Bank Phase One operated to inform the requirements for Phase Two. D Smith confirmed Phase One performance reporting would be used in this respect.

Cllr Dore questioned queried reference to 'the options would require further financial input to ensure all associated costs to the CA are covered' and noted the need for all risks to the SCR to be properly managed.

RESOLVED, that the Combined Authority delegates responsibility to the Head of Paid Service, in consultation with the Skills Executive Board Chair, to progress the development of the bidding process for Skills Bank Phase 2 but not to make any commitments without a further report back to the Combined Authority.

13 WORK AND HEALTH PROGRAMME

A report was received seeking approval to sign the Memorandum of Understanding for the Work and Health Programme (WHP) to cover the delivery (live running) phase of the programme.

The report reminded Members the SCR was awarded the ability to co-design elements of the national Programme as a Devolution Deal Area (DDA). The co-designed programme will cover the constituent members of the SCR only with the remaining areas receiving the national offer.

It was noted the Programme will help people with disabilities, early access groups and the long term unemployed into sustainable employment. The Programme will go live across the SCR in January 2018 and run for 5 years.

Cllr Dore questioned the sharing of data and asked whether the MoU would cover the provision of information that could then be used to help inform actions to address local priorities. It was noted performance information would be received but this won't be disaggregated down to the district level.

Cllr Read therefore questioned how this information will be fed back into the Local Integration Boards. It was acknowledged local arrangements would need to be worked out in due course.

RESOLVED, that the Combined Authority approves the signing of the Memorandum of Understanding for the Work and Health Programme

14i Transport for the North - Appointment of TfN Member

A report was received requesting appointments to the TfN Board

The report advised Members of appropriate inclusions in the TfN constitution which relate to membership.

It was agreed improvements are required to the processes currently in place to provide Members with briefings, including the provision of TfN briefings for both Cllr Dore and Mayor Jones.

RESOLVED, that Cllr Dore is appointed as TfN Board member and Mayor Jones appointed as substitute member, appointments to be reviewed after the May 2018 Mayoral elections.

14ii Contracting on Behalf of TfN

A report was received outlining a proposal for the SCR's continuation of support to TfN by acting as the contracting body in the procurement of its back-office systems, in advance of the organisation becoming a statutory transport body.

Members were assured that undertaking this role will be at nil cost and risk to SCR, and be for a time-limited period.

RESOLVED, that the Combined Authority agrees to act as the contracting body in the procurement of TfN's back-office systems, in advance of that organisation receiving statutory status.

15 LGF CAPITAL PROGRAMME APPROVALS

Cllr Read assumed the Chair for this agenda item.

A report was received to present the Financial Approvals, which have progressed through the Appraisal Framework, for the Combined Authority's endorsement.

It was noted 20 applications totalling £25.6m have been received in relation to the SCR's Housing Fund (£8.1m budget). Work is now underway to assess Outline Business Cases.

The report noted the Skills Capital Fund commissioning call closed on 16th November 2017. Eight applications were received with a total request for £1.5m SCR funding (from a total budget available of £1.2m). Including proposed match funding, total project costs are £2,985,000 with the average intervention rate of 51%.

It was noted 52 applications totalling £207m were received in relation to the open call for reserve capital projects (by the 8th December deadline). These are in the process of being assessed.

16 DELEGATED AUTHORITY REPORT

A report was received to update the Combined Authority on delegations made and subsequent actions taken by officers in the last period.

CHAIR

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SOUTH YORKSHIRE POLICE AND CRIME PANEL

CONFIRMATION HEARING

OFFICES OF THE SOUTH YORKSHIRE JOINT AUTHORITIES, 18 REGENT STREET,
BARNSELY, S70 2HG

9 NOVEMBER 2017

PRESENT: Councillor A Khayum (Sheffield City Council) (Chair)

Councillors: B Cutts (Rotherham MBC), J Dunn (Sheffield City Council), D Hughes (Doncaster MBC), B Johnson (Sheffield City Council), J Otten (Sheffield City Council) and S Wilkinson (Doncaster MBC)

Independent Co-opted Member: Mr A Carter

Dr A Billings (South Yorkshire Police and Crime Commissioner), E Redfearn (Office of the South Yorkshire Police and Crime Commissioner) and F Topliss (Office of the South Yorkshire Police and Crime Commissioner)

Officers: D Cutting, M McCarthy, L Noble and A Shirt (Barnsley MBC)

M Clements (Candidate)

Apologies for absence were received from Councillor S Sansome, Councillor D Griffin, Councillor R Sixsmith MBE, Mr S Chu, M Buttery and A Frosdick

1 APOLOGIES FOR ABSENCE

Apologies for absence were noted as above.

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

None.

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

RESOLVED – That the Confirmation Hearing be held in public with exception of the deliberation by the Panel in respect of the proposed appointment which would take place at the end of the Confirmation Hearing in the absence of the public and press.

4 CONFIRMATION HEARING - CHIEF FINANCE AND COMMISSIONING OFFICER, OFFICE OF THE SOUTH YORKSHIRE POLICE AND CRIME COMMISSIONER

Consideration was given to a report presented by the Commissioner, which confirmed how the Police Reform and Social Responsibility Act 2011 ('the Act'), under Schedule 1, Paragraph 6 directed that the Police and Crime Commissioner for a police area must appoint a Chief Finance Officer.

Under Paragraph 10 of Schedule 1 of the Act, the Panel must review the proposed appointment, hold a Confirmation Hearing and make a report to the Commissioner on the proposed appointment, including a recommendation to the Commissioner as to whether or not the candidate should be appointed, within a period of three weeks beginning with the day on which the Panel receives notification from the Commissioner of the proposed appointment.

Following the retirement of the Commissioner's current Chief Finance and Commissioning Officer, Mr Allan Rainford on 10 November 2017, notification from the Commissioner, to the Police and Crime Panel had been received of his intention to appoint a preferred candidate, Mr Michael Clements, to the position of Chief Finance and Commissioning Officer.

Additionally, the report set out the powers of the Panel and the process to be followed in the Confirmation Hearing. The Panel noted the information provided by the Commissioner relating to the appointment of the Chief Finance and Commissioning Officer which included:

- The name of the preferred candidate;
- The criteria used to assess the suitability of the candidate for the appointment;
- Why the candidate satisfies those criteria; and
- The terms and conditions on which the candidate is to be appointed.

The Commissioner informed the Panel that a total of eleven applications had been received for the position, with five applicants meeting the shortlisted criteria to allow them to proceed to an assessment centre and formal interview. An overview of the intensive recruitment and selection process followed to select his preferred candidate, Mr Clements, was provided to the Panel.

Councillor Khayum informed the Commissioner that in preparation for today's Hearing Panel Members had raised several questions in relation to the report, which he asked the Commissioner to answer.

Firstly, could the Panel be provided with assurances that the recruitment and selection process had been robust, and the reasons why the Commissioner believed that the candidate was the most suitable person for the position.

The Panel were given assurances by the Commissioner that the appointment process was robust to ensure that the preferred candidate met the criteria set out in the role profile and person specification. Each shortlisted applicant went through the same process and were treated equitably.

E Redfearn outlined the assessment centre process which had consisted of three elements to test the candidates' suitability against the essential criteria; a technical exercise, a commissioning exercise with a stakeholder panel, and a formal interview panel.

It was confirmed that Mr Clements had scored highest across the three elements of the assessment centre and was the Commissioner's preferred candidate for the role.

The Panel asked if the Commissioner believed that the interim arrangements proposed of one day per week were sufficient.

The Commissioner stated that he was confident that interim arrangements were sufficient.

E Redfearn confirmed that Mr Clements would be carrying out the Section 151 responsibilities during the interim period of one day per week. A number of other Police and Crime Commissioners did not have a full time Section 151 officers.

The Panel asked what other financial / commissioning support there was in the interim period.

E Redfearn informed the Panel that, within the Commissioner's Office, there was a Finance Manager and Commissioning Manager whose roles are to manage the day to day aspects of the office. Additionally, South Yorkshire Police had offered intermediate support should it be required.

The Panel asked if the Commissioner had received references from the candidate's current employer, and would the Commissioner be willing to share those with the Panel.

E Redfearn replied that this was personal information and in any event would need to obtain Mr Clements' permission. Additionally, it was confirmed that the Commissioner had now received Mr Clements' security clearance.

Councillor Khayum thanked the Commissioner and E Redfearn for answering the additional questions. He added that this was with a view to improving the process for future Hearings.

In conclusion, Panel Members felt that it would have been helpful to have received more detail in the written report submitted by the Commissioner. They asked that future confirmation hearing reports provide more information around the de-selected applicants and the reasons the preferred candidate had been put forward for confirmation.

The Commissioner acknowledged the Panel's requests.

At this point in the meeting, Councillor Khayum asked the Commissioner and his Officers' present to leave the public meeting.

Mr Clements was invited into the Hearing, welcomed by Councillor Khayum and introductions were made by Panel Members and Officers present.

The Panel asked a series of questions to Mr Clements which related to his professional competence, personal independence and the key challenges faced in the role of Chief Finance and Commissioning Officer. The answers provided enabled Members to evaluate Mr Clements' suitability for the position.

At the end of questioning, the Chair thanked Mr Clements and provided him with an opportunity to clarify any responses given and to ask any questions of the Panel.

Mr Clements thanked the Panel for inviting him to the Confirmation Hearing. He confirmed that he did not have any additional questions to ask the Panel.

At this point, Councillor Khayum closed the meeting to the Public and Press.

The Panel retired to consider all the information that had been provided in the Confirmation Hearing, the profile of the candidate and the answers to the questions before coming to a decision.

At this point in the meeting, Councillor Khayum re-opened the meeting to the Public and Press.

On the basis of the information provided by the Commissioner, and the discussions held in the Confirmation Hearing, Councillor Khayum informed the Commissioner that the Panel agreed to the appointment of Mr Clements to the role of Chief Finance and Commissioning Officer.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Reviewed and approved the appointment of Mr Michael Clements as the Commissioner's permanent Chief Finance and Commissioning Officer from 1 January 2018, and his acting Chief Finance Officer between 11 November and 31 December 2017.
- ii) Agreed to make a report to the Commissioner on the appointment of Mr Michael Clements in accordance with the requirements of Schedule 1 of the Act.

CHAIR



SOUTH YORKSHIRE POLICE AND CRIME PANEL

OFFICES OF THE SOUTH YORKSHIRE JOINT AUTHORITIES, 18 REGENT STREET,
BARNSELY, S70 2HG

15 DECEMBER 2017

PRESENT: Councillor A Khayum (Sheffield City Council) (Chair)

Councillor S Sansome (Rotherham MBC) (Vice-Chair)

Councillors: B Cutts (Rotherham MBC), D Griffin (Barnsley MBC), D Hughes (Doncaster MBC), J Otten (Sheffield City Council) and S Wilkinson (Doncaster MBC)

Independent Co-opted Members: Mr A Carter and Mr S Chu

Dr A Billings (South Yorkshire Police and Crime Commissioner), M Buttery (Office of the South Yorkshire Police and Crime Commissioner), M Clements (Office of the South Yorkshire Police and Crime Commissioner) and F Topliss (Office of the South Yorkshire Police and Crime Commissioner)

Officers: D Cutting, M McCarthy, L Noble and A Shirt (Barnsley MBC)

Apologies for absence were received from Councillor J Dunn, Councillor B Johnson, Councillor R Sixsmith MBE and S Parkin

1 APOLOGIES FOR ABSENCE

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

None.

6 PUBLIC QUESTIONS:-

7 TO THE POLICE AND CRIME COMMISSIONER

There were no written public questions to the Police and Crime Commissioner.

8 TO THE POLICE AND CRIME PANEL

There were no written questions to the Police and Crime Panel.

9 QUESTIONS FROM POLICE AND CRIME PANEL MEMBERS TO THE POLICE AND CRIME COMMISSIONER

In accordance with Procedure Rule 11 (General Questions from Members of the Panel), the following question had been submitted and the response provided from the Police and Crime Commissioner:-

Questions from Councillor Sansome

1. **How will SYP ensure standard practice across the South Yorkshire force when dealing with mental health crisis situations? We have heard there are different responses to similar situations across South Yorkshire in relation to section 136 detentions.**

Response

South Yorkshire has recently appointed Superintendent Dan Thorpe as the Strategic Mental Health Lead, who was the Metropolitan Police Service Mental Health Lead for a number of years, supporting the then National Police Chiefs' Council (NPCC) Lead for Mental Health, Commander Christine Jones, who helped develop the Mental Health Crisis Care Concordat.

Levels of support for people detained under S136 of the Mental Health Act can vary across SY because the three mental health trusts (SWYFT, RDASH, SHSC) offer different support. In some areas, for example, places of safety have been suddenly closed and officers have had to find alternatives, which causes delay. This is despite S140 of the Act placing a duty on Clinical Commissioning Groups/Local Health Boards to give notice to local social services saying what emergency arrangements are in force in cases of emergency.

However, SYP have been working hard with NHS colleagues from across the County to continually improve aspects of mental health care provision, including getting access to the most appropriate service at the right time, which includes a MH crisis response.

South Yorkshire Police introduced a Strategic Mental Health Partnership Board, which has been operating now for nearly two years. The meeting sits bi-monthly to help SYP to work closely with strategic health partners in the interests of those affected by mental ill health. As an example the Board has kept those aged under 18 years, who are detained under S136 Mental Health Act, out of police cells

(mandatory since 11 December 2017). Over the last 2 years, no under 18's have been taken to a police cell. The board has also been working to achieve 24/7 Mental Health Crisis support for police officers through Single Points of Access or Triage services, which are now in place across the County.

Superintendent Thorpe is revising the Strategic Mental Health Partnership Board and has recently met the Chief Executive of RDASH MH Trust – Kathryn Singh - who has agreed to joint chair the Board. This is important when increasing MH demands are placing pressure on both police and a range of NHS services. Kathryn and Dan are currently reviewing the priorities of the Board and how this could link in with existing Countywide NHS work streams. As an example, one of the priorities of the Board is to examine existing Mental Health Crisis pathways, including the pathway for S136 and to create a Countywide Health Based Place of Safety specification that will introduce a consistent service across the County, something Supt Thorpe achieved in London across 10 Mental Health Trusts and 32 Local Authorities.

If preventing a mental health crisis is a central goal of mental health services; preventative services must be in place across the urgent care pathway and within the community to prevent a crisis occurring.

With S136 demand increasing by 33% over the last year, there is a collective need to understand this demand and work collectively on early interventions, identifying those who are high intensity users of service and creating joint management plans to better support these individuals and reduce demand. This will become a priority for the board in 2018.

Supt Thorpe has also introduced a SYP wide Mental Health Escalation Log, which enables police officers to escalate incidents and issues which have not gone well, or which identify areas for improvement concerning mental health crisis incidents. This provides a valuable countywide overview, which can be broken down into District/Trust areas. The log is regularly shared with strategic partners so that collectively SYP and the NHS can identify trends, repeated issues, which may influence how services are commissioned in the future.

- 2. Do you think the changes to the PACA will mean that people with mental health issues receive a poorer response when in crisis? For example we have been informed it sometimes takes a long time to transport someone to a mental health hospital or section 136 suite if the police and ambulance service are reluctant to help?**

Response

A person experiencing a mental health crisis should receive the best possible care at the earliest possible point. The legal changes introduced to S135/S136 Mental Health Act via the Police and Crime Act 2017, are intended to improve immediate service responses to people who need urgent help with their mental health, particularly in cases where police officers are the first to respond. However, it has been acknowledged by SYP, that health partners are under considerable strain and pressure to deliver various crisis services whilst seeing increasing demand with corresponding challenges around budgets.

The changes to the MHA are varied and may present both opportunities and consequences. For example, the application of S136 has now been widened in respect of where the power can be exercised. This will assist officers from the British Transport Police who regularly respond to people in MH crisis attempting to commit suicide on railway tracks. These are private places and prior to 11 December 2017, BTP officers were unable to exercise their powers under S136.

So whilst there are a number of areas where this power can now be utilised, an unintended consequence could be that we see a sharp or continual rise of S136 demand which may have a knock on effect as to the capability of the NHS to cope with this potential increase.

Another example of how this will improve the response, relates to the use of police cells, which can now only be used in exceptional circumstances. As such, it will be unlawful for police cells to be used unless the circumstances are compliant with the stipulated regulations which are very specific. Consequently, this will result in more adults being taken to health-based places of safety rather than a police cell. However, Mental Health Based Places of Safety within the county often experience challenges around resourcing or being able to manage more than one patient at a time, meaning officers and health partners may need to find urgent alternatives, which may just be the nearest Emergency Department.

That said, the overarching aim is to improve the response to those in need of a crisis response and the legislation has been produced with this in mind.

In respect of transport, Yorkshire Ambulance Service (YAS), (as all Ambulance Services within the UK), are commissioned to provide a transportation service for all individuals detained under S136. They are required to transport them to the nearest, suitable and available health based place of safety. As previously alluded to, SYP do recognise the pressures on colleagues from YAS, who are frequently unable to provide an ambulance to support such requests. Recent analysis of S136 transportation methods in Doncaster evidenced that around 60% of cases were transported by ambulance and the remaining 40% were transported by police vehicle.

In all cases in South Yorkshire, if someone is detained under S136 Mental Health Act, they will have to be transported to the nearest place of safety. If an ambulance is unable to support SYP due to a lack of resources, then SYP will transport the patient. The challenge is the availability of resourcing which is often outpaced by demand, rather than a reluctance to support someone in need of help.

3. How will the police force support incidents of aggression or crime within mental health wards?

Response

Whilst working in the Metropolitan Police Service, Superintendent Thorpe helped to introduce the National Mental Health Restraint Expert Reference Group. This was chaired by Lord Carlile of Berriew CBE QC. In January 2017, the first Memorandum of Understanding regarding the Police use of restraint in Mental Health & Learning

Disability Settings was published. Prior to this, there was no clear national position regarding when the police can be asked to attend mental health and learning disability settings and for what reasons

Health providers have a duty to undertake, implement and review risk assessments for all the services they provide. The police do not have specific powers to restrain a patient for the purposes of medical treatment regardless of whether the treatment is in the patient's best interests. In situations where the police are called for emergency assistance, the circumstances should be assessed on its merits.

The risks associated with restraint are significant. SYP officers should not be called to undertake restrictive practices connected to purely clinical interventions (e.g. taking fluid samples, administering injections/medication) unless exceptional factors apply.

SYP will support colleagues in health services with incidents where:

- There is an immediate risk to life and limb;
- There is an immediate risk of harm;
- Serious damage to property;
- Offensive Weapons are involved;
- Hostages

No assumption should be made by the police that any incident involving any patient will always be a matter for healthcare staff alone; or that offences committed by a patient cannot or should not be investigated or prosecuted.

10 MINUTES OF THE PREVIOUS MEETING HELD ON 29 SEPTEMBER 2017

The following matters arising were noted:-

- The Deputy Chief Constable had confirmed that the increase in non-emergency calls back in 2014 related to the 101 service in Sheffield which meant that calls for South Yorkshire Police and Sheffield City Council came through the 101 service.
- The Commissioner confirmed that representatives from his office had been present at all recent meetings of the Sheffield Safer and Sustainable Communities Partnership Board. Mr Carter confirmed that he had not questioned the PCC's or OPCC's commitment to partnership working.
- Following the last meeting, the Panel's Rules of Procedure had been updated and published on the Panel's website.
- Panel Members had been provided with details regarding how many individuals viewed the webcasts of Panel meetings.

Councillor Hughes asked if he could be provided with an update regarding the concerns he had outlined at the September meeting relating to Neighbourhood Policing.

The Commissioner replied that activity had taken place within Councillor Hughes' Ward area; he was of the understanding that information had been sent to Councillor Hughes.

Councillor Hughes commented that he had not received any information from the Commissioner. The Commissioner stated that he would re-issue the information to Councillor Hughes.

Councillor Khayum asked if the Panel could receive a progress update report in the New Year from the Chief Constable in respect of Neighbourhood Policing.

The Commissioner acknowledged Councillor Khayum's request.

RESOLVED –

- i) That the minutes of the Police and Crime Panel held on 29 September 2017 be agreed and signed by the Chair as a correct record.
- ii) That the Commissioner re-issues information to Councillor Hughes regarding Neighbourhood Policing operations taking place within his Ward area.
- iii) That a progress update report on Neighbourhood Policing be presented at a future Panel meeting.

11 MINUTES OF THE CONFIRMATION HEARING HELD ON 9 NOVEMBER 2017

RESOLVED – That the minutes of the Police and Crime Panel Confirmation Hearing held on 9 November 2017 be agreed and signed by the Chair as a correct record.

12 PUBLIC ENGAGEMENT ACTIVITY OF THE POLICE AND CRIME COMMISSIONER

A report was presented to provide Members with information on how the Police and Crime Commissioner (PCC) had undertaken his engagement activity over the last 12 months and where engagement would be focused in the coming year.

Councillor Sansome noted that the engagement activity of the Force was reported to the OPCC and monitored at the Trust and Confidence Steering Group. He asked who was leading in this area following the departure of the Assistant Police and Crime Commissioner.

F Topliss replied that the engagement activity of the Force was led by Assistant Chief Constable David Hartley, who was assisted by F Topliss from the OPCC.

Councillor Sansome asked if further details could be provided regarding the joint approach taking place across several Forces in relation to Cyber Crime.

The Commissioner informed the Panel that South Yorkshire was in a seven Force collaboration which would have an intensive focus on Cyber Crime. Operations would not only take place regionally, but nationally and internationally. Members of

the public could report Cyber Crimes to the Force via the 101 telephone number or to Action Fraud.

Councillor Griffin commented that he was of the understanding that the Force had recently issued a survey on police confidence. He asked how this survey had been advertised to encourage members of the public to become engaged and respond.

F Topliss replied that the survey had been conducted to obtain a baseline assessment of trust and confidence in South Yorkshire Police. The survey had been undertaken in harder to reach areas, which included rural and minority communities.

The high-level findings of the survey would be presented to the PCC before Christmas and then presented to the Trust and Confidence Steering Group in January 2018. Further details regarding the outcome of the survey would be presented to the Panel in the New Year, following analysis of the results.

Mr Chu asked whether there was any specific consultation taking place regarding the 2018/19 level of Council Tax precept.

The Commissioner replied that he was currently awaiting the Government's announcement regarding the 2018/19 Police Grant and flexibility around the precept. He added that consultation would take place at various levels. The Commissioner had recently visited the four district Council Leaders to inform them of the likely financial position and Council Tax precept. Conversations with the public had previously taken place, and would commence again shortly following the Government's Police Grant announcement.

Councillor Sansome asked how much engagement was carried out with minority communities. Additionally, who was the OPCC engaging with and in which areas?

The Commissioner replied that the Force have a number of ethnic minority Independent Advisory Group (IAGs) established which meet in each district and a countywide LGBT Independent Advisory Group. The Commissioner confirmed that he also had a Countywide Independent Panel, which was currently in the process of being re-constituted.

Councillor Wilkinson asked if engagement work was undertaken with vulnerable people within communities.

The Commissioner replied that he did try to consult widely with individuals with learning difficulties and disabilities, some of whom sat on the IAGs.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the contents of the report and the PCC's commitment to engagement activity and commented upon any matters arising.
- ii) Noted that F Topliss would provide Panel Members with contact details for Action Fraud.

- iii) Noted that the results of the confidence in policing survey would be presented at a future Panel meeting.

13 ATLAS COURT UPDATE

A report was presented to provide Members of the Police and Crime Panel with information on the Review of Atlas Court.

Councillor Sansome asked if the public had been involved or informed of the review of the 101 system, as a way of increasing public confidence around the system.

The Commissioner reported that public confidence around the service was not as good as he would like it to be. He added that there would be a large amount of publicity when SmartContact was implemented by the Force in March 2018.

M Buttery added that the Commissioner had also informed the Force at recent Public Accountability Boards that they needed to involve the public with regards to progressing the review and manage expectations where there were dips in performance because of the implementation of new systems at a particular time.

Furthermore, at the Force Strategic Change Board, the Commissioner had stated that he wished to see public participation in the design of services.

Mr Chu asked how satisfied the Commissioner was with the Force in managing and understanding public demand for police resources, as highlighted in the HMICFRS report.

The Commissioner stated that he was satisfied with the work which was currently being undertaken by the Force to understand demand for police resources. The situation had much improved in twelve months from when the HMICFRS report had been published.

Mr Chu observed that the average 101 response time since 2015 had been around 1 minute 10 seconds. However, from the information provided to Members on contact centre performance, the current average wait time in the last eight weeks had indicated a wait time of much longer than in 2015; indicating that performance was getting much worse, not better. He asked if the Commissioner could provide the Panel with details regarding his arrangements for holding the Chief Constable to account in this area.

The Commissioner replied that he had also noted the average wait time had increased recently. He added that there was currently misconception from the public around call wait times which, he anticipated would be dispelled once SmartContact had been implemented.

In relation to the proposed future visit to Atlas Court, Mr Carter suggested that the timing of the visit be brought forward from May 2018 to allow all Members of the Panel the opportunity to view the new IT equipment in operation, prior to the local municipal elections, and any (potential) changes in the Panel's membership. However, he recognised that the visit had to coincide with the new system being in place and so this may not be possible.

The Commissioner noted Mr Carter's request.

Councillor Sansome asked if information could be provided at the February Panel meeting setting out progress on each objective for the review of Atlas Court / Contact Management and a timescale when each objective would be achieved.

The Commissioner acknowledged Councillor Sansome's request.

Councillor Griffin asked how satisfied the Commissioner was that the new Connect System would be able to accurately record property details for all of the properties where crimes are committed. He added that, from conversations with farmers located in rural areas, South Yorkshire Police seemed to be struggling to find farm properties.

M Buttery agreed to follow-up Councillor Griffin's concerns, adding that improvements in the Gazetter may come with the new systems.

RESOLVED – That Police and Crime Panel Members:-

- i) Noted the contents of the report and commented upon any matters arising.
- ii) Noted that the Commissioner had agreed to provide information at the February 2018 Panel meeting setting out progress on each objective and a timescale when each objective of the Review of Atlas Court / Contact Management would be achieved.
- iii) Noted that M Buttery would follow-up Councillor Griffin's concerns as outlined above.

14 HER MAJESTY'S INSPECTORATE OF CONSTABULARY, FIRE AND RESCUE SERVICES (HMICFRS) UPDATE

A report was presented to provide Members of the Police and Crime Panel with an overview of the statutory responsibilities of the PCC in relation to Her Majesty's Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS) inspections and provide an update on the recent inspection activity within South Yorkshire Police.

Members were reminded that, in 2016, HMICFRS assessed the Force as 'requires improvement'. The latest SYP Police PEEL Efficiency report assessed that the Force still needed to focus on the same areas at the time of the 2017 inspection with an overall assessment as 'requires improvement' but made reference to the fact that favourable progress was being made. The Commissioner highlighted that the Force had been assessed as 'good' in the latest PEEL Legitimacy report.

The Commissioner provided the Panel with the assurances that he would be addressing and following-up each of the HMICFRS recommendations in a number of ways. Firstly, the recommendations would be discussed publicly at the Public Accountability Board and secondly, with the Force's Senior Leadership Group.

Councillor Sansome noted that a response to the Efficiency report was being prepared in line with the PCC's statutory responsibility. He asked if Panel Members could be provided with a copy of the response.

The Commissioner acknowledged Councillor Sansome's request. He added that a media statement had been published setting out his response to the HMICFRS Efficiency Inspection Report.

Councillor Sansome asked if the Panel could receive an annual update report in 12 months' time setting out the Force's progress with regards to how the Commissioner is holding the Force to account in respect of its performance in relation to the Mental Health Strategy.

Furthermore, Councillor Sansome noted that North Wales Police Force had been asked to examine how it trains its officers after an incident where a 24 year old individual had harmed himself. He asked how the Commissioner was holding the Chief Constable to account in the area of training required to ensure officers are competent to deal with people suffering from mental health issues.

The Commissioner acknowledged Councillor Sansome's requests. He added that information regarding officer training would also be contained within the report.

The Panel noted that the Chief Constable and Commissioner had previously stated that they would be making arrangements in the New Year to visit each district council to meet with elected Members to provide them with further information on the revised Neighbourhood Policing model. Panel Members asked that they be informed of the dates.

The Commissioner acknowledged the request.

Councillor Hughes asked if he could be provided with details regarding the timescale for bringing neighbourhood policing back into the communities of South Yorkshire. Additionally, when would Neighbourhood Policing Officers be on patrol within communities?

The Commissioner tasked F Topliss to provide Councillor Hughes with the details of his Local Inspector who could then provide him with further details regarding his Local Neighbourhood Policing Team.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the contents of the report and commented upon any matters arising.
- ii) Noted that the Commissioner had agreed to provide Panel Members with a copy of his response to the PEEL Efficiency report which was being prepared in line with his statutory responsibilities.
- iii) Noted that the Commissioner had agreed to provide the Panel with an annual update report in 12 months' time setting out the Force's progress with regards to how the Commissioner is holding the Force to account in respect of its performance with the Mental Health Strategy.

- iv) Noted that Panel Members would be provided with dates etc. when the Chief Constable and Commissioner would be visiting each district council to meet with elected Members to update them on the revised Neighbourhood Policing model.
- v) Noted that the Commissioner had tasked F Topliss to provide Councillor Hughes with the details of his Local Inspector.

15 BUDGET MONITORING REPORT: : 2017/18 SEPTEMBER MONTH END

A report was submitted to inform Members of the Police and Crime Panel of the financial position for 2017/18 as at 30 September 2017.

The year-end position forecast was that revenue expenditure would be £0.02m less than budget. The reasons for the spending variations were noted by Members.

In relation to capital expenditure Members noted that spending was forecast at £12.9m compared to a capital programme of £13.2m.

Councillor Sansome asked what assurances the Commissioner could give the Panel around the impact on performance and morale within the Force, given the amount of overtime being worked by Officers.

The Commissioner replied that he was concerned about the size of the overtime bill, and had discussed this with the Chief Constable. He outlined that some of the overtime related to policing football matches and some related to historic overtime (EDL Marches). Helping the Chief Constable to understand whether problems had been met through the use of overtime, when actually the Force should have been utilising the workforce itself, and whether there should be more officers, rather than making up the difference with overtime, were discussions that were currently taking place with the Chief Constable.

Councillor Sansome noted that the costs of medical retirements were expected to exceed budget by £0.72m. He asked how this budget would be managed and why it was expected to exceed budget.

The Commissioner replied that the Chief Constable had taken a personal interest in this area to understand why it was expected to exceed budget and to try and reduce this cost. He was confident that, moving forward medical retirements would be better managed.

The Commissioner provided the Panel with narrative on the additional legal costs and approved financial assistance costs.

RESOLVED – That Members of the Police and Crime Panel noted the report on the financial position for 2017/18 as at 30 September 2017.

16 RISK MANAGEMENT ARRANGEMENTS

A report was presented to provide Members of the Police and Crime Panel with an overview of the Commissioner's risk management arrangements.

Following discussion, Members felt that it would be useful to understand what its role was in relation to scrutinising the Commissioner's risk management arrangements.

L Noble agreed to conduct research to understand what scrutiny role other Police and Crime Panels performed in overseeing their Commissioner's risk management arrangements.

RESOLVED –

- i) That Members of the Police and Crime Panel noted the contents of the report and commented upon any matters arising.
- ii) Noted that L Noble had agreed to conduct research to understand what scrutiny role other Police and Crime Panels performed in overseeing their Commissioner's risk management arrangements.

17 ANNUAL POLICE & CRIME PANELS CONFERENCE, 6 NOVEMBER 2017

A report was presented to provide Members with a summary of the issues considered at the Sixth Annual Police and Crime Panels' Conference held in Coventry on 6th November 2017.

The Conference had generated several issues which the Panel were asked to consider and make recommendations on to further strengthen the Panel's role.

Mr Chu asked if other Panels decided not to participate in the Regional Network and Special Interest Group, would the costs increase for South Yorkshire.

L Noble agreed to investigate and report back to the Panel.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Agreed to utilise £500 (per annum) from the Grant allocation to pay for Frontline Consulting to facilitate the establishment of a Regional Network.
- ii) Agreed to utilise £200 (per annum) from the Grant allocation to pay for the LGA to provide some administrative support around the establishment of a Special Interest Group (National Association of Police and Crime Panels).
- iii) Noted that L Noble had agreed to investigate the issue regarding increasing costs, if not all Panels decided to participate in the Regional Network and Special Interest Group.
- iv) Agreed to give consideration as to how links could be strengthened with the four District Community Safety Partnerships at a political level.

- v) Agreed to give consideration to making a request for the Chair of the Panel to attend one SY Leaders' meeting per annum to provide an update on the Panel's activities.
- vi) Agreed to consider supporting the ongoing work to strengthen the links with the four District Overview and Scrutiny Committees.
- vii) Agreed to consider holding an additional (informal) Panel meeting around April / May (giving a total of 7) for Members to look back over the previous year, and plan for the coming year.
- viii) Agreed to consider the establishment of a Budget Working Group, as set out in paragraph 22.
- ix) Agreed to consider a Lead Member approach as set out in paragraph 23, when time allows.

18 SOUTH YORKSHIRE POLICE AND CRIME PLAN PRIORITIES AND REQUIREMENTS - THEME: PROTECTING VULNERABLE PEOPLE (PVP)

Members considered a Force performance report that was submitted to the PCC's Public Accountability Board (PAB) held on 27 November 2017, which focused on the theme 'Protecting Vulnerable People'.

Councillor Sansome recalled that it had been reported at the recent PAB meeting that Professor Drew intended to re-visit SYP's performance regarding the handling of CSE. He asked how the Panel would be involved and notified of the findings of that review.

The Commissioner commented that he did not feel there was a need for Professor Drew to re-visit at this stage. He was confident that the Force were now addressing those areas identified.

Councillor Sansome referred to the Victim Care Strategy which was reported at the last PAB meeting, where a figure of 1300 offences was mentioned within South Yorkshire. He asked if the Commissioner was able to provide a breakdown of domestic abuse offences by area, by offence, and how many prosecutions had been pursued.

The Commissioner acknowledged Councillor Sansome's request for information.

Furthermore, Councillor Sansome asked if the Commissioner could provide the Panel with information on the number of domestic abuse reports which were outstanding, and how he held the Force to account in terms of progressing these reports in a timely manner.

The Commissioner replied that he held the Chief Constable to account in this area at the PAB to understand how the Force were dealing with domestic abuse and responding to it.

In relation to rape and sexual offences, Councillor Sansome stated that he was pleased to note that the Force were performing above the national average for conviction rates in this area. He asked if the Commissioner could provide information on the convictions by district and how the Commissioner was liaising with the Force on any re-distribution of staffing to deal with the increase in this area.

The Commissioner acknowledged Councillor Sansome's request. The Commissioner assured the Panel that discussions in relation to rape and sexual offences did take place at the PAB, along with debate and discussion with the Force on a regular basis.

Councillor Sansome stated that a number of other issues had arisen at PAB on 27th November. Specifically, there had been reports that had identified the failings in the national helicopter service responding to thousands of incidents. He asked if the Commissioner could provide the Panel with assurances that flying hours had not, and would not, be reduced and replaced by drones.

The Commissioner replied that there were no proposals to replace the helicopter service with drones. Additionally, South Yorkshire was part of the National Police Air Service (NPAS). In a recent HMICFRS report regarding the air service, it had been suggested that, following the move to the national scheme, the capacity of those services had diminished and not increased. HMICFRS were asking questions regarding the number of bases, helicopters and fixed-wing aircraft that are available. The Commissioner was expecting to see a growth bid in this provision moving forward.

Councillor Sansome stated that it had been reported recently that the Police fear scores of convictions may face challenges because of the suspected manipulation of forensic test results at a private laboratory in Manchester. He asked if the Commissioner had been provided with assurances around any cases within South Yorkshire.

The Commissioner replied that discussions had taken place with the Force regarding this issue. Furthermore, South Yorkshire Police along with other Forces were having to prioritise the re-testing of samples and results.

Councillor Wilkinson asked of the 8,209 incidents relating to missing person reports, how many were from children in looked after care, how many were **not** from children in looked after care, how many of those reports were repeat, and how this was split across the four districts in South Yorkshire.

The Commissioner confirmed that in the last year there had been missing person reports relating to 4,700 adults, 5,800 children and 4,200 looked after children. Demand work was currently being undertaken by the Force in relation to missing persons.

Mr Chu suggested that, as part of the Commissioner's small grants programme he could commission charities to undertake some of the missing persons work.

The Commissioner replied that the voluntary sector did undertake some missing persons work and that, the Force may have to consider using them more in the future due to the high levels of demand in this area.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the report.
- ii) Raised issues in respect of the PCC's role in holding the Force to account for delivery of the Police and Crime Plan.
- iii) Noted that the Commissioner had agreed to provide Panel Members with a breakdown of domestic abuse offences by area, by offence and how many prosecutions had been pursued.
- iv) Noted that the Commissioner had agreed to provide Panel Members with information on the number of domestic abuse reports which were outstanding.
- v) Noted that the Commissioner had agreed to provide Panel Members with information on rape and sexual offences convictions by District.

19 COMPLAINTS UPDATE & EXTENSION OF NON-SERIOUS COMPLAINTS PROCESS

A report was presented to provide the Panel with a regular update on complaints made against the Police and Crime Commissioner (PCC) during the period 1st April 2017 to 15th December 2017. This included any complaints 'inherited' from the previous host Authority which were outstanding at the 1st April 2017.

Secondly, the report referred the Panel's attention to the Government's proposed extension to the Panel's complaints handling powers regarding complaints about the PCC's conduct (i.e. non policy complaints).

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the complaints received.
- ii) Agreed to receive a half-yearly report.
- iii) Noted and consider how it would accommodate the revised complaints powers and duties.
- iv) Considered the additional duties being added to the Complaints Panel's Terms of Reference.

20 LEARNING AND DEVELOPMENT 2017/18

A report was submitted to provide Members of the Panel with a progress update on the Learning and Development Schedule for 2017/18.

Members were informed that the PCC's Budget Familiarisation Session would be held on 29 January 2018; further details had been circulated via email.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the outcome of the discussions with Members held to date.
- ii) Provided comments on the priorities for learning and development.

21 PCC DECISIONS

A report was presented to provide Members of the Police and Crime Panel with information on decisions taken by the Police and Crime Commissioner (PCC).

RESOLVED – That Members of the Police and Crime Panel noted the contents of the report.

22 WORK PROGRAMME

Members noted that the Work Programme would be updated to reflect the issues raised at today's meeting.

RESOLVED – That Members of the Police and Crime Panel noted that the Work Programme would be updated to reflect the issues raised at today's meeting.

23 DATE AND TIME OF THE NEXT MEETING

The next meeting of the Panel will be held on Friday 2 February 2018, 10:00 am at the Offices of the Joint Authorities, 18 Regent Street, Barnsley, S70 2HG (unless stated otherwise).

CHAIR

Item 11

SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

27 NOVEMBER 2017

PRESENT: Councillor L Burgess (Chair)
Councillor A Atkin (Vice-Chair)
Councillors: S Ayris, A Buckley, M Clements, T Damms,
P Haith, C Hogarth, C Rosling-Josephs, M Maroof,
C Ransome, J Satur and Dr A Billings

CFO J Courtney, DCFO M Blunden, S Booth, AM T Carlin,
SM C Mee, M Wood, T Tranter and P Jones
(South Yorkshire Fire & Rescue Service)

A Frosdick and I Rooth (Barnsley MBC)

M McCarthy, L Noble, R Bywater and M McCoole
(Joint Authorities Governance Unit)

Apologies for absence were received from D Terris, A Brown,
N Copley and M Buttery

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

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

Item 24 'Stronger Safer Communities Reserve Round 3'.

Item 25 'Contingency Arrangements Update'.

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

None.

6 REPORTS BY MEMBERS

Councillor Satur had attended the Safer Sustainable Communities Partnership Board held on 21 November 2017, which had discussed domestic homicide and the review of the guidance.

Councillor Clements had recently visited Barnsley Fire Station with Dan Jarvis MP; he looked forward to the replacement of Barnsley Fire Station through the Capital Programme.

Councillor Atkin wished to congratulate Russ Paramore, who had recently attended the Business Continuity Institute International Global Awards Event where he had been presented with the Continuity and Resilience Professional (Public Sector) 2017 Award. He expressed his thanks and congratulations to one of the ladies and the Dearne 2 Team who had recently won awards in recognition of the work undertaken on the Princes Trust. Members were invited to attend the Presentation Event for the latest Barnsley Princes Trust Team on 13 December 2017 at 2pm at Barnsley Town Hall. Councillor Atkin also wished SYFR's Communications Team every success at the national Fire in Excellence Awards Ceremony in London on 8 December 2017.

Councillor Burgess had recently visited Barnsley Fire Station with Councillor Clements and Dan Jarvis MP, and she had also visited Rivelin Fire Station with CFO Courtney, which had proved to be a very useful session with the firefighters.

RESOLVED – That the reports be noted.

7 RECEIPT OF PETITIONS

None.

8 TO RECEIVE ANY QUESTIONS OR COMMUNICATIONS FROM THE PUBLIC, OR COMMUNICATIONS SUBMITTED BY THE CHAIR OR THE CLERK AND TO PASS SUCH RESOLUTIONS THEREON AS THE STANDING ORDERS PERMIT AND AS MAY BE DEEMED EXPEDIENT

None.

9 REALISTIC FIRE TRAINING - PRESENTATION

The Authority received a presentation on Realistic Fire Training, from AM T Carlin and SM C Mee. Members noted the following key points:-

- Realistic Fire Training involved the lighting of controllable fires in pre-demolition housing stock to provide a realistic training scenario for operational fire crews.
- A report entitled 'Firefighter Fatalities at Fires in the UK: 2004-13: Voices from the Fire-Ground' by Andrew Watterson, had reported a total of 6 firefighter deaths at fires in England between 1993/94 and 2003/04, which had doubled to 13 firefighter deaths between 2004/05 to 2013/14. The report

had stated that fire and rescue services should ensure that there was relevant, realistic, revised and regular training to include the means to ensure that there was relevant 'comprehensive' experience where possible for firefighters on incident command.

- BMBC Regulatory Services, BMBC Housing Regeneration, Berneslai Homes and Public Health England had been involved in the initiative.
- Media coverage had included Barnsley Chronicle, Sheffield Star, Look North, Radio Sheffield and the Fire Times Magazine.

Members were shown a short film on Realistic Fire Training.

AM Carlin informed Members that SYFR's District Managers would welcome Members' support to identify housing stock, at the correct time of demolition, to enable Realistic Fire Training to continue.

Councillor Hogarth queried whether there was any scope for collaboration on the training with South Yorkshire Police (SYP) and other services.

SM Mee highlighted that part of the project included pre and post training community safety for the areas. The model for the initial phase of the project at Baden Street had been developed solely for SYFR. Yorkshire Ambulance Service (YAS) and SYP had expressed an interest for partner agencies to be utilised as part of the training, should the amount of training or the number of incidents increase.

Councillor Ransome gave thanks for an excellent presentation. She queried whether aerosols, cookers and combustible items presented the most danger to firefighters.

SM Mee stated that the most dangerous element within a building fire was the way in which the fire developed, involving the furnishings and contents within the house. The houses within the Baden Street project had been loosely furnished. From a firefighter risk perspective, aerosols etc. did pose hazards, although the greatest hazards were the internal conditions of a compartment fire.

Councillor Haith queried whether consideration had been given to undertaking Realistic Fire Training in larger buildings i.e. industrial units that would be demolished in the future.

AM Carlin commented that consideration had to be given to the size of the fire. Public Health England had stated that Realistic Fire Training should involve clean burning. The short film observed by Members had shown that the conditions from a firefighter perspective were good, with good visibility of the flames and clean burning to accommodate the issues raised. SYFR had previously undertaken high rise exercises without fire, in empty flats, and this remained on the agenda to be undertaken whenever such an opportunity arose.

Members noted the next steps:-

- Refine the Realistic Fire Training Model.
- Develop new relationships between district and local authorities.

- Roll out Realistic Fire Training to all districts.
- Embed Realistic Fire Training as 'business as usual' within SYFR.

Councillor Burgess gave thanks for an interesting and informative presentation. She highlighted that Realistic Fire Training was vital for the safety of SYFR firefighters and ultimately the safety of the residents of South Yorkshire.

RESOLVED – That Members received the presentation.

10 MINUTES OF THE AUTHORITY MEETING HELD ON 16 OCTOBER 2017

Councillor Ayris highlighted the reference made in the minutes that updates following the Grenfell Tower fire would remain on the agenda; he queried why this did not form part of today's agenda.

Councillor Burgess stated that the issue would be kept live, and that SYFR would ensure that all lessons were learned from the incident and reported accordingly.

CFO Courtney added that a written paper would be presented to the Authority meeting in January 2018, to capture all activity post the Grenfell Tower fire.

Councillor Ayris referred to the recently established web page on the Authority's website, which published the responses to Members' questions that were unable to be answered at Authority meetings. He queried how accessible the web page was for members of the public, and he suggested that the most appropriate method would be to attach the responses to Members' questions to the minutes of Authority meetings.

Councillor Burgess stated that it had been agreed at the last Authority meeting to explore methods of publishing responses to Members' questions for public consumption. She considered that the link to the web page was an acceptable way to communicate such information.

A Frosdick stated that if the answers to the questions raised at Authority meetings could be provided within the meetings, then those responses would be documented within the minutes. In order to provide transparency, the answers to those questions raised at Authority meetings are included within a link next to the minutes of the meeting on the Authority's website.

Councillor Buckley suggested that the current web page be trialled for a 12 month period, following which an assessment could be undertaken to determine how members of the public and the Authority considered it to be working.

DCFO Blunden stated that 137 members of the public had viewed the SYFR Annual Report 2015/16 on the SYFR website.

RESOLVED – That Members:-

- i) Noted that a written paper would be presented to the Authority meeting in January 2018, to capture all activity post the Grenfell Tower fire.

- ii) Agreed that the method of publishing responses to Members' questions for public consumption via a link on the Authority's website be reviewed after a 12 month period.

11 REVISION OF CONTRACT STANDING ORDERS

A report of the Director of Support Services was presented to inform Members of the proposed amendments to the Contract Standing Orders (CSO's) which were a refinement of ongoing improvements that would strengthen the overall governance framework.

Members noted that it was necessary to review CSO's in order to ensure that they continued to reflect procurement best practice and remained fit for purpose.

Councillor Burgess stated that she was very pleased to receive the report, which provided an opportunity to view the suggested amendments to the CSO's.

Councillor Ransome gave thanks to M Wood for the very comprehensive report. She referred to the proposed amendment to CSO 27.2, which would alleviate Legal Services of mundane administration work and help to speed up the contract award process. She suggested that it should be stipulated that the decisions should be formally recorded, following the problems encountered with the lack of documentation in relation to Wirral Cladding & Roofing Ltd.

M Wood referred to SYFR's internal procedures which underpinned CSO's. A system was in place to record everything over £25,000 and was tracked as a work programme, together with a control document which would involve the client requesting a procurement. The Procurement Team would add comments and the document would be signed off by the sponsors and the SYFR Executive Team members. All decisions would be included on the Contracts Register which was published on SYFR's website. The Procurement Team would manage everything over £25,000 and anything below £25,000 would be included onto the YorTender electronic portal, which was audited for greater transparency.

Councillor Satur queried the level that would be submitted for Members' decision.

A Frosdick referred to the distinction between the thresholds to invite tenders and the Authority to accept a tender. Under the Constitution, the decision was delegated to CFO Courtney and would only be brought to the Authority if it was considered sufficiently sensitive and required Member input; many award decisions were of a straightforward nature. The decision to incur expenditure at the start of the process would require Member decision if it was above the threshold for Member approval.

M Wood stated that it was intended to present a report to the Authority meeting in January 2018 to explain the procurement of the Facilities Management contract which integrated all of the current contracts around Estates Management and Assets, worth approximately £1m per year, and to inform Members of the strategy proposed to be adopted within the Procurement Team, to seek Member endorsement.

Councillor Satur requested that Members have sight of the document in advance of the Authority meeting in January 2018.

Councillor Burgess suggested that Members considered the report in detail at the Corporate Advisory Group meeting to be held in either December 2017/ January 2018.

Councillor Ayris suggested that it was sensible for the SYFR Executive Team to make any minor changes to CSO's, but to bear in mind that Members had the ultimate governance responsibility. He suggested that a report be presented to the Authority on an annual basis to inform Members of any changes to the CSO's.

Councillor Hogarth highlighted the necessity for Members to be made aware of any changes to the CSO's and the benefits of supporting the people of South Yorkshire by purchasing locally.

M Wood commented that the issue was addressed within the Procurement Strategy and Policy 2018-2021, which explained how SYFR would support the local economy.

Councillor Clements stated that he would have appreciated more than one week to consider both the revisions to CSO's and the Procurement Strategy and Policy 2018-2021; he had many minor points to raise on the documents at a more appropriate time. He expressed concern in relation to the use of the framework agreements, in particular on how the Capital Programme would benefit local business. He suggested that a due diligence exercise be undertaken to determine who the contracts were let to, to ensure that business and employees in South Yorkshire saw the benefit of the money spent.

M Wood highlighted that SYFR was a niche buyer of equipment, which was unlikely to be manufactured locally. Fire and Rescue Services across England are collaborating to standardise the requirements with the intention to derive value from the market wherever possible; there was a need for frameworks within certain areas which could be problematic. The report to be presented to the Authority meeting in January 2018 would indicate that the plans for Barnsley Fire Station would not include a framework for contractors. The intention was to advertise for contractors locally within South Yorkshire; the estimates had indicated that the construction costs were below the European threshold. In relation to the Facilities Management Contract, SYFR was concerned about the balance between national and local bidders. SYFR had approached six local suppliers to attend a market warming day recently, of which none of those local suppliers attended. The Facilities Management contract would be advertised to framework providers and would enable local providers to tender.

Councillor Clements was pleased to learn of the position in relation to Barnsley Fire Station; he was reassured to learn that genuine local construction firms would have the opportunity to tender for the works. He added that M Wood had identified gaps in the market for specialised equipment which local firms may wish to enter into.

CFO Courtney highlighted that through the Home Office, the Government continually encouraged fire and rescue services to aggregate spend, which would enable a reduction in the cost per item. A strategic procurement project was underway, consisting of six different categories i.e. ICT, facilities management and transport, with the projects designed to bring fire and rescue services together to enable a combined order to be submitted in the hope to drive down the cost.

Councillor Haith welcomed the report, in particular the lowering of the thresholds which would provide for greater transparency and governance. She queried SYFR's staff capacity to deliver the increase in workload.

M Wood referred to the balance between using frameworks, which involved the front end of a procurement process being undertaken collectively, and the Procurement Team that would be involved in the middle of the process with a specification. It was noted that through centralising more work into the Procurement Team, the workload would be offset by the use of frameworks. SYFR undertook a process to review and identify any gaps in the current skill set, to determine how the gap could be closed through self-development or additional recruitment. Many internal improvements had been made and a small number of skill gaps had been identified. M Wood was currently filling those skill gaps from his experience, which he would transfer and embed into SYFR; many new standards and procedures were currently being produced. He envisaged that by the first quarter of 2018, that the skills would be up to the standards required, the Procurement Team would be self-sufficient and would be able to deliver the works seamlessly.

Councillor Damms queried whether the way in which SYFR's contracts were devised dissuaded local companies from bidding.

M Wood commented that this was an issue of concern from a procurement point of view. SYFR was extremely conscious of the need to break down the contracts, with one advertisement sent out in two lots i.e. hard and soft, to provide an opportunity for more local suppliers to bid. A market warming day had recently been held to explain SYFR's approach to the market, and to engage with local suppliers wherever possible.

Councillor Ransome queried how long M Wood had been employed by SYFR.

M Wood stated that he had been employed by SYFR for 6 months, with the remit to make strategic and tactical improvements to the Authority's procurement standards. His contract would run until the end of December 2017, with the option to extend the contract to June 2018.

Councillor Burgess thanked Members for the questions raised, and she highlighted the importance for Members to have sufficient time to ask pertinent questions on particular key issues, to ensure that the correct decisions were made. She suggested that it would have been more appropriate for issues such as the revision of CSO's and the Procurement Strategy and Policy 2018-2021 to have been discussed in greater detail at the Corporate Advisory Group. She recommended Members to address any additional detailed questions to S Booth or M Wood.

A Frosdick stated that in relation to CSO 35, the strict delegation would be for CFO Courtney to discharge issues through his Executive Team, who would consult him on any material changes. Members would be notified annually of any changes made.

Councillor Damms requested that Members be informed of any major changes to CSO's during the course of the year.

S Booth stated that initially when procurement matters had been presented to the Authority, it had been specified that a report would be provided to the Authority every other month; a report on property related matters would be presented to the January 2018 Authority meeting.

Councillor Burgess thanked the officers for the work undertaken.

RESOLVED – That Members:-

- i) Considered and approved the proposed changes to the Contract Standing Orders.
- ii) Noted that a report would be presented to the January 2018 Authority meeting in relation to the procurement of the Facilities Management contract, and to seek Member endorsement of the strategy proposed to be adopted within the Procurement Team.
- iii) Would consider in detail at the Corporate Advisory Group meeting to be held in either December 2017/January 2018, the report to be presented to the January 2018 Authority meeting.
- iv) Noted that an annual report would be submitted to the Authority to inform of any changes to the Contract Standing Orders.
- v) Noted that Members would be informed of any major changes to the Contract Standing Orders during the course of the year.
- vi) Were requested to address any additional detailed questions to S Booth or M Wood.
- vii) Noted that a report on property related matters would be presented to the January 2018 Authority meeting.

12 PROCUREMENT STRATEGY AND POLICY 2018-2021

A report of the Director of Support Services was presented to inform Members that the existing Procurement Strategy 2013-16 had expired and to present the new Procurement Strategy and Policy 2018-21.

Members noted the following key drivers of the Strategy and Policy:-

- Collaboration - The Home Office had encouraged additional collaboration with the blue light services and public sector authorities.

- Quality weighted Value for Money – Throughout SYFR.
- Continuous improvement – In SYFR staff, systems, processes and supply chains.

Members noted that the National Fire Chiefs' Council was working on a number of work streams to create a framework for specialised equipment and services, which SYFR was encouraged to move towards; some of which were 12-18 months away from being established. 80% of SYFR's non-staffing budget spent was through collaboration of frameworks, with only 20% currently over the revenue spend, which was tendered directly.

M Wood highlighted that SYFR's Procurement Team ensure the Authority's vision to make South Yorkshire safer and stronger is met by procuring goods and services that were both safe and reliable. SYFR had a duty to treat all suppliers equally, transparently and fairly. The Procurement Strategy worked alongside CSO's. SYFR was working closely with partners in order to share knowledge, identify opportunities and to collate data. Each procurement would be undertaken on the balance of risk, the market and subject matter. M Wood had recently analysed all of SYFR's contracts to identify the risks to SYFR. A total of 5 contracts had been identified as high risk, 20 contracts had been identified as medium risk and the majority of contracts were classed as low risk; appropriate contract management and monitoring would be implemented to ensure that SYFR did not suffer in the event of a supply chain breakdown.

Councillor Ayris thanked M Wood for the comprehensive report. He highlighted that no reference had been made within the Procurement Strategy and Policy to the electronic storage of data, which had been a particular problem in relation to the Wirral Cladding & Roofing Ltd records. He queried whether a periodic/frequent review of the quality/price relationship should be undertaken, and whether the Procurement Strategy and Policy should be reviewed in 2 years' time, due to the uncertainty of external influences.

M Wood stated that electronic document storage had not been addressed within the Procurement Strategy and Policy. Within the internal Procurement Team's procedures, there was a requirement that everything over £5,000 must be stored onto the YorTender portal, and that anything below £5,000 must be saved onto the Integra system and be associated with a purchasing order.

Councillor Burgess requested that reference to the electronic document storage be made within the Procurement Strategy and Policy.

Councillor Ayris queried the time limit of the electronic document storage, which was also relevant in relation to CSO documentation changes.

M Wood commented that the Authority would have a document retention policy in place, which was usually 6 years plus one for paper documents. He confirmed that he would amend the Procurement Strategy and Policy to include the electronic document storage and the retention policy. He suggested that an annual report should be presented to the Authority to provide an update on the Action Plan and highlight any changes. All reference to the EU had been removed from the CSO's.

Councillor Burgess requested that Members be provided with the amended document.

In respect of the pre-tendered framework agreements, Councillor Clements queried who would decide whether such agreements would offer best value for money. He requested an estimate as to the scale and problems faced in relation to the capacity and workload within the Procurement Team, and how it was envisaged to overcome those problems.

M Wood stated that any procurement team did not take procurement of a framework automatically; a desk top review of best value, appropriateness and risks would be undertaken every time. The Procurement Team now had access to frameworks for construction and Facilities Management which, following analysis, the Procurement Team did not consider that they were the most appropriate for the Authority, and had recommended an alternative strategy. The Procurement Team did not currently have any experience of the construction of contracts. M Wood was leading on the work of the Facilities Management contract in respect of CPC and Barnsley Fire Station. It was envisaged to go out to tender for Barnsley Fire Station shortly, and to ascertain the consultant skills required before Christmas 2017; the approach of which would be included within the report to be presented to the Authority meeting in January 2018.

Councillor Atkin welcomed the report. He informed the Authority that he was a Director of YPO, under RMBC, to which the Authority was an associate member of YPO. He queried whether SYFR had encouraged the local suppliers to register with YorTender. He queried whether SYFR had been present at a recent Meet the Buyers event held at the Magna Science Adventure Centre, Rotherham.

M Wood stated that SYFR analysed the market and undertook various services with the Companies House in order to identify appropriate local suppliers, who would be contacted via email or telephone to encourage them to register with YorTender if they wished to be invited to bid for a contract; SYFR did not undertake global market shots.

Councillor Maroof asked if SYFR ensured that the tender process was designed to establish contracts with those companies that paid the living wage and above to their employees, particularly in light of some multi-national companies which operated in different countries where child labour was an issue. He wanted to ensure that such conditions were imposed when working with such companies.

M Wood stated that the issue of the living wage was a key decision to be made by the Authority, to either introduce the national minimum wage/living wage. The report to be presented to the Authority meeting in January 2018 would propose the implementation of the living wage in relation to the Facilities Management procurement. In relation to the supply chain standards for modern slavery and child labour, SYFR was obliged by law to use a standard supply questionnaire which covered all criteria and would be completed by all small suppliers.

Councillor Haith stated that she would have preferred the Action Plan to have included a timeline.

S Booth confirmed SYFR's commitment to present a procurement report to the Authority, bi-monthly, in order to provide an update on the action taken against the Action Plan.

Dr Billings queried whether procurement with the police was undertaken regionally.

S Booth confirmed that procurement was undertaken with the police regionally.

Councillor Ayris queried whether there would be an opportunity to discuss the issues of the ethical procurement policies at another time.

Councillor Burgess suggested that ethical procurement policies should be discussed at the Corporate Advisory Group.

Councillor Burgess gave thanks to M Wood for answering Members' questions in detail. She suggested that in future issues such as this, which required detailed consideration by Members, be considered first at the Corporate Advisory Group.

RESOLVED – That Members:-

- i) Considered and approved the proposed Procurement Strategy and Policy 2018-21.
- ii) Noted that issues requiring in-depth Member consideration be submitted to the Corporate Advisory Group before FRA.
- iii) Noted that the Procurement Strategy and Policy would be amended to include the electronic document storage and the retention policy.
- iv) Noted that an annual report would be presented to the Authority to provide an update on the Action Plan and highlight any changes.
- v) Be provided with the amended Procurement Strategy and Policy.
- vi) Noted that a report would be presented to the Authority meeting in January 2018 to address:-
 - The approach for the Barnsley Fire Station tender.
 - To propose the implementation of the living wage in relation to the Facilities Management procurement.
- vii) Noted that a procurement report would be presented to the Authority, in order to provide an update on the action taken against the Action Plan, on a bi-monthly basis.

13 PROJECTED OUTTURN SEPTEMBER 2017 (Q2)

A report of the Director of Support Services was submitted which was the third in a series of reports that Members would receive throughout the financial year, to inform of the likely financial performance for the year ended 31 March 2018.

S Booth informed Members of a projected unplanned overall operating overspend of £0.484m which equated to 1.0% of the budget and had principally arisen from the assumptions factored in around a 2% pay inflation from firefighters rather than the 1% within the budget, together with the IRMP and the additional 15 firefighters that were envisaged to commence at SYFR from December 2017. It had been forecast, as part of the planned financial forecast at the beginning of 2017, to contribute approximately £1.5m into reserves which, taking into account the £0.484m projected overspend would result in a net contribution of general reserves of £1.246m.

Councillor Clements requested that Members be provided with a copy of the revised capital schedule for property related projects.

S Booth referred Members to the table within the capital programme monitoring section of the report, which included the re-profiling of the 2017/18 capital expenditure. He stated that the Medium Term Financial Plan 2017-20 report on today's agenda included a revised profile of the property spend on capital to 2020.

Councillor Ayris made reference to the SYFR website, which had indicated that a member of staff had been seconded to Safety Solutions UK Limited (SSUK). He queried the total number of SYFR staff that had been seconded to SSUK.

S Booth stated that he would clarify the position.

Councillor Ransome referred to the SSUK Shareholder meeting held in October 2017 where Members had been advised that a payment to SYFR of 2016/17 for fixed overheads from SSUK had been deferred to the current financial year to support cash flow; she queried where this was documented within the report.

S Booth stated that he was unsure where this would be shown within the report. The business terms agreed with SSUK was that the fixed overheads would be on a 12 month deferment basis, and would be embedded within SYFR financials from 2016/17.

Councillor Ayris requested a breakdown of the outcome of the Judicial Review of SYFR's proposed CPC arrangements to identify the implications that it now posed for the Authority.

S Booth stated that the matter would be addressed within the Update to the Integrated Risk Management Plan 2017-20 report on today's agenda.

RESOLVED – That Members:-

- i) Noted and considered the projected revenue overspend of £0.484m for the financial year ended 31 March 2018.
- ii) Noted that S Booth would clarify the number of SYFR staff that had been seconded to Safety Solutions UK Limited.

14 UPDATE TO INTEGRATED RISK MANAGEMENT PLAN 2017-20

A report of the Deputy Chief Fire Officer and Director of Service Development was presented to provide an update to the Integrated Risk Management Plan (IRMP) for 2017-20. The SYFR's IRMP 2017-20 had been approved by Members in April 2017 following a period of public and staff consultation.

DCFO Blunden informed Members of the slightly more optimistic and certain financial picture over the next few years. Members had requested at the Corporate Advisory Group held in September 2017 that an IRMP variation be presented to today's meeting, to indicate that the changes within the current IRMP would not be made to the crewing at Doncaster and Sheffield Central Fire Stations, and that a fifth day staffing appliance would be introduced in SYFR in 2018.

Members noted that the Fire Brigades' Union (FBU) had presented a legal challenge to the Authority earlier in the year in relation to the continued use of CPC and the current IRMP, and had requested a judicial review. The initial hearing had been held in July 2017 and had been found in the Authority's favour. The FBU had subsequently appealed the decision and the appeal hearing had been held on 16 November 2017. During the hearing the judge had determined that there was an arguable case on both sides for the appeal hearing to go to Court for a full day's hearing in March 2018. SYFR considered that the IRMP should reflect the risks to the Authority; CPC saved the Authority £1.6m per year and protected the immediate response from four of the fire stations across South Yorkshire.

DCFO Blunden stated that any changes made following the appeal hearing in March 2018 would result in no protection and a potential worsening of fire cover at four of the fire stations across South Yorkshire, as there would be no option to put £1.6m of resource back into SYFR. In such an eventuality a report would be presented to the Authority for consideration. If this was the case, it is likely that another fire station within the Doncaster District would become day staffing (or similar duty system) in place of Edlington Fire Station. He recommended that the IRMP variation be slightly amended to capture the activity of CPC and the implications for SYFR.

Councillor Ayris queried when the updated IRMP would be presented to the Authority.

DCFO Blunden stated that the updated IRMP as presented would be revised to include the information provided today, and would be published on SYFR's website, unless Members required sight beforehand. Any additional changes to the IRMP would not be made until after the appeal hearing in March 2018.

Councillor Ayris requested that Members have advance sight of the paragraph relating to potential CPC changes in the updated IRMP.

Councillor Burgess suggested that it would be advantageous for Members to be provided with a copy of the updated IRMP via email. She requested Members then indicate – by return e-mail – whether they agreed to the updated IRMP.

Councillor Clements stated that he was very pleased to observe that the earlier decisions to change the staffing levels at Sheffield and Doncaster Fire Stations had been reversed. He sought reassurance that the prioritisation of Sheffield and Doncaster Fire Stations was evidence based and not purely a matter of timings, following Barnsley and Rotherham Fire Stations that had been affected last year.

CFO Courtney stated that to some extent this had resulted from a matter of timing. The process by which the existing second pumps had been converted to day crewing night time retained had been undertaken on the basis of the quietest first; Barnsley Fire Station had been the least busy pump and had therefore been the first to undergo the transition, and Rotherham Fire Station had been the second station. Whilst the financial situation had sufficiently improved, and it was now unnecessary to proceed with the remaining proposals, it had not been considered appropriate to revisit those proposals already delivered. Part of the IRMP process was to continually reconsider issues when circumstances changed. It was believed that there was still a compelling argument for adding in the additional day crewing pumps to provide greater capacity during the day.

Councillor Haith queried whether any decisions would be made in relation to Edlington Fire Station either before or after the appeal in March 2018.

CFO Courtney stated that Edlington Fire Station was too busy for any alternative to CPC, although CPC worked very well on quiet stations; there were a number of health and safety implications for CPC on busy fire stations that could not be ignored. Members noted the degree of debate around Edlington Fire Station. If it was determined that CPC could not continue to be utilised, then alternative arrangements would have to be ascertained for Edlington Fire Station.

RESOLVED – That Members:-

- i) Approved the updated elements of the IRMP 2017-20.
- ii) Noted that the updated IRMP as presented would be updated to include the risk to CPC, the judicial review on the judgement, to capture the activity of CPC and the implications for SYFR.
- iii) Noted that the Corporate Advisory Group would discuss the judgement to be made in March 2018, before being formally presented to the Authority for decision.
- iv) Agreed to receive a copy of the IRMP via email with the further revisions, and to indicate whether they agreed those.
- v) Noted that, following Members acceptance to the updated IRMP, the document be published on SYFR's website.
- vi) Noted that no additional changes to the IRMP would be made until after the appeal hearing in March 2018.

15 EFFICIENCY PLAN UPDATE AUTUMN 2017

A report of the Deputy Chief Fire Officer and Director of Service Development was presented to provide Members with an update on the Efficiency Plan, which SYFR was required to publish under the criteria for Fire and Rescue Service Efficiency Plans set out by the Government in 2016.

Members noted that in October 2016, the Efficiency Plan had been submitted and accepted by the Government, which had resulted in a fixed funding settlement until 2019/20. The Service would continue to report to the Authority annually on the progress made to working towards meeting the objectives set out within the Efficiency Plan.

RESOLVED – That Members:-

- i) Approved the publication of the Efficiency Plan Update Autumn 2017.
- ii) Noted that a report would be presented to the Authority annually on the progress made to working towards meeting the objectives set out within the Efficiency Plan.

16 MEDIUM TERM FINANCIAL PLAN 2017-20: AN UPDATE

A report of the Clerk and Treasurer was submitted to provide an early insight and understanding as to the likely financial performance and position of SYFR ahead of the proposed Annual Revenue Budget and Council Tax Setting report that was due to be considered by Members on 12 February 2018.

I Rooth highlighted that the role of the Treasurer was to provide the Authority with assurance that the assumptions which underpin the Medium Term Financial Plan (MTFP) were robust and prudent, and they worked closely with S Booth in this regard.

The Medium Term Financial Plan was based on the IRMP, with the bulk of funding received from Central Government resources. The Efficiency Plan had been submitted and approved on the basis of receiving certainties from Central Government on the 4-year funding plan, which was a key assumption within the MTFP; any changes would be known through the local government financial settlement in December 2017. Members noted the council tax increase of 1.97% and the growth assumptions around council tax and business rates; the assumptions would be firmed up over the next 2-3 months following feedback received from the four South Yorkshire districts. The recent budget speech delivered by the Chancellor of the Exchequer had indicated that there would be a number of changes to the business rates and council tax; the assumptions were currently being worked through and would be firmed up for the February 2018 budget report to be presented to the Authority.

Members were referred to the two key issues in relation to expenditure for the assumptions on the pay award, 75% of the overall fire budget was based on salaries and the assumption for 2017/18 was that firefighters would be awarded a 2% pay increase. BMBC had worked with SYFR, in a treasury management

capacity, to review the minimum revenue provision and to change the way in which it was proposed to be undertaken. This issue would be debated in more detail at the Audit and Governance Committee today.

Members had previously approved a reserves strategy which would seek to use any available resources to fund capital projects, which the MTFP built upon.

I Rooth stated that the MTFP was prudent at this time, based upon reasonable assumptions.

S Booth highlighted that the MTFP was an important document for the Authority and a key enabler for the variations to be made to the IRMP. In relation to procurement, an in-depth review of finance had been undertaken through the Corporate Advisory Group. He assured Members that attempts had been made in relation to the spending assumptions, to future proof SYFR to deliver on the key vision and priorities with regard to emergency response, prevention and protection and all support services. SYFR had recently responded to a technical consultation on the finance local government settlement in relation to the excessiveness principles on council tax; the National Fire Chiefs' Council and SYFR had suggested further financial flexibility with regards to increasing the council tax by up to a maximum of £5 per property. The outcomes would be put forward as part of the provisional Local Government settlement.

Councillor Burgess thanked S Booth for the detailed report. She requested that the financial information in relation to the Authority and SYFR be separated within the MTFP in the future. She was pleased that further information in relation to the spend of reserves was beginning to be made available to Members, following the discussion held at the Corporate Advisory Group.

Councillor Satur questioned the equality between the firefighter pay award of 2% in 2017/18 and the support staff pay award of 1% in 2017/18. She queried the reference made within the report that the LIFE Scheme would be funded through SSCR, as it had previously been agreed that the LIFE Scheme would not be funded in this way. She also queried whether the reduction in support staff numbers following the Support Services Review would impact on the Authority's need to be prepared for the HMIC FRS inspection.

CFO Courtney stated that the pay awards for non-uniformed and uniformed staff were set nationally. The firefighter pay award had reflected the debate held earlier this year, whereby the employers had made an offer of 2% to be funded locally in the first instance and 3% to be funded by another means within the same year; the offer had ultimately been rejected. SYFR had an expectation to pay the 2% but had not yet done so. The support staff pay award reflected the public sector pay cap, there had been no suggestion by any party that it should be increased this year or in the future.

DCFO Blunden highlighted that reference to the LIFE Scheme within the MTFP referred to a reduction in the one off grant funding, as the LIFE Scheme was not funded out of SSCR.

CFO Courtney referred to the Support Services Review which included an example of an area where the shortfall of skill sets had been addressed, to ascertain where existing staff could 'up skill', rather than employing additional staff; it was hoped that the digital strategy and proposals for increased technology would assist existing staff.

Councillor Satur queried whether this related to the lack of Control staff.

CFO Courtney confirmed that this was not the case.

Councillor Ayris commented that he had expected to receive an illustration of the impact of continuing with the 2% council tax increase following the Corporate Advisory Group. He requested that officers produce an illustration of the consequences if the council tax was not increased up to the 2% threshold, to determine whether there was a necessity to do so.

S Booth stated that the current planning assumptions were included within the report. As part of setting the budget and council tax there was an opportunity for this to be debated and considered, and for Members to take a decision as whether to uphold the 1.97% that had been factored in. As part of working towards the budget in the New Year, the information would be submitted to a Corporate Advisory Group, in advance of the budget being set in February 2018.

Councillor Burgess highlighted that no decision would be made at today's Authority meeting. She was concerned that the DCLG had requested SYFR to provide a view on the council tax precept, and that a response should have been made from the Authority. She would expect that in the future, anything around the decisions of the council tax precept came directly from the Authority.

Councillor Atkin queried whether reference was made within the MTFP to the introduction of a sixth day crewing appliance, as referred to in the IRMP.

DCFO Blunden stated that this had been factored into the IRMP variation to indicate that during 2019/20 it would be envisaged to introduce a sixth day crewing appliance, subject to available funding; to be reviewed yearly and presented to the Authority for discussion.

Councillor Hogarth referred to the pay rise for support staff and firefighters. He queried how this would impact on the gender pay gap within the Authority and what was being undertaken to address the situation.

CFO Courtney stated that SYFR were obliged to conform to the decisions made by Government around both uniformed and non-uniformed pay; there would be implications due to the higher proportion of non-uniformed staff being female. SYFR were heeding Government's aspiration to employ greater numbers of female uniformed staff, which may balance out the position over time.

Councillor Hogarth suggested that the situation should be made public.

Councillor Ransome queried how the FBU had been involved and consulted in relation to the views of the staffing arrangements at the Doncaster Fire Stations.

DCFO Blunden stated that, as part of the regular joint negotiating meetings with the FBU and the meetings with the other trade unions, it had been discussed that no changes would be made to the staffing arrangements in Doncaster and Sheffield Fire Stations.

Councillor Ayris queried whether it would be possible for Members to have a breakdown of the recruitment in terms of the ambition to have a fully staffed wholetime service.

DCFO Blunden reported that a recruitment campaign would shortly commence to enable a total of 79 staff to be recruited over 2018/19, and that plans were in place to ensure a like-for-like replacement in order to meet the SYFR IRMP objective to ride 5 firefighters on the first term appliance; an additional 15 qualified firefighters would join the Service by December 2017.

RESOLVED – That Members:-

- i) Accepted the updated MTFP for the financial years 2018/19 to 2019/20, noting the contents of the report and in particular endorsed the proposed IRMP Variations and other operational changes that positively support SYFR in delivering its commitment to provide the best possible service to the people of South Yorkshire within the resources available to it (Sections A and B of the Report).
- ii) Accepted the proposed approach for managing reserves as set out in Section C to this Report – paragraphs 46 to 50 in particular endorsing:
 - The need to retain a minimum general reserve (including operational contingency) of £5m (c10% of the Net Revenue Budget).
 - The setting aside of £14.714m in a Capital Investment Reserve to finance capital expenditure incurred 2017-2020 on approved schemes, that would enhance the infrastructure, assets and equipment available to firefighters for providing emergency response.
 - The top up of the Invest to Save Reserve to facilitate the further modernisation and improvement of the Service linked to strengthening its operational efficiency and effectiveness.
- iii) Noted the up to date approved capital programme spending and financing projections 2017/18 to 2019/20 (Section D).
- iv) Noted the known financial risks and events that would need careful consideration and management when setting the 2018/19 Budget and Council Tax (Section E).
- v) Noted that the assumptions of the changes to the business rates and council tax, following the budget speech delivered by the Chancellor of the Exchequer, would be firmed up for inclusion into the budget report to be presented to the Authority meeting in February 2018.

- vi) Noted that the current planning assumptions would be discussed at a Corporate Advisory Group, in advance of the Authority meeting in February 2018.
- vii) Noted that the financial information in relation to the Authority and SYFR be separated within the MTFP in the future.

17 POLICE AND FIRE COLLABORATION BOARD PAPERS

A report of the Deputy Chief Fire Officer and Director of Service Development was submitted to provide Members with an update on the progress being made with the duty to collaborate in respect of South Yorkshire Police (SYP) as set out in the Policing and Crime Act 2017.

DCFO Blunden informed Members of an issue in relation to the LIFE Team, which had been a 'proof of concept' funded jointly by SYP and SYFR directly to deliver an intervention in the Sheffield district. SYFR had been clear in terms of presenting the initial proposals and requesting additional funding from the Authority over the last 12 months, that should no external funding be ascertained by 1 April 2018, the recommendation would be for the LIFE Team to cease in its current format. Despite the work undertaken by both the SYP and SYFR teams with the metropolitan boroughs and Yorkshire Ambulance Service (YAS), no additional funding had been ascertained for the LIFE Team. DCFO Blunden stated that therefore the Deputy Chief Constable and himself would recommend to their respective Chiefs that from 1 April 2018 the LIFE Team would cease. AM Helps would continue to work with YAS to ascertain whether there was any funding available.

Following a review over the last 15 months of the activity of the LIFE Team, it had been determined that, of the 6,000 plus visits made, less than 10% of those visits had been converted into Home Safety Checks (HSC), with a similar number of visits where crime advice had been given and a significant amount of work had been undertaken around the health agenda. Members noted that SYFR's budget was finely balanced and that any additional expenditure over and above that set out within the Medium Term Financial Plan would result in firefighters being unavailable. SYFR's core business was to provide an emergency response to the people of South Yorkshire.

Members noted the recommendation to cease the LIFE Team in its current format from 1 April 2018.

DCFO Blunden stated that a report would be submitted to the next Police and Fire Delivery Board to review the achievements and how they could be subsumed into business as usual, to be rolled out across all four districts in particular to the community and SYP hubs.

Councillor Burgess stated that it was necessary for Members to be kept updated on the many issues in relation to the Police and Fire Collaboration Board; she had a number of concerns and further questions to be raised. It is important that the Authority understand how the Board operated and its relationship with the Authority.

Councillor Ayris queried whether the minutes of the Police and Fire Collaboration Board could be submitted to the Authority meetings.

Councillor Satur highlighted the need to be informed of the financial implications from SYFR and SYP perspectives.

RESOLVED – That Members noted:-

- i) The contents of the report.
- ii) The recommendation to cease the LIFE Team in its current format from 1 April 2018.
- iii) That a report to be submitted to the next Delivery Board to review the achievements of the LIFE Team and how they could be subsumed into business as usual, to be rolled out across all four districts in particular to the community and SYP hubs.
- iv) The minutes of the Police and Fire Collaboration Board to be submitted to the Authority meetings.
- v) To be kept updated on the many issues in relation to the Police and Fire Collaboration Board.
- vi) That the Authority would be informed of the financial implications from the SYFR and SYP perspectives.

18 AMENDMENT TO THE LOCAL PENSION BOARD CONSTITUTION

A report of the Clerk to the Fire and Rescue Authority was presented to seek to make a further minor amendment to the Local Pension Board (LPB) Constitution, in respect of Section 8 – Tenure, for Pension Board members to serve no longer than two terms of 3 years, and that the Board and Scheme Manager would be responsible for extending the term beyond 6 years if it was felt appropriate to retain skills and expertise.

L Noble stated that when the LPB's had first been established in 2015, the CLG had issued guidance around the content of the LPB constitution. At that time there had not been a National Scheme Advisory Board and the guidance did not cover every eventuality as the LPB's evolved.

Members noted that in relation to Section 6.2 of the Constitution, the CLG Guidance had stated that Scheme Manager representatives could sit on the LPB, although this was not now recommended as best practice. The Constitution also needed to be amended to clarify allowances for LPB members which are only paid to the two Independent Members.

Councillor Ransome queried whether the appointment of Independent Members for the LPB was consistent with those in place for the Independent Members of the Audit and Governance Committee.

L Noble stated that the rules around LPB Member appointments originated from the CLG Guidance which was different to the co-opted Member or Independent Member arrangement which was determined locally.

Councillor Burgess stated that Councillor Atkin had agreed to attend future LPB meetings, in an observer capacity, on behalf of the Authority (as Scheme Manager).

Councillor Ayris queried the difference between Independent Members on the LPB and those serving on the Audit and Governance Committee.

A Frosdick stated that appointments to the Local Pension Board was covered within the regulations from the CLG, whilst the arrangements for Independent Members on the Audit and Governance Committee were a matter for the Authority.

RESOLVED – That Members:-

- i) Considered and approved the addition to Section 8 – Tenure.
- ii) Noted that the Local Pension Board Constitution would be amended to reflect:-
 - That it was not recommended as best practice for the Scheme Manager Elected Members to sit on the Local Pension Board as full Members.
 - That Local Pension Board Members did not receive an allowance, with the exception of the two Independent Members.
- iii) Noted that Councillor Atkin would attend future Local Pension Board meetings, in an observer capacity, on behalf of the Authority (as Scheme Manager).

19 INDEPENDENT MEMBERS OF THE AUDIT AND GOVERNANCE COMMITTEE

A report of the Clerk to the Fire and Rescue Authority was submitted which covered two issues in respect of the existing Independent Members of the Audit and Governance Committee to seek confirmation of the first four year term of office for Christopher Pilkington to January 2021 and to inform of the resignation and replacement for Colin Wane.

Councillor Burgess suggested that it would be advisable for the Evaluation (Interview) Panel to consist of Members from across the whole political spectrum of the Authority; Members were requested to inform L Noble of their interest to sit on the Evaluation (Interview) Panel.

Members noted that the advertisement to recruit an additional Independent Member of the Audit and Governance Committee would be made early in the New Year.

RESOLVED – That Members:-

- i) Confirmed the first term of office of four years for Christopher Pilkington to January 2021.
- ii) Tasked officers with developing a suitable appraisal process for Independent Members to be brought back to a future Audit and Governance Committee.
- iii) Noted the resignation of Colin Wane and gave approval for officers to commence the process to recruit an additional Independent Member of the Audit and Governance Committee.
- iv) Noted that the Evaluation (Interview) Panel would consist of Members from across the whole political spectrum of the Authority.
- v) Would inform L Noble of their interest to sit on the Evaluation (Interview) Panel.
- vi) Noted the advertisement to recruit an additional Independent Member of the Audit and Governance Committee would be made early in the New Year.

20 DRAFT MINUTES OF THE APPEALS AND STANDARDS COMMITTEE HELD ON 9 OCTOBER 2017

RESOLVED – That Members noted the draft minutes of the Appeals and Standards Committee held on 9 October 2017.

21 DRAFT MINUTES OF THE LOCAL PENSION BOARD HELD ON 17 OCTOBER 2017

RESOLVED – That Members noted the draft minutes of the Local Pension Board held on 17 October 2017.

22 DRAFT MINUTES OF THE APPOINTMENTS COMMITTEE HELD ON 31 OCTOBER 2017

Councillor Burgess welcomed Alex Johnson to the Authority and the Service.

RESOLVED – That Members noted the draft minutes of the Appointments Committee held on 31 October 2017.

23 MINUTES OF THE YORKSHIRE AND HUMBER EMPLOYERS ASSOCIATION HELD ON 3 OCTOBER 2017

RESOLVED – That Members noted the draft minutes of the Yorkshire and Humber Employers Association held on 3 October 2017.

24 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.

25 STRONGER SAFER COMMUNITIES RESERVE ROUND 3

A report of the Clerk to the Fire and Rescue Authority was presented to update Members on the submissions to the Fund, the assessment process and the projects that the Assessment Board had recommended to receive Round 3 funding.

RESOLVED – That Members agreed to the recommendations outlined within the report.

26 CONTINGENCY ARRANGEMENTS UPDATE

A report of the Deputy Chief Fire Officer and Director of Service Development was submitted to provide an update on the current arrangements with regards to the contingency arrangements together with a detailed proposal and associated costs for the consideration of Members.

RESOLVED – That Members:-

- i) Considered the contents of the report.
- ii) Instructed the Chief Fire Officer accordingly.

All Members voted in favour of the decision, with the exception of Councillor Hogarth who voted against the decision.

CHAIR

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Item 12

SOUTH YORKSHIRE PENSIONS AUTHORITY

30 NOVEMBER 2017

PRESENT: Councillor S Ellis (Chair)
Councillor R Wraith (Vice-Chair)
Councillors: S Cox, K Harpham, T Hussain, J Mounsey,
K Richardson, A Sangar, I Saunders, Z Sykes and K Wyatt

Trade Unions: N Doolan-Hamer (Unison), D Patterson
(UNITE) and G Warwick (GMB)

Officers: S Barrett (Interim Fund Director), A Frosdick
(Monitoring Officer), G Chapman (Head of Pensions
Administration), B Clarkson (Head of Finance), N Copley
(Treasurer) and G Richards (Democratic Services Officer)

Observers: G Boyington

Apologies for absence were received from Councillor S Durant
and M McCarthy

1 APOLOGIES

Apologies were noted as above.

2 ANNOUNCEMENTS

The Chair informed Members that Doncaster MBC had appointed Cllr John Mounsey as their Section 41 representative and Cllr Susan Durant as substitute.

Whilst recognising that it was not a matter for the Authority and endorsing the appointment of Cllr Mounsey, Cllr Cox remarked that he was disappointed that he had not been made aware of the process to select the Section 41 representative at Doncaster MBC..

RESOLVED – That the Authority approve the appointments of Cllr John Mounsey as Section 41 representative for Doncaster MBC and Cllr Susan Durant as substitute.

3 URGENT ITEMS

None.

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

None.

5 DECLARATIONS OF INTEREST.

None.

6 MINUTES OF THE AUTHORITY MEETING HELD ON 5 OCTOBER 2017

RESOLVED – That the minutes of the Authority meeting held on 5 October 2017 be agreed and signed by the Chair as a true record.

7 MINUTES OF THE INVESTMENT BOARD HELD ON 14 SEPTEMBER 2017

Members from all Districts reported queries from constituents on the Authority's climate change policy.

S Barrett replied that the Authority's policy was very clear, the belief was in engagement rather than divestment; he would provide Members with a position statement to answer any queries.

RESOLVED – That the minutes of the meeting of the Investment Board held on 14 September 2017 be noted.

8 MINUTES OF THE CORPORATE PLANNING & GOVERNANCE BOARD HELD ON 19 OCTOBER 2017

RESOLVED – That the minutes of the meeting of the Corporate Planning and Governance Board held on 19 October 2017 be noted.

9 MINUTES OF THE JOINT LOCAL PENSION BOARD HELD ON THE 5 OCTOBER 2017

RESOLVED – That the minutes of the meeting of the Joint Local Pension Board held on 5 October 2017 be noted.

10 WORK PROGRAMME

The Authority considered its Work Programme.

RESOLVED – That the Work Programme be noted.

11 SECTION 41 FEEDBACK FROM DISTRICT COUNCILS

Cllr Mounsey reported that he had answered questions regarding the financial position of the Fund with regard to DMBC's budget setting process.

Cllr Saunders had answered questions from Green Party members regarding the Authority's climate change policy.

There were no issues to report from Barnsley or Rotherham MBC.

12 QUARTER 2 PERFORMANCE SNAPSHOT REPORT

The Authority considered the Q2 Performance Snapshot report which was a summary of various information and statistics previously considered by the Authority's Boards.

RESOLVED – That the report be noted.

13 ANNUAL REVIEW OF RISK MANAGEMENT POLICY

A report was submitted to allow the Authority to review the Authority's Risk Management Policy and Corporate Risk Register.

Members were reminded that the Risk Management Policy had been fully updated 12 months ago; currently there was no need to amend the policy further.

The Authority considered the Risk Register which was presented at each meeting of the Corporate Planning and Governance Board. Members were informed that a new risk had been added since the last meeting of the Board on 19 October 2017. This risk concerned protecting the fully funded position of the Fund as reported to the Investment Board in September. An equity protection strategy was being prepared which would be considered by the Investment Board at its December meeting.

S Barrett gave an update of the more recent risks:

General Data Protection Regulation – this was a big issue at the moment and would be considered later on the agenda.

MiFID II (Markets in Financial Instruments Directive) – the Investment Board had been advised that the 'opt-up' process was underway at its September meeting. A further report would be considered at its December meeting.

Transfer of SY Passenger Transport Pension Fund to Greater Manchester Pension Fund – data had already been transferred with the transfer of assets to be completed in the next few weeks.

It was noted that the probability and impact rating had not been included for the more recent risks. This was an oversight which would be remedied.

RESOLVED - That the Authority:

- a) Note the Risk Management Policy.
- b) Note the Corporate Risk Register.

14 REVENUE ESTIMATES 2018/19 - ADMINISTRATION AND INVESTMENT MANAGEMENT EXPENSES

A report was submitted to consider the Authority's draft revenue estimates for 2018/19 in respect of administration and investment management expenses, in the context of the continuing financial constraints facing public services, and to approve the levy under the Levying Bodies (General) Regulations 1992.

The report was presented against a background of the requirement from Government for LGPS funds to pool their investment assets. The process of asset transfer to BCPP would start in June 2018. Members had recognised that the process was not one that would reduce costs for the fund as so much of the fund was internally managed.

The budget presented at this stage included further provision for the Authority's share of set up costs of BCPP and also (in 2018/19) provision for the transition of some

assets to BCPP, costs associated with the transition and ongoing management costs relating to those assets. The rest of the assets would transfer over a further period of approximately 18 months.

B Clarkson reminded Members that the Authority had always strived to manage the Fund within the budgetary constraints imposed and, as a table within the report showed, had consistently achieved underspends over the last few years.

For 2017/18 an increase in base budget was approved, this increase was made up almost entirely of the provision for set up costs of BCPP and the Administration division restructure.

The revised figures for 2017/18 increased that further by £44,000, the detail behind that was shown at Appendix B. The largest variation was the cost of advice and actuarial work for the proposed equity protection programme.

Members were reminded that a report on staffing structure post-pooling had been considered by the Authority in October and it had also been agreed that the time was right to recruit a permanent Fund Director and to plan to replace the retiring Head of Pensions Administration. The advert for the Fund Director had now closed and an appointment anticipated early in the New Year; the advert for the Head of Pensions Administration would close early in the New Year.

The budget for 2018/19 to maintain the current level of service was shown in Appendix A at £8,935,100 against the base 2017/18 budget of £7,173,100, this was an increase of £1,762,000. As expected the budget was changed significantly due to pooling with major changes in the investment division staffing and a new post-pooling structure giving reductions of around £400,000, however, external costs in respect of BCPP increase by over £2 million. Other, less significant changes were detailed at Appendix C.

RESOLVED – That the Authority:

- a) Approve the revised estimates for 2017/18 in the sum of £7,217,100.
- b) Approve a levy of £464,000 for 2018/19 on accordance with the Levying Bodies (General) Regulations 1992.
- c) Note the preliminary forecasts for 2018/19, and refer the estimates to the District Councils for comment.

15 POOLING UPDATE

S Barrett presented a report to update Members on the progress of pooling in the Border to Coast Pension Partnership Ltd (BCPP).

Members noted the following:

- The Joint Committee (JC) had approved the submission of the application to the FCA.
- The JC had approved the range of investment funds that BCPP would offer.

- Appointments had been made for the Chair, CEO and Chief Operating Officer along with two Non-Executive Directors. Interviews were planned for the two remaining senior roles of Chief Investment Officer and Chief Risk Officer.
- A draft staffing structure was noted by the JC at its meeting on 20 October.
- The JC agreed a Responsible Investment/ESG policy consistent with that of SYPA.
- The JC had agreed in principle to appointing two shareholder directors; officers were working with the Governance Sub-Group and would report back on the method of selection and associated issues (such as conflicts of interest) after taking advice from monitoring officers.

Members were informed that the next Joint Committee meeting was on 16 January 2018 prior to which the Chair would meet with the Trades Union representatives and the Chair of the Local Pension Board to go through the agenda.

G Warwick expressed frustration with the lack of progress on getting non-voting Trades Union representatives on the Board.

The Chair informed Members that she had raised the issue at the meeting of the Joint Committee who had decided to review the matter at a later non-specified date. She assured Members that she would continue to press for Trades Union representation on the Board.

RESOLVED – That the report be noted.

16 FREEDOM OF INFORMATION ACT 2000: ANNUAL REPORT

A report was submitted to provide Members with an update on Freedom of Information requests.

It was noted there had been 22 requests between November 2016 and October 2017, the majority relating to information on investment holdings. The Authority had responded to all requests within the 20-day limit required by the Act.

RESOLVED - That the report be noted.

17 THE GENERAL DATA PROTECTION REGULATION

G Chapman presented a report to inform Members of the background and general principles of the General Data Protection Regulation (GDPR) and to update on preparation for its implementation on 25 May 2018.

As a pension scheme administrator, SYPA are responsible for maintaining and processing huge amounts of personal data and whilst the Authority had an excellent record of managing data under the provision of the Data Protection Act, all aspects of data management must be reviewed in line with the GDPR.

Members were informed that the cornerstone of the GDPR was Privacy by Design which ensured that those responsible for managing and processing personal data must adhere to five principles which were listed in the report.

The report also listed the significant areas that were currently under review including a review of privacy notices and scheme member communication of the GDPR.

G Chapman informed Members that, although it was still the early stages of a major project, progress had been made in a number of areas especially in relation to awareness and training.

A table within the report detailed progress made so far, including the purchase of the Egress email management system to enhance the security of the data received and shared.

RESOLVED – That the report be noted.

18 THE LIVING WAGE

A report was submitted to seek approval to incorporate the Living Wage supplement into the agreed pay structure with effect from 1st October 2017.

Members were informed that that the Living Wage was an informal benchmark and was not legally enforceable. It was promoted by the Living Wage Foundation and was based on the amount it had been calculated that an individual needs to earn to cover the basic costs of living.

There were over 3500 employers who have signed up to pay the Living Wage including the four South Yorkshire district councils.

The current rest of the UK rate was £8.75 per hour; the cost of implementation from 1st October 2017 was £3,300 for 17/18 and £7,400 for 18/19.

RESOLVED – That the Authority approve the implementation of the Living Wage supplement with effect from 1st October 2017.

CHAIR

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 21 November 2017
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

Councillors D. Birkinshaw (Chair), G. Carr, Coates, M. Dyson, Franklin, Gollick, Grundy, Hampson, Hand-Davis, Hayward, Leech, Makinson, Markham, Mitchell, Noble, Richardson, Riggs, Spence, Stowe, Tattersall, Unsworth, Wilson and R. Wraith

72. Declarations of Interest

Councillors Makinson and Unsworth declared Non-Pecuniary interests in **Planning Application No 2017/1203** – [Erection of 7 no. bungalows with provision of associated access road and landscaping] at land between 24 and 20 Meadstead Drive, Royston, Barnsley S71 4LN as they are Berneslai Homes' Board Members. Councillor Noble also declared a Non-Pecuniary interest in the same application (2017/1203) as she is a tenant of Berneslai Homes.

73. Minutes

The minutes of the meeting held on 24th October 2017 were taken as read and signed by the Chair as a correct record.

74. Land off Park Spring Road (opposite ASOS), Little Houghton, Barnsley - 2017/0782 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0782** [formation of car park at Land off Park Spring Road (opposite ASOS) at Little Houghton, Barnsley] .

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

75. Land between 24 and 20 Meadstead Drive, Royston - 2017/1203 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1203** [Erection of 7 no. bungalows with provision of associated access road and landscaping] at land between 24 and 20 Meadstead Drive, Royston, Barnsley S71 4LN

RESOLVED that the application be granted in accordance with the officer recommendation.

76. 86A Burton Road, Monk Bretton, Barnsley - 2017/0587 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0587** [Erection of split level part 2 storey/part 3 storey detached dwelling with partially exposed basement floor and associated areas of hard and soft

landscaping including retaining walls] at 86A Burton Road, Monk Bretton, Barnsley S71 2AA

RESOLVED that the application be granted in accordance with the officer recommendation and subject to signing of Section 106.

77. Lidl Foodstore, Mitchells Way, Wombwell - 2017/0726 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0726** [Variation of conditions 2 and 7 of application 2015/0927 (erection of A1 retail food store and associated works) to reduce the provision of electric vehicle charging points from 2 to 1] at Lidl Foodstore, Mitchells Way, Wombwell, Barnsley S73 8D

RESOLVED that the application be granted in accordance with the Officer recommendation and subject to signing of Section 106.

78. The Caravan Park, Shaw Lane, Carlton - 2016/0726 - For refusal

The Head of Planning and Building Control submitted a report on **Planning Application 2016/0726** [Removal of condition 2 of planning permission 2011/0143 (appeal ref APP/R4408/A/11/2155046) – Change of use of land for siting of 2 no. residential caravans and associated facilities to allow permanent retention of caravan site] at The Caravan Park, Shaw Lane, Carlton, Barnsley S71 3HJ

RESOLVED that the application be refused in accordance with the Officer recommendation.

79. Land at Gunthwaite Lane, Gunthwaite, Penistone - 2016/0215 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/0215** [Erection of detached agricultural workers dwelling (Resubmission)] at land at Gunthwaite Lane, Gunthwaite, Penistone, Sheffield S36 7GE.

RESOLVED that the application be granted in accordance with the Officer recommendation with an additional condition imposing an agricultural tie to the existing farmhouse as well as to the proposed dwelling.

80. Planning Appeals - 1st to 31st October 2017

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2017/18.

The report indicated that no appeals were received in October 2017 and no appeals were withdrawn in October 2017. Two appeals were decided in October 2017.

It was reported that 12 appeals have been decided since 1 April 2017 of which 7.5 appeals (62.5%) have been dismissed and 4.5 of which (37.5%) have been allowed since 1st April 2017.

RESOLVED that the appeals update report for 2017/18 be noted.

81. Application to divert footpath at Tyers Hall Farm - minor amendment

The Assistant Director, Highways, Engineering and Transportation submitted an application to amend the previously approved application to divert Darfield public footpath nos. 3 and 4 at Tyers Hall Farm, between Ardsley and Darfield.

RESOLVED that

- i. In exercise of statutory powers, the Council makes Public Path Orders under the provisions of section 119 of the Highways Act 1980 for the diversion of Darfield footpaths 3 and 4 at Tyers Hall Farm as shown on the plan.
- ii. The Director of Legal and Governance be authorised to publish the Orders and to confirm them himself in the event of there being no objections thereto.
- iii. In the event objections are received which cannot be resolved, the Director of Legal and Governance be authorised to submit the Orders to the Secretary of State for confirmation and to take all necessary steps to support the Orders at any public inquiry, informal hearing or written representation as necessary.
- iv. The Director of Legal and Governance be authorised to make a Definitive Map Modification Order to make the necessary changes to the Definitive Map and Statement for the area.

Chair

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MEETING:	Audit Committee
DATE:	Wednesday, 6 December 2017
TIME:	4.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

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

37. APPOINTMENT OF CHAIR

RESOLVED that Councillor Richardson be appointed Chair of the Committee for the purposes of this meeting only.

38. DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

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

39. MINUTES

The minutes of the meeting held on the 22nd September, 2017 were taken as read and signed by the Chair as a correct record.

40. ACTIONS ARISING FROM THE PREVIOUS MEETINGS

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

The Executive Director Core services reported that following a request made at the Workshop meeting held on the 1st November, 2017, he was in the process of preparing a report to address matters raised in relation to the scrutiny function of the authority. This report would be submitted to Committee sometime in the New Year.

RESOLVED that the report be noted.

41. STRATEGIC RISK REGISTER - FULL REVIEW 2017

The Executive Director Core Services submitted a report prefacing a report to be submitted to Cabinet on the 10th January, 2018 on a full review of the Strategic Risk Register undertaken in October 2017 and presenting the outcomes of that review.

The report, which was presented by Mr A Hunt, Risk and Governance Manager formed part of the Committee's assurance process where it was agreed that following the completion of the review of the Strategic Risk Register, the Committee consider the latest version and provide appropriate comments thereon.

The Register contained those high level risks that were considered significant potential obstacles to the achievement of the Authority's Corporate Objectives. It was important that the Register remain up to date and be reviewed regularly in order

to accurately reflect the most significant risks to the achievement of objectives and facilitate timely and effective mitigations to those risks.

Following a review of the Strategic Risk Register in March 2017, a further review had been undertaken in October, 2017 the outcomes of which were detailed within the report. Mr Hunt outlined the way in which the register had been reviewed together with the role of the Senior Management Team in this process. He commented on the main components of the review and the items included.

The report outlined:

- The introduction and background to the Strategic Risk Register
- The distribution of the risks across the six concern rating classifications
- The changes since the last review with the inclusion of an additional risk 4103 (Waste PFI Insurance Risk) which had been added following its escalation from the operational risk register for Environment and Transport. It was noted that increased insurance premiums applied to Waste PFI Operators were passed back to the Partnership which, in turn, would put pressure on the Medium Term Financial Statement as there was currently no additional finance available to fund any increase experienced by the Operator. Whilst this was not a strategic risk in nature, it had been included due to the significant impact this could have. It was anticipated that discussions which were ongoing with external advisors to the Waste PFI project would be completed shortly following which there would be further discussions with all parties including SMT and appropriate Service Directors and Executive Director
- The significant /red risks and new and emerging risks and the risk mitigation actions. In relation to this, particular reference was made to the work that had been undertaken in relation to the following risks:
 - Risk 3026 (Failure to Achieve a reduction in health inequalities)
 - Risk 3792 (Failure to be prepared to assist in the event of an emergency resilience event in the region)
 - Risk 3793 (Failure to ensure that appropriate disaster recovery arrangements are in place to ensure the Council is able to recover in the event of a business continuity threat)
- Other significant risks to the Strategic Risk Register

A further review of the Register was now programmed with other governance related reports relating to Corporate Finance and Performance Management in order for the Cabinet to receive and consider governance related reports as a broad suite of documents.

The report and Register indicated how assurance against significant risk was being managed appropriately and Appendices to the report provided details of:

- The background to the Strategic Risk Register
- The 'direction of travel' trends
- The risks that had been completed/closed

- The new risk mitigation actions
- A copy of the full Strategic Risk Register as at October 2017

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

- A new and emerging risk would be in relation to the Glassworks project. It was noted that the scheme was well managed and there was good governance, however, SMT had wanted this expressed as a strategic risk given the significance for the economic regeneration of the area and the impact this would have on the Town Centre. Arising out of this, there was a discussion of:
 - the underlying concerns/risks identified with both and of the action taken to ameliorate as far as was possible, the issues identified
 - the funding arrangements and within this context, the identification of appropriate strategies, contingency and reserves arrangements
 - the action being taken to secure tenants, the letting arrangements and the timescales associated therewith
- in relation to Risk 3792 (Failure to be prepared to assist in the event of an emergency resilience event in the region), it was noted that an assurance had been made to the Senior Management Team that matters were being addressed appropriately. A further update for the Committee would be provided
- a written protocol and adequate and appropriate relationships were in place and had been refreshed between all necessary departments and agencies in order to respond to incidents identified within the completed/closed Risk 3035 (Loss of Assets and resources as a result of a one-off incident of fraud/corruption/bribery or sustained or widespread occurrences). The arrangements were working well as anticipated and currently one case was being pursued because of the significant nature of the matter involved.
- Arising out of the above, reference was made to the Data Protection Act arrangements currently in place and to those being developed in order to comply with the General Data Protection Regulations 2018 information about which had been provided to the workshop meeting held on the 1st December, 2017.
 - The Information Governance Board had the necessary plans and resources in place and the Head of Internal Audit and Corporate Anti-Fraud was to be the designated Data Protection Officer. Further reports would be submitted to this Committee as work progressed.
 - The voluntary assessment of the Authority by the Information Commissioner last month had been both positive and constructive and gave a reasonable level of assurance. Whilst some recommendations had been presented for improvements, the inspection had generally been happy with the Authority's approach to the General Data Protection Regulation arrangements

RESOLVED that the report on the outcome of the recent review of the Strategic Risk Register in relation to the management, challenge and development of the Register

be noted and the Committee continue to receive periodic updates as to the process of the actions taken and their impact on the Strategic Risk Register.

42. INTERNAL AUDIT QUARTERLY REPORT 2017/18 - QUARTER ENDED 30TH SEPTEMBER, 2017

The Head of Internal Audit and Corporate Anti-Fraud submitted a report providing a comprehensive overview of the key activities and findings of Internal Audit based on the Service's work covering the whole of the second quarter of the 2017/18 audit year.

The report covered:

- The issues arising from completed Internal Audit work in the period
- Matters that had required investigation
- An opinion on the ongoing overall assurance Internal Audit was able to provide based on the work undertaken regarding the adequacy and effectiveness of the Authority's internal control environment
- Progress on the delivery of the Internal Audit Plan for the period up to the end of the second quarter of 2017/18
- Details of Internal Audit's performance for the quarter utilising performance indicators

Internal Audit work undertaken during the period did not identify any fundamental recommendations, however, a notional 'no assurance' opinion was given arising from the review into the Highways Design and Construction Service

The internal control assurance opinion overall remained adequate based on the results of the work undertaken during the quarter.

Of the 39 recommendations followed up, 33% had been implemented by the original target date, 23% had been implemented after the original target date and 44% had not been implemented, with revised implementation dates being agreed by management.

In relation to the Audit Plan, actual days delivered were in line with the profile for the first half of the year.

Quarterly performance of the function was generally satisfactory. The Performance Indicators relating to chargeable time was slightly below profile but this was due, in the main, to the bedding in of the newly appointed Audit Manager and Principal Auditor. These officers were now working to capacity and the percentage of chargeable time was rising accordingly.

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

- 16 reviews were currently ongoing with five in the draft report stage

- Work was ongoing to understand why audit recommendations were not being implemented by the agreed target dates given that these were agreed by the service in question. Internal Audit were providing challenge about the setting of dates and how achievable these were.
- Appendix 2 to the report indicated that whilst only one report had been issued during the quarter, this did not represent the entire output of the Service. Outcomes from the Service's increasing consultancy based audit work were not included. It was noted that such reviews tended to be less tangible and/or less formal than the traditional audit reporting reviews. The objective when conducting this type of work was to deliver a more flexible approach to Internal Audit by providing 'real time', added value feedback during the audit year. The Head of Internal Audit and Corporate Anti-Fraud emphasised that all internal audit work contributed to the overall annual opinion
- In relation to the failure to adhere to timescales, there was a discussion as to how various aspects of a Manager's Performance Indicators in relation to the requirement to meet corporate compliance targets could or should be incorporated into the organisations Improvement Framework. In this way, Managers could then be held fully accountable for their actions in relation to the implementation of audit recommendations. The Head of Internal Audit and Corporate Anti-Fraud commented on the varying reasons for the delay in implementing recommendations and that a further analysis of those reasons would assist in challenging whether or not originally suggested timescales were relevant/appropriate
- It was noted that one fundamental recommendation had been given a revised target date for completion. An update on this would be provided to a future meeting
- In response to specific questioning, there was a discussion about subsidiary companies/organisations and the way in which systems and processes were audited or scrutinised in terms of financial management and governance.
- The Head of Internal Audit and Corporate Anti-Fraud gave a brief outline of the organisations in which the Authority was involved. He made reference the varying methods in which such organisations were held to account and within this context commented on financial management arrangements, the partnership and relationship/governance arrangements as well as the ways in which issues of concern could be escalated.
- The Risk and Governance Manager commented that these types of issue were being expressed within the AGS Framework document an update on which was to be submitted to the next meeting. In this respect, the Committee could, under its new Terms of Reference, call in the lead officer concerned if Members had any particular concerns.
- Arising out of the above discussion, the Executive Director Core Services briefly commended on lessons learned from the Digital Region Company in relation to the identification and management of risks
- The Committee noted that the Council's External Auditor KPMG audited companies that were 100% owned by the Authority

RESOLVED

- (i) that the issues arising from the completed internal audit work for the period along with the responses received from management be noted;
- (ii) that the assurance opinion on the adequacy and effectiveness of the Authority's Internal Control Framework based on the work of Internal Audit in the period to the end of September 2017 be noted;
- (iii) that the progress against the Internal Audit Plan for 2017/18 for the period to the end of September 2017 be noted; and
- (iv) that the performance of the Internal Audit Division for the second quarter be noted.

43. CORPORATE ANTI-FRAUD TEAM PROGRESS REPORT

The Head of Internal Audit and Corporate Anti-Fraud submitted a report providing an account of the work of the Corporate Anti-Fraud Team for the period 1st April to 31st October, 2017.

The report provided details of the following activities in which the Team were currently involved:

- Council Tax Support investigations
- Council Tax fraudulent liability claims
- Right to Buy investigations
- Corporate Investigations
- National Fraud Initiative involvement
- Tenancy Fraud
- Fraud Awareness training
- The review of the Corporate Anti-Fraud and Corruption Policies
- Work with External Clients

An appendix to the report gave details of sample fraud cases that had been investigated together with the results/outcome.

The report indicated and the Principal Auditor (Corporate Anti-Fraud) gave details of the positive impact the Team was having in tackling fraud which was very much welcomed. It was noted that the Team's work was continuing to have significant results as initiatives were now becoming embedded within the Council's processes and procedures.

The Principal Auditor (Corporate Anti-Fraud) referred, amongst other things, to the following:

- The use of the 'Fraud Hotline'. Arising out of this it was noted that the majority of allegations of irregularity received from members of the public in relation to Council Tax were now referred to the DWP for consideration and investigation.
- Joint working arrangements were being developed between the Service and the DWP in relation to Council Tax investigations which would lead to financial savings for both organisations
- Work undertaken in relation to the National Fraud Initiative had been particularly successful
- Work was continuing and the service was in the process of uploading the single person database for the annual mandatory check
- Work was continuing with Berneslai Homes in relation to Tenancy Fraud and a further two referrals had been received for further follow up, the outcomes of which would be reported to a future meeting
- Fraud Awareness training was continuing and was now 'live' on the Council's new e-learning platform (POD)

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

- In response to detailed questioning, information was provided about the ways in which the Authority attempted to ensure that there were no duplicate payments. It was noted that no duplicate payments had been identified since October 2016. Arising out of this discussion, the Head of Internal Audit and Corporate Anti-Fraud reported on the outcome of discussions with a specialist company who were willing to provide a free risk review of payments data. Decisions on whether or not to purchase any additional software would be dependent upon the outcome of that review
- There was a discussion of the increase in the Empty Property discount on second properties, of the implications of this and of the action taken to prevent fraud
- It was noted that Fraud Awareness Training was mandatory for all 'new starter' and it had been suggested that this be made mandatory for all employees
- Reference was made of the need to improve publicity of successes of the service as this would act as a deterrent to further fraud. This was something that the Service was actively investigating
- Arising out of the above, reference was made to the development of a full suite of guidance and policy documents which were currently under consideration by SMT prior to consideration by Cabinet and this Committee prior to launch. Following this, it might be appropriate to arrange for further publicity to be undertaken

RESOLVED:-

- (i) that the progress made in the development of effective arrangements and measures to minimise the risk of fraud and corruption be noted; and
- (ii) that the Committee receive six monthly progress reports on internal and external fraud investigated by the Corporate Anti-Fraud Team.

44. EXTERNAL AUDIT - TECHNICAL UPDATE AND PROGRESS REPORT

Ms C Partridge (KPMG) presented the Technical Update and External Audit progress report.

The Committee was informed that work was ongoing in relation to the planning of the audit of the Financial Statements and Value for Money with the intention of bringing the audit plan to a meeting early in the New Year. The work on certifying the housing benefits return was in the final stages and the Teachers' Pension and Pooling of Housing Capital Receipts return had been certified and no issues had been identified.

The KPMG pensions team had also been commissioned to undertake work in relation to the impact of the Local Government Pension Scheme surplus on the Authority. Arising out of this, there was a discussion of the rationale for this work and the potential implications for the Authority of any changes particularly in relation to employer contributions and the need to protect the value of the scheme.

An appendix to the report gave details of the 2017/18 deliverables together with the timing and status of those deliverables.

The report then went on to give details of KPMG resources and recent technical developments.

RESOLVED that the External Audit progress report, resources and technical update be noted.

45. AUDIT COMMITTEE WORK PLAN 2017/18 AND 2018/19

The Committee received a report providing the work plan for the Committee for its proposed scheduled meetings for the remainder of the 2017/18 municipal year together with the indicative plan for meetings in 2018/19.

It was reported that due to regulatory changes in the timing of the approval of the Final Accounts, (which now required Council approval by the end of July), there had been a number of changes to the work programme. In addition the meetings scheduled for 18th July and 21st September, 2018 were likely to change. Further information would be submitted to the January meeting.

RESOLVED that the core work plan for 2017/18 meetings of the Audit Committee and the indicative plan for meetings in 2018/19 be approved and reviewed on a regular basis.

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Chair

MEETING:	Planning Regulatory Board
DATE:	Tuesday, 19 December 2017
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

Councillors D. Birkinshaw (Chair), G. Carr, Coates, M. Dyson, Gollick, Hampson, Hand-Davis, Hayward, Higginbottom, Leech, Makinson, Mitchell, Richardson, Riggs, Spence, Stowe, Tattersall, Unsworth, Wilson and R. Wraith

In attendance at site visit

Councillors D Birkinshaw (Chair), Hayward, Mitchell and R Wraith.

82. Declarations of Interest

Councillors Unsworth and Makinson declared Non-Pecuniary interests in **Planning Application nos 2017/1400, 2017/1426 and 2017/1431** due to them being Berneslai Homes Board Members. Berneslai Homes is the applicant.

Councillor Riggs declared a Non-Pecuniary interest in **Planning Application 2017/1218** (Erection of detached bungalow (Outline with all matters reserved) at land to the rear of 309 Dodworth Road, Barnsley S70 6PN) as he referred the application to the Board.

Councillor G Carr declared a Non-Pecuniary interest in **Planning Application 2017/1218** (Erection of detached bungalow (Outline with all matters reserved) at land to the rear of 309 Dodworth Road, Barnsley S70 6PN) as she lives close to the site.

83. Minutes

The minutes of the meeting held on 21st November were taken as read and signed by the Chair as a correct record.

84. Land east of Lundhill Road, Wombwell - 2017/1001 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1001** – Residential development of 150 no. dwellings with associated access, car parking, landscaping, public open space and infrastructure (Amended Description) at land east of Lundhill Road, Wombwell, Barnsley S73 0RL.

Mr Matt Burrow addressed the Board and spoke in favour of the officer recommendation to approve the application.

Ms Turton addressed the Board and spoke against the recommendation to approve the application.

RESOLVED that the application be granted in accordance with the officer recommendation and subject to completion of S106 Agreement (provision of

education, public open space, affordable housing and enhancement of off-site footpaths) plus additional conditions requiring implementation of biodiversity mitigation scheme, archaeology investigation work and provision of grit bins.

85. Land to the West of Wakefield Road, Mapplewell, Barnsley S75 6DL - 2016/0337 and 2017/0520 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/0337** (Application for approval of reserved matters of outline planning permission 2014/0249 for 46 dwellings including means of access, laying out of internal access roads, open space and associated works); and **Planning Application 2017/0520** (Erection of 193 no. dwellings including means of access, laying out of internal access roads, suds, open space and associated works (Reserved Matters)).

Ms Laura Mepham addressed the Board and spoke in favour of the officer recommendation to approve the application.

Mr Dave Hilton addressed the Board and spoke against the officer recommendation to approve the application.

RESOLVED that applications 2016/0337 and 2017/0520 be approved in accordance with the officer recommendation, that each application be subject to completion of a S106 Agreement (provision of education, public open space and affordable housing) plus additional conditions requiring a management and maintenance regime for the SUDS attenuation ponds for the lifetime of the development.

86. Land to the rear of 309 Dodworth Road, Barnsley - 2017/1218 - For refusal

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1218** (Erection of detached bungalow (Outline with all matters reserved) at land to the rear of 309 Dodworth Road, Barnsley S70 6PN).

Mr G Bird addressed the Board and spoke against the officer recommendation to refuse the application.

RESOLVED that the application be deferred to enable further discussions between Officers and the applicant about the possibility of an annex as an alternative to an independent dwelling and/or to enable the applicant to provide more information about how the development would cater for the requirements of his disabled daughter.

87. Capitol Close, Dodworth, Barnsley - 2017/1002 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1002** (Erection of 15 no. industrial units in 8 blocks (classes B1, B2 and B8) with associated car parking at Capitol Close, Dodworth Barnsley)

RESOLVED that the application be granted in accordance with the officer recommendation.

88. Land off New Road/Lidgett Lane, Tankersley - 2017/1113 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1113** (Reserved Matters application of 2016/0952) –Residential development of 56 dwelling houses and access (Amended Plans) at land off New Road/Lidgett Lane, Tankersley, Barnsley S75 3AE).

RESOLVED that the application be granted in accordance with the Officer recommendation without a further Section 106 Agreement as all of the requirements for the development are covered by the S106 Agreement which is in place for the outline planning permission.

89. Former garage site at Kirk Cross Crescent/Pinfold Lane, Royston, Barnsley S71 4PJ - 2015/0895 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2015/0895** (Erection of 5 no. detached and semi-detached residential dwellings (Amended Plans) at former garage site at Kirk Cross crescent/Pinfold Lane, Royston, Barnsley S71 4PJ)

RESOLVED that the application be approved in accordance with the officer recommendation subject to the completion of a S106 Agreement requiring the payment of £10,000 as compensation for loss of greenspace; plus the imposition of an additional condition removing permitted development rights for plots 1-3 to carry out further extensions.

90. Manor Grove and West End Avenue, Royston, Barnsley - 2017/1400 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1400** (Erection of 2 pairs of semi-detached bungalows with associated access works at Manor Grove and West End Avenue, Royston, Barnsley).

RESOLVED that the application be approved in accordance with the officer recommendation.

91. West End Avenue, Royston, Barnsley - 2017/1426 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1426** (Erection of 1 pair of semi-detached bungalows at West End Avenue, Royston, Barnsley)

RESOLVED that the application be approved in accordance with the officer recommendation.

92. Land adjacent to 54 Doles Crescent, Royston - 2017/1431 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/1431** (Erection of 1 no. bungalow at land adjacent to 54 Doles Crescent, Royston, Barnsley, S71 4LA)

RESOLVED that the application be approved in accordance with the officer recommendation.

93. Planning Appeals - 1st to 30th November 2017.

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2017/18.

The report indicated that 2 appeals were received in November 2017:-

- **Planning Application 2017/0088:** Residential development of 21 dwellings (Outline including means of access).
- **Planning Application 2017/0345:** Erection of 1 no. dwelling (Outline) at Stonehaven, Higham Lane, Higham, Barnsley S75 3LA.

It was decided that no appeals were withdrawn in November 2017. 7 appeals were decided in November 2017.

It was reported that 19 appeals have been decided since 1 April 2017, 12.5 of which (65.7%) have been dismissed and 6.5 of which (34.3%) have been allowed.

RESOLVED that the update report be noted.

Chair

MEETING:	General Licensing Regulatory Board
DATE:	Wednesday, 20 December 2017
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors C. Wraith MBE (Chair), P. Birkinshaw, J. Carr, Clarke, Frost, S. Green, Daniel Griffin, W. Johnson, Lamb, Millner, Murray, Richardson, Saunders, Shepherd, Spence, Tattersall and Wilson

21 Declaration of Interests

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

22 Minutes

The minutes of the meeting held on the 25th October, 2017 were taken as read and signed by the Chair as a correct record.

23 Model Licensing Conditions for Animal Welfare - Deviation

The Executive Director Place submitted a report seeking approval for a deviation from the Model Licensing Conditions adopted by the Council in October 2014 and applied in Animal Licensing in limited circumstances where the Council was in receipt of formal advice from an Independent Veterinary Surgeon that animal standards would be maintained in doing so.

The Model Conditions included subsequent revisions to the national guidance some of which was having a disproportionate effect on local businesses. An example of this was the guidance for Dog Boarding Establishments 2016 which introduced minimum requirements of sleeping areas for dogs (irrespective of the size of the dog) and which also doubled these requirements for dogs from the same 'family' sharing a sleeping area. To meet these new requirements some businesses would have to knock down their existing kennel blocks or close their business on the basis that the works rendered the business unviable.

It was proposed, therefore, that subject to Independent Veterinary approval, businesses be allowed a variation from these Model Conditions subject to there being no adverse effect on animal welfare. In such circumstances it was likely that the licence would be conditional on specifying that enclosures only be used for dogs of a certain size. It was also proposed that were major changes were introduced following the review of the National Guidance, Regulatory Services be given discretion to apply transitional periods for the implementation of that particular condition.

It was noted that the various Model Licensing Conditions would continue to be revised and other similar requirements introduced, therefore, in addition to the above, approval was also sought for a 'non-specific' deviation from the Model Conditions in circumstances where there was formal confirmation from an Independent Veterinary

Surgeon that the specific deviation from those conditions would still maintain good animal welfare standards.

In the ensuing discussion, the following matters were raised:

- Whilst some members supported those proposals on the basis that there were adequate animal welfare safeguards in place, some felt unable to support them. They pointed out that the Model Licensing Conditions would have been developed in discussion and consultation with appropriate Veterinary Experts and trade organisations and, as such, felt it was inappropriate to go against those recommendations irrespective of the size of the animal concerned.
- There was also some concern at the proposal that further changes be made to the Model Licensing Conditions without prior reference to this Board
- It was noted that some businesses might be unable to comply with the Model Conditions as it would not be financially viable for them to make the required adaptations to their premises. It was pointed out by some Members, however, that the trade would have been aware of the changes being introduced for some time and they should, therefore, have made the necessary arrangements to comply with them. Other Members felt that it was probably better to allow the necessary deviation as in this way, the Animal Welfare Service could continue to work with the businesses concerned and thereby continue to improve animal welfare
- No information was available at the meeting about the number of premises that currently complied with the new standards
- There was some concern that the proposals could lead to a 'dual' approach to kennelling standards with some premises meeting the existing standards and some having a dispensation. This could perhaps give the latter businesses a financial advantage. It was pointed out, however, that any new build kennels would be required to fully comply with the Model Conditions
- Some members were in agreement that smaller dog breeds, for example, would not require the same kennelling space as larger breeds and provided that there was approval by an Independent Veterinary Surgeon, they saw no issues in allowing a deviation from the Conditions
- There was some concern that once a deviation was agreed some smaller kennels could be used at times of high demand for larger breeds. It was noted, however, that the Service undertook annual inspections and also responded to any complaints received. In addition, for premises with an approved deviation, ad hoc inspections could be arranged
- It was suggested that any deviation should be time limited until such time as improvements were made to comply with the Model Conditions
- The Board was advised that the Model Conditions were merely guidelines and that the Council could impose whatever conditions it considered reasonable. The proposal presented today was a means of dealing with the new arrangements in a pragmatic way. The concerns of Members was understandable and it was, therefore, appropriate, if approved, for the Board to receive an update on how the arrangements were working in 6 to 12 months' time

RESOLVED:

- (i) that a deviation from the Model Licensing conditions, where officers are in receipt of advice from an independent veterinary surgeon that this deviation will not adversely affect welfare standards for animals of a particular type or size, be approved;
- (ii) that the proposal to permit Regulatory Services to apply transitional periods to the implementation of model licensing conditions involving major changes or disproportional cost to businesses be approved in principle subject to any changes being reported to this Board in the first instance; and
- (iii) that a report on the operation of the new proposals and also addressing the concerns of Members now raised be submitted to the Board within 12 months.

24 Taxi Demand Survey - Results of Survey

The Service Director Culture, Housing and Regulation submitted a report providing information on issues raised by the results of the recent taxi demand survey into whether there was unmet demand for Hackney Cabs (taxis that could ply for hire) in the Borough and seeking approval to the recommendations of that survey report.

The Board was reminded that the Council had retained a limit on the number of hackney cabs since its inception in 1974. There were currently 67 hackneys within the Borough but in order to retain a limit, the Council was required to undertake a survey into unmet demand on a regular basis. Such a survey had been undertaken earlier in the year and a copy was appended to the report.

The report, in outlining the survey methodology, indicated that the results of the survey were somewhat complex and these findings were summarised within that report.

The findings indicated, amongst other things, that

- there was a highly significant unmet demand mainly in the early hours of the morning at weekends when only 58% of the available hackney cabs were working. There was a problem in getting drivers to work during the busiest late night/early morning and whilst this was recognised by the trade, many drivers did not want to work at these times citing safety issues and family commitments
- 87% of the respondents to the driver survey supported retaining the cap on the number of vehicles as this meant that drivers were known to the travelling public, fareshare was kept low, vehicles were maintained to a high standard and pollution and congestion were kept under control
- Customer satisfaction was high despite waiting times at busy periods and customers appeared to accept the need to wait
- Taxi marshals were seen as a positive and improved the safety of both drivers and the public
- Whilst there had been a reduction in the number of drivers, this had been offset by the move to the issuing of dual licences, however, there was a shortage of private hire vehicles at peak times which was increasing the pressure on hackney vehicles

- The trade saw the entry requirements for new drivers as being too onerous although the Licensing Service considered that these requirements were necessary to ensure that all drivers were seen to be fit and proper and were suitably trained

It was noted that there appeared to be a lack of vehicles working at unsociable hours, however, any increase in the number of licenced vehicles would not guarantee additional vehicles being available at peak times and, in addition, there was no legal way of ensuring that vehicles worked at times of high demand. The solution to the unmet demand was, therefore, with drivers themselves who needed to be encouraged to work longer hours or to exchange less busy hours for peak times when their services were needed.

It was reported that since the receipt of the report the Council was working closely with the trade to try to resolve these issues. Officers had already held meetings with the Taxi Liaison Group and with representatives of the trade when discussions had focused on the need to encourage drivers to work during the unsociable hours (when there was an unmet demand) and on the recruitment of new drivers who might be willing to work at such times. It was proposed that this work continue and that a further review be undertaken with a report being submitted to the Board in 12 months' at which time, based on the findings of that review, a decision would be made as to whether there should be an increase in the number of licenced hackney cabs or, alternatively, whether the cap should be lifted completely.

With the consent of the Chair, Councillor C Wraith MBE, Mr D Wilson (Licensing Consultant) representing the Hackney Carriage Association addressed the meeting.

Mr Wilson thanked the Chair for allowing him to speak on behalf of his clients. There was very little he could add to the report as the findings were accepted by the trade and by the Council alike. It was pleasing to note that both the Hackney Carriage and Private Hire Trade were working together with the Council in order to achieve positive results.

He concurred with the findings of the report. The problem associated with unmet demand wasn't the shortage of vehicles but the reluctance of drivers to work unsociable hours. This was not, of course, unique to the Hackney Trade as the Council now issued dual licences to all applicants and drivers were still unwilling to work such hours. He agreed with the Council that the solution was not to lower the standards for new applicants or increase the number of cabs but was to work with existing drivers to try to address the problem. He commented on the positive steps already taken by the Council in addressing the issue in the Trade Liaison meeting and with members of the trade.

The Chair commented on the positive relationship that existed between the Council and the Hackney Carriage and Private Hire Trade and to the standard of vehicles that had improved significantly over recent years. There were no legislative powers to require drivers to work during unsociable hours and, therefore, it was hoped that an amicable solution could be found.

In the ensuing discussion, the following matters were raised:

- The concerns of drivers surrounding safety and the impact on family commitments of working unsociable hours was noted

- In response to specific questioning, it was reported that a number of hackney carriage vehicles had CCTV cameras installed
- It was noted that taxi drivers were self-employed and, therefore, the EU working directive was not applicable
- The increase in the number of cabs would not solve the problem; it was the lack of drivers willing to work late nights, at weekends and at unsociable hours which was not an attractive proposition. Arising out of this:
 - there was a discussion as to how to incentivise drivers to work such hours and whether or not there needed to be a recruitment exercise
 - it was felt important that people saw taxi driving as a career of choice rather than a job of last resort
 - increasing fares (and thereby income) for unsociable hours may have unintended consequences and lead to an increasing use of 'Facebook' taxis
- It was felt that the Taxi Marshal initiative had been extremely successful, should be continued and enhanced if possible
- It was noted that the longest wait for a taxi had been 14 minutes, overall satisfaction was high and passengers were willing to wait
- The importance of addressing the unmet demand could not be overestimated given the importance of the night time economy coupled with the current investment in the town centre. It was noted that discussions were ongoing between the Highways Service and the taxi trade with regard to the Town Centre regeneration and the location of ranks

RESOLVED:

- (i) that the report and taxi demand survey report be noted;
- (ii) that renewed Taxi Marshal provision be fully taken advantage of with continued enforcement action being taken in order to minimise unlicensed operations ('Facebook taxis');
- (iii) that the Trade work together to maximise hackney carriage availability at all times, including the consideration of shared driving (one vehicle utilising several drivers) and also the encouragement of new drivers to enter the trade as a key part of their future;
- (iv) that the Licensing Service work with the Trade to facilitate new drivers being recruited but without compromising the application process;
- (v) that better signage be provided for the Market Hill rank together with marketing of its existence and that the hackney carriage trade be encouraged to increase daytime presence at this location;
- (vi) that a further review/survey be undertaken in 12 months' time to identify if levels of vehicle availability have increased;
- (vii) that the report on the findings of the review be submitted to this Board and include consideration of whether or not the number of hackney cabs should stay the same, be increased or whether the cap should be lifted completely; and

(viii) that further update reports on progress be submitted throughout the year.

At the conclusion of the meeting the Chair, Councillor C Wraith MBE, wished all Members and Officers a Happy Christmas and a healthy and prosperous New Year.

Chair

MEETING:	Statutory Licensing Regulatory Board
DATE:	Wednesday, 20 December 2017
TIME:	3.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors C. Wraith MBE (Chair), J. Carr, Clarke, Frost, S. Green, Daniel Griffin, W. Johnson, Saunders, Spence, Tattersall and Wilson

1 Declaration of Interests

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

2 Minutes

The minutes of the meeting held on the 14th November, 2017 were taken as read and signed by the Chair as a correct record.

3 Enforcement Update

The Service Director Culture, Housing and Regulation submitted a report providing and overview of the work of Licensing Enforcement Officers undertaken recently in relation to the Licensing Act 2003.

(a) Whispers

The meeting of the Statutory Licensing Regulatory Board Sub Committee arranged for 21st November, 2017 to hear the objection of the South Yorkshire Police to the application for a transfer of the licence for Whispers had been cancelled following the withdrawal of the objection. It was noted that agreement had been reached between the Police and the proposed premises licence holder to ensure compliance with the licensing objectives.

(b) Reduce the Strength Initiative

Work was continuing with licenced premises within the Town Centre to reduce the availability of high strength cans of beer, lager and cider.

On the 15th November, 2017 19 cans had been recovered from Sparrow Park, Peel Parade and Pinfold Steps, 6 of which had been traced back to three off licences believed to be owned by the same person. This number was less than was expected and it was hoped this was evidence of an improving situation.

Officers were continuing to work with the South Yorkshire Police to progress the initiative by targeting street drinkers to gain further evidence as to where purchases were made. In addition, officers were continuing to work with licensees to prevent the sale of single cans of high strength alcohol in the hope of reducing litter and anti-social behaviour in the town centre

It was pleasing to note that one premise within the town centre had voluntarily agreed to his premises licence being conditioned that he would not sell beer over 6.5% strength in single cans and bottles.

A further operation had been undertaken in the week commencing 11th December, 2017 and 90% of cans/bottles found had been traced back to the premises which, whilst an increase on the number found compared to the previous exercise, gave evidence upon which to take action against certain premises.

(c) Immigration checks in licensed premises

An exercise had been undertaken on the 29th November, 2017 involving Licensing Officers and the Immigration Enforcement Officers following the receipt of an intelligence report. No evidence of any offence had been found.

(d) Test Purchase Operations

Following the receipt of information Licensing Officers and representatives of the South Yorkshire Police were to arrange for test purchase operations on certain premises across the borough. Any premises failing the operation would be given advice, assistance and guidance to ensure compliance in the future.

(e) Best Bar None Accreditation Scheme

The launch of the scheme on the 14th November, 2017 had been very successful with around 70 attendees and nine town centre premises had signed up to the scheme on the night. Officers would visit those premises which did not attend to encourage greater participation.

It was reported that proactive enforcement action would continue to take place on a regular basis. In addition, further enforcement action was being planned with various agencies including the Police, the Immigration Service as by doing so, and by encouraging all individuals licenced under the Licensing Act 2003 to accept responsibility for failures, that the safety of the public could be maintained.

In the ensuing discussion, the following matters were raised:

- In relation to Whispers
 - The outcome to this issue was the best that could be expected. Once the premises were open, they would be monitored closely (in view of the previous issues that had occurred) with periodic reviews to ensure compliance with the requirements of the licence
 - It was noted that the new Premises Licence holder had agreed to all the additional requirements added to the licence which were required to ensure safeguarding the premises and the public
- In relation to Immigration checks
 - It was noted that in addition to acting upon information received, routine inspections were also undertaken
 - It was felt that publicity about operations undertaken should have a positive effect in reducing the presence of illegal workers

- In relation to Test Purchases
 - Information was provided on the methodology for undertaking test purchases
 - Arising out of the above, reference was made to the way in which evidence collected from CCTV was utilised
 - It was noted that very few premises failed in the Test Purchase operations.
 - In premises which failed the test, many of the issues identified related to a lack of confidence of staff to challenge and a lack of training. The premises concerned would still be fined but the Service would try to work with the proprietor to ensure that there was no repeat offences
 - In relation to the sale of tobacco, this was not covered under the Licensing Act legislation, however, if the Authority became aware of underage sales, the Smoking Enforcement Officer could pursue such issues under Trading Standards Legislation
- In relation to Best Bar None
 - Licensing Enforcement Officers had visited all premises within the last two weeks and 80% had indicated a willingness to join the scheme and it was hoped that more businesses would be 'signed up' by the end of January
 - Reference was made to the operation of the 'Ask for Angela' scheme and to the action that customers could take with bar staff if they felt they were being intimidated in any way
- General issues
 - It was noted that the Service worked extremely hard, but within limited resources, to ensure compliance with the Licensing Act legislation. The initiatives referred to in this report only represented a small selection of the work undertaken. Other work in which the Service was involved included Gambling, Scrap metal and small lotteries related issues.

RESOLVED:

- (i) That the Board place on record their thanks and appreciation to the staff within the Licensing Service for all their hard work in undertaking enforcement activities and ensuring the continued safety of the public and for the outstanding results currently achieved; and
- (ii) That update reports on all enforcement activity be submitted to the Regulatory Board on a regular basis.

At the conclusion of the meeting the Chair, Councillor C Wraith MBE, wished all Members and Officers a Happy Christmas and a healthy and prosperous New Year.

Chair

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Item 19

NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL

28th November 2017

Present: Councillors C Wraith MBE (Chair), Frost and Philips together with Councillor Hampson (Reserve Member).

Members of the Public and Press were excluded from all meetings.

1 Declarations of Interests

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

2 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr P C

The Panel considered a report of the Service Director Culture, Housing and Regulation on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence.

Mr P C was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided to grant the application for a Hackney Carriage and Private Hire Driver's Licence on the following grounds:

- There was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions
- The manner in which he presented himself
- The time that had elapsed since the last offence and his unblemished record since that time
- The remorse and shame shown at the offences committed
- The assurance that he was now a different person from the one who had committed the offences

The decision of the Panel was unanimous.

9th January, 2018

Present: Councillors C Wraith MBE (Chair), P Birkinshaw and Clarke together with Councillor Murray (Reserve Member).

3 Hackney Carriage and Private Hire Driver's Licence – Application Mr Z A

The Panel considered a report of the Service Director Culture, Housing and Regulation on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr Z A.

Mr Z A was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided to grant the application for a Hackney Carriage and Private Hire Driver's Licence subject to review in 6 months' time and on the following grounds:

- The manner in which he presented himself
- His admission to the offence and the genuine remorse shown
- The fact that he claimed (and appeared to demonstrate the fact) that he had changed and would not commit any further offences
- The fact that he had maintained employment and obtained a Class 2 HGV Licence
- In line with Council Policy, he had applied for a licence and the mitigating factors considered were:
 - The revocation of his previous Hackney Carriage and Private Hire Driver's Licence was more than one year ago
 - The offence for dishonesty was more than two years ago

The decision of the Panel was not unanimous.

4 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr S A

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting the determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr S A.

Mr S A was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided to revoke the Hackney Carriage and Private Hire Driver's Licence on the following grounds:

- The accumulation of four Written Warnings within a 12 month period for failing to adhere to the Conditions of Licence and for making false statements on his application for the renewal of his licence on 2 occasions
- His admission that, in relation to the renewal application, he had signed to say that he had read the Conditions of Licence but at the meeting then admitted that he had not done so
- His body language at the meeting which did not satisfy the Panel that he took this matter seriously
- The betrayal of trust placed in him when the Licensing Service originally granted him a Licence
- His failure to present any evidence to warrant a deviation from the Council's Guideline Policy for Criminal Convictions
- The Licensing Service had presented sufficient evidence to convince the Panel that he was not a fit and proper person to hold such a licence

The decision of the Panel was unanimous.

Item 20

APPEALS, AWARDS AND STANDARDS REGULATORY BOARD

(a) School Admission Appeals Panel – 21st November, 2017

Holy Trinity	2 Withdrawn 1 Refused
Athersley North Primary	1 Allowed
Hoylandswaine Primary	2 Refused
Cawthorne Primary	2 Refused

(b) School Admission Appeals Panel – 24th November, 2017

St Michael & All Angel's Primary	1 Refused
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(c) School Exclusion Review – 27th November, 2017

Barnsley Academy	Exclusion Upheld
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(d) School Admission Appeals Panel – 28th November, 2017

Gawber Primary	1 Refused
Summerfields Primary	1 Refused
Penistone Grammar	1 Allowed 1 Refused
The Hill Primary	1 Withdrawn
Summer Lane Primary	1 Refused
High View PLC	1 Refused

(e) School Admission Appeal Panel – 6th December, 2017

Darton College	1 Allowed
Horizon College	1 Refused
Wilthorpe Primary	1 Refused
Gawber Primary	1 Refused
Shawlands Primary	1 Refused

(f)	School Admission Appeal Panels – 11th December, 2017	
	Dearne ALC	1 Refused
(f)	School Admission Appeals Panel – 13th December, 2017	
	Darton Primary	1 Allowed
(g)	School Admission Appeals Panel – 17th January, 2018	
	Athersley North Primary	1 Refused
	Dearne ALC	2 Refused

Other appeals withdrawn prior to the allocation of a date

Wellgate Primary	2 Withdrawn
Mapplewell Primary	1 Withdrawn
Darton Primary	2 Withdrawn
Wilthorpe Primary	1 Withdrawn
Horizon College	1 Withdrawn
Kirk Balk	1 Withdrawn
Holy Trinity	1 Withdrawn
Worsbrough Common Primary	1 Withdrawn
The Hill Primary	1 Withdrawn

Item 21



MEETING:	Overview and Scrutiny Committee
DATE:	Tuesday, 5 December 2017
TIME:	2.00 pm
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

Councillors W. Johnson (Chair), P. Birkinshaw, G. Carr, Charlesworth, Clarke, K. Dyson, Frost, Daniel Griffin, Hampson, Hand-Davis, Hayward, Lofts, Mitchell, Pourali and Tattersall together with co-opted members Ms P. Gould and Mr J. Winter and Ms K. Morritt

40 Apologies for Absence - Parent Governor Representatives

No apologies for absence were received in accordance with Regulation 7(6) of the Parent Governor Representatives (England) Regulations 2001.

41 Declarations of Pecuniary and Non-Pecuniary Interest

Councillors G. Carr, Charlesworth and Tattersall each declared a non-pecuniary interest in relation to minute 44 in so far as discussion related to their positions on the Corporate Parenting Panel.

42 Minutes of the Previous Meeting

The minutes of the meeting held on 17th October 2017 were approved as a true and accurate record.

43 Suicide Prevention in Barnsley

The following witnesses were welcomed to the meeting:

Julia Burrows, Director of Public Health, BMBC
Phil Ainsworth, Health and Wellbeing Officer, Public Health, BMBC
Rebecca Clarke, Public Health Principal, BMBC
Clare Foster, Public Health Specialty Registrar, BMBC
Councillor Jim Andrews, Cabinet Spokesperson for Public Health
Michael Potter, Service Director, Business Improvement and Communications

The item was introduced by Julia Burrows, Director of Public Health, BMBC. Suicide prevention is one of the indicators in the Public Health Outcomes Framework and falls under the strategic responsibility of the Director of Public Health. The first national suicide prevention strategy was published in 2012. Following this, Councils were given the responsibility for developing local suicide action plans through their work with Health and Wellbeing Boards (HWBs). Barnsley has been working on developing our suicide prevention work through the development of our multi-agency suicide prevention group, audit and local action plan. This work was presented to the Barnsley Health and Wellbeing Board in January 2017 and has been recognised as an exemplar of good practice by Public Health England.

The Barnsley suicide audit gives an insight into the characteristics of people who took their own lives in Barnsley between 2010 and 2015, the circumstances of their suicide and the services they had been in contact with. It was highlighted that 85% of suicides in Barnsley between 2010 and 2015 were male. There are a number of risk factors associated with suicide, including debt, social isolation, unemployment, inadequate housing, family and relationship problems and drug and alcohol abuse, which are being addressed within the action plan.

Questions were asked in response to the report and introductory presentation, which included the following points:

- Members were concerned about a perceived lack of availability and access to mental health services within the wider community and particularly at weekends, which it was felt may contribute to the large number of suicides on Mondays. It was felt that this is a key issue and should be raised at the Mental Health workshop on 12th December;
- Negative effects of diminishing resources are mitigated through effective multi-agency partnership working. The suicide prevention group is multi-agency, meets every 6 weeks and is always well attended by partners;
- One third of those who committed suicide had contact with primary care in the month before their death (mainly for a mental health condition), indicating a need to raise awareness and promote self help and national campaigns more widely. A successful Suicide Prevention Day social media campaign #AlrightPal reached over 31,000 people with a view to reducing the stigma attached to mental health and suicide. Locally, work is underway with Barnsley Football Club to address the stigma issue.
- Members were reassured that the needs of children and young people are taken care of. Mindspace and Chilypep support and enhance the emotional wellbeing of children of secondary school age and TADS (based at the Core) provides tools and techniques to help them manage mental health issues such as anxiety, stress and depression. Primary school children are able to access the THRIVE programme. The availability of services in schools is currently being mapped to identify gaps and ensure all children can access help and support.
- There is a need to improve veterans' access to mental health support services, which will be achieved by creating more posts for therapists in NHS trusts.
- Although 52% of people who took their own lives were known to have relationship problems, there is no mechanism in place to offer help and support to every resident who experiences a relationship breakdown. However, work is underway with schools around healthy relationships and building resilience.
- Work with those bereaved by suicide is limited, although consultation with the Barnsley Mental Health Forum, a service user led group, did provide valuable feedback on the action plan. Work is underway across the Yorkshire and Humberside region to scope the potential to commission regional services for those bereaved by suicide. Members felt that more work should be done with those who have been bereaved as a result of suicide to learn from their experiences.

RESOLVED that:

- (i) Representatives be thanked for their attendance and contribution.
- (ii) The report be noted and the points raised in the discussion be fed into the forthcoming Mental Health Workshop; and that
- (iii) Further information be provided to the Committee regarding:
 - waiting times to access Mental Health services in Barnsley (including both NHS and 3rd sector);
 - the extent of service provision over the 6 week summer holidays (including how many children are accessing these);
 - a breakdown of where people who commit suicide originate from (when not born in Barnsley) and finally
 - how many therapists have been recruited by the NHS to work specifically with veterans.

44 Barnsley Provisional Education Outcomes 2017

The following witnesses were welcomed to the meeting:

Nick Bowen, Executive Principal of Horizon Community College and Joint Chair of Barnsley Schools' Alliance Board

Margaret Libreri, Service Director, Education, Early Start and Prevention, People Directorate

Gary Kelly, Head of Service-Barnsley Schools' Alliance, People Directorate

Councillor Tim Cheetham, Cabinet Member, People (Achieving Potential)

The item was introduced by the Service Director, Education, Early Start and Prevention. Members were updated with regard to the provisional education outcomes for children and young people in Barnsley, broken down by pupil group, from assessments taken in 2017 together with an overview from the Early Years Foundation Stage (EYFS) to Key Stage 5 (A-Level).

It was highlighted that there is much to celebrate:

- for children in EYFS, the gap between Barnsley and national results has narrowed
- The percentage of KS2 achieving expected levels in reading writing and maths has increased from 53% to 59%
- Progress for pupils between KS1 and KS2 are above the national average in writing and maths.
- At KS4 the gap between Barnsley and national results is just 0.5% for the Attainment 8 measure, whilst 59.1% of Barnsley students achieve a grade 4 or above in both English and maths, which is above the national average of 58.5%.

However, there are some areas for improvement, including outcomes for boys in EYFS, reading in EYFS, outcomes for disadvantaged students and those with special educational needs.

Questions were asked and challenges were made in response to the report and introductory presentation, which included the following points:

- A regional project and work with the Children and Young People's Family Trust is ongoing to improve EYFS reading outcomes, as evidence suggests that children's capacity to do well in reading is influenced by early cultural experiences before they even start school. Programmes such as 'Bookstart' are in place to work with babies up to school age.
- There is a need to identify those children at risk of developmental delay early. Early Help is crucial. Although 75% of 2 year olds take up the free educational offer, 25% don't, which may be an indication of poverty and vulnerability.
- Where poor outcomes are identified in an individual school, governance arrangements are reviewed and strengthened through intensive work between governors and the Barnsley Schools' Alliance Board. 9/10 secondary schools had improved this year, with 6/10 now assessed as average or above. It is possible to move from 'special measures' to producing above average outcomes in a short space of time.
- Class sizes do not impact in KS1 as the Infant Class Size legislation limits classes to no more than 30, and 96% of pre-school provision is judged as 'good' or 'outstanding'.
- The 6 week summer break does not impact on learning, whereas children taking holidays in term time does have a negative impact. The last two weeks of term before the summer break are now focused on doing work for September so that the last two weeks count and are not viewed as 'winding down'. Area Councils could consider commissioning summer activities which promote continued academic learning in addition to the usual physical activities. A number of schools no longer have a 'non-uniform' day as evidence suggests this can be disruptive and affect the quality of work on those days.
- The reason for the 'dip' in performance when children move to secondary school remains unclear but is an area which the Barnsley Schools' Alliance Board is exploring in detail.
- A recent Ofsted inspection at Darton College was described as 'brutal' with very disappointing results. Nonetheless, a robust school improvement action plan is being developed, with strengthened leadership and governance arrangements. It is now almost impossible to achieve an 'outstanding' judgement under the new inspection regime and inconsistencies between inspectors were noted. Nevertheless, Barnsley's improvement journey is positive – Outwood Academy at Carlton has now achieved a 'good' judgement and is now in the top 10% of the country, with Horizon in the top 25%.
- Barnsley has a high level of fixed term exclusions but this figure is gradually improving and work is underway with individual academies to address this. Inclusion is a standing item on the Barnsley Schools' Alliance Board agenda.

RESOLVED that:

- (i) Representatives be thanked for their attendance and contribution
- (ii) The report be noted

(iii) Area Councils consider commissioning summer activities which promote continued academic learning in addition to the usual physical activities.

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MEETING:	Overview and Scrutiny Committee
DATE:	Tuesday, 9 January 2018
TIME:	3.00 pm
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

Councillors W. Johnson (Chair), P. Birkinshaw, G. Carr, Charlesworth, Clarke, Clements, Franklin, Gollick, Daniel Griffin, Hayward, Lofts, Makinson, Mitchell, Pourali, Sheard, Tattersall, Unsworth, Williams and Wilson together with co-opted members Ms P. Gould, Ms J. Whitaker and Mr J. Winter and

45 Apologies for Absence - Parent Governor Representatives

Apologies for absence were received from Kate Morrith in accordance with Regulation 7(6) of the Parent Governor Representatives (England) Regulations 2001.

46 Declarations of Pecuniary and Non-Pecuniary Interest

Councillors G. Carr, Charlesworth Tattersall and Wilson each declared a non-pecuniary interest in relation to Minute nos. 48 and 49 in so far as discussion related to their positions on the Corporate Parenting Panel.

Councillor Loft s declared a non-pecuniary interest in relation to Minute nos. 48 and 49 in so far as discussion related to his positions on the Adoption Panel.

47 Minutes of the Previous Meeting

The minutes of the meeting held on 5th December were approved as a true and accurate record.

48 Children's Social Care & Safeguarding Quality Assurance Framework

The following witnesses were welcomed to the meeting:

Rachel Dickinson, Executive Director – People, BMBC
 Mel John-Ross, Service Director, Children's Social Care & Safeguarding, BMBC
 Cllr Margaret Bruff, Cabinet Spokesperson – People Directorate, BMBC
 A number of Front Line Social Work Practitioners

The item was introduced by Mel John-Ross, Service Director, Children's Social Care & Safeguarding, BMBC. A video by young people in the Care4Us Council preceded consideration of a report of the Executive Director Core Services and the Executive Director People in respect of the Children's Social Care & Safeguarding Quality Assurance Framework and the Continuous Service Improvement Framework. It was explained that this is an interim report and will be amended to reflect a full year once all case file audits have been analysed.

Questions were asked and challenges made in response to the report and introductory presentation, which included the following points:

- There is a culture of open-ness and an open working environment which enables Social Workers to challenge and report poor practice. All Social Workers have monthly supervision meetings with their manager at which issues can be raised and respectful challenge takes place amongst workers. This year's Annual Social Work Health Check was very positive in this regard. All staff have Personal Development Reviews (PDRs) which identify individual strengths and areas for improvement as part of a robust performance development process.
- The case file audit process was explained for the benefit of Members. After each audit a report is compiled with individual actions for Social Workers. The views of children and young people are consistently recorded as part of assessments and are recorded on file to ensure their voice is heard. Visits take place every six weeks, within timescale and with a clear line of accountability.
- There is clear evidence that Barnsley children are well looked after here in Barnsley. Staff go above and beyond what is required, contacting carers regularly via a variety of means so that children have a positive experience.
- Social Workers would prefer to have fewer children on their caseload and this is recognised in Barnsley as a significant issue. There is a rolling programme of recruitment and Barnsley is able to attract high calibre staff due to having a good reputation. Funding has been secured to appoint an additional 14 Social Workers across all teams. Barnsley supports a large number of Student Social Workers, many of whom come back to work for Barnsley when they have completed their training.
- The Quality Assurance Framework sits on top of the work that everybody is doing, from front line staff to senior management. Efforts are continually being made to improve children's lives so that they can have the best possible childhood. The role of Elected Members as Corporate Parents is a huge responsibility.

RESOLVED that

- (i) Representatives be thanked for their attendance and contribution;
- (ii) The report be noted.

49 Barnsley Provisional Education outcomes for Looked After Children 2017

The following witnesses were welcomed to the meeting:

Margaret Libreri, Service Director - Education, Early Start and Prevention, People Directorate

Gary Kelly, Head of Service – Barnsley Schools' Alliance, People Directorate

Liz Gibson, Virtual Headteacher for Looked After Children, People Directorate

Jon Banwell, Head of Children in Care Services, People Directorate

Cllr Tim Cheetham, Cabinet Member, People (Achieving Potential)

The item was introduced by Liz Gibson, Virtual Headteacher for Looked After Children, People Directorate. The report outlined the education outcomes for Looked

After Children (LAC) in Barnsley, broken down by pupil group, from assessments taken in 2017. The report provided an overview from the Early Years Foundation Stage (EYFS) to Key Stage 4 (KS4), comparing the performance of Barnsley LAC against all children nationally and all Barnsley children. A further report will be provided in March 2018 once the Statistical First Release (SFR) data has been released nationally.

The SFR cohort for 2016/17 comprises all pupils looked after by Barnsley on 31st March 2017 who have been in care continuously for the previous 12 months. The SFR cohort for 2016/17 was very small, with only 5 children fulfilling the criteria for inclusion in the data.

Questions were asked and challenges made in response to the report and introductory presentation, which included the following points:

- There is a robust system in place for daily monitoring of LAC school attendance. This happens whether the school is an Academy or not. If a child is not in school, the reason for absence is determined and Foster Carers or Social Workers take action as appropriate. If children are missing school this triggers an absenteeism report. Nationally LAC have poorer educational outcomes, therefore school attendance is crucial. Education Welfare are in regular contact with every school who has a Looked After Child and weekly placement oversight meetings take place.
- Only 14.2% of BMBC children in care in the SFR cohort achieved the national standard for phonics. This cohort has a high proportion of children with special educational needs and an Education, Health and Care Plan (EHCP). Improving phonic outcomes for children in care is a priority and work is underway to support this outcome through the 'Letterbox Literacy' project, whereby children receive age-appropriate books and activities through the post for 6 months from the summer to Christmas to help them with this. Foster carers will receive training on how best to support the children in their care with phonics.
- Welfare calls are made for those children who are persistently absent from school. There are currently 12 children whose attendance is being tracked. Sometimes there is a valid reason for absence such as a hospital operation etc. The Educational Psychology service explores the barriers to education for these children.
- Members were assured that there is a robust system in place for retaining personal information, which is fully compliant with data regulation requirements and is regularly tested for breaches. Information on children placed for adoption is not included, as they will have a new identity once the adoption takes place. Over 120 other Local Authorities use the same IT system.
- The Letterbox Literacy project and Welfare Call initiative were taken from other Local Authorities' best practice – a Yorkshire and Humberside good practice development plan is currently being developed. The Care4Us Council has been instrumental in developing the Virtual School web pages, arising as a direct result of children's wishes and feelings which were fed into the Care4Us Council.

RESOLVED that

- (i) Representatives be thanked for their attendance and contribution;
- (ii) The report be noted.

50 Exclusion of the Public and Press

RESOLVED that the public and press be excluded from the meeting during consideration of the following item, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, as follows:

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
51	Paragraph 2

51 Children's Social Care Reports

The following witnesses were welcomed to the meeting:

Mel John-Ross, Service Director, Children's Social Care & Safeguarding, BMBC
Cllr Margaret Bruff, Cabinet Spokesperson – People Directorate, BMBC

An introduction was given to the report circulated and a number of areas were discussed, including the positive open culture amongst the social care workforce and the following:

- Members queried the amount and frequency of information they receive in relation to the performance of Children's Social Care services. The service responded that it is important for Members to receive detailed information regarding activity so they are aware of trends and comparator data with other areas. The service agreed to consider narrowing the summary information however still presenting the report in its totality.
- Members challenged the tracking of Early Help Assessments to which the service provided reassurance that these are monitored to ensure they don't drift and prevent escalation in need. Also, that families may require early intervention over a longer period and action would be taken should an issue escalate.

RESOLVED that

- (I) Representatives be thanked for their attendance and contribution;
- (II) The report be noted;
- (III) The service considers narrowing the information provided in the covering report.

MEETING:	Central Area Council
DATE:	Monday, 6 November 2017
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors Riggs (Chair), D. Birkinshaw, P. Birkinshaw, G. Carr, J. Carr, Clarke, W. Johnson, Mathers, Mitchell, Murray, Pourali and Williams.

16. Declaration of Pecuniary and Non-Pecuniary Interests

Councillor Williams declared a non-pecuniary interest due to his membership of the YMCA, in so far as minute 18 related to this.

17. Minutes of the Previous Meeting of Central Area Council held on 4th September, 2017 (Cen.06.11.2017/2)

Members received the minutes from the previous meeting of Central Area Council held on 4th September, 2017.

With regards to the complete list of sites currently under surveillance by CCTV it was noted that this had not yet been received, but would be forwarded to Members once available. Similarly the results of the audit of litter bins would also be forwarded once complete.

Members were made aware that RVS were engaging in an intergenerational event in Worsbrough Dale Park on 2nd December, 2017.

The Chair updated Members on discussions with the Head of Safer Barnsley, in relation to staff employed under the Private Sector Rented Housing Enforcement Service Level Agreement. Assurances were given that officers funded by the Area Council worked solely within the Area, and that although the core service had not yet recruited a full complement of officers, a service was still provided to the Central Area by other members of the core team.

Members still expressed concern at how the triaging of issues was operated, and how work was assigned to the core, or Area Council teams. It was suggested that representation from the Safer Barnsley Team be invited to give a brief presentation to provide clarity.

An update was given in relation to the extension of the Environmental Enforcement Contract, and the conditions imposed. The Area Council Manager made Members aware that all bar one of the four conditions could be implemented. The fourth condition related to the use of body cameras in order to record offences taking place, and it was noted that this could not easily be implemented due to regulations around surveillance.

RESOLVED:-

- (i) That the minutes of the Central Area Council held on 4th September, 2017 be approved as a true and correct record;

- (ii) That a representative from the Safer Barnsley Team be invited to a future meeting of the Area Council to give details of the triage process and how work is assigned to the core and Area Council funded officers.

18. Quarter 2 Performance Management Report (Cen.06.11.2017/3)

The Area Council Manager presented the performance management report for the quarter two period from July – September, 2017. There was overall satisfaction with the performance of services funded by the Area Council, and Members noted the cumulative overview of performance provided.

A brief overview of each of the services was then provided by the Area Council Manager.

With regards to the contract with Royal Voluntary Service, it was noted that the majority of the performance was rated as 'green', with only one issue relating to additional information which had not, as yet, been provided. Within the quarter, 126 new individuals had been engaged, with 21 of these being referred from 'My Best Life'.

Members noted that 9 new adult volunteers had been engaged, these and other volunteers continued supporting 30 beneficiaries from the previous contract. Members requested that tracking be increased so that the destination of beneficiaries is known once they are introduced to community groups and activities.

The contract with YMCA was considered, and it was noted that all areas of performance were rated as 'green'. 60 sessions had been delivered during the quarter with 31 new children aged 8-14 participating for over 6 hours. Members noted that a self-assessment framework was currently being developed by participants and that this would help to show the progression individuals had made.

The overall satisfaction with the contract with Kingdom Security was positive, with all performance indicators rated as 'green'. Within the quarter 229 Fixed Penalty Notices had been issued for littering and dog fouling, together with a further 11 Car Parking Notices. Members acknowledged the targeted dog fouling operations undertaken, where the presence of officers had acted as a deterrent, and the 'Bin it to win it' initiative, which provided the chance to win a prize for people acting responsibly.

Though it was noted that patrols were conducted equitably across the wards in the area, notices issued were unevenly spread. The Area Council Manager agreed to distribute the breakdown of notices by ward to interested Members.

Those present heard about the performance of the contract with Twiggs Grounds Maintenance, and it was noted that all areas of performance were rated as 'green'. Within the quarter approximately 248 additional pieces of work had been completed and Twiggs had led 10 social action projects and supported 9 Central Area Team led projects. Members also noted that two new work experience placements had also been supported within the quarter.

Members discussed the Private Sector Housing and Enforcement SLA, noting that the service had engaged with a further 219 properties within the quarter. Since the

start of the service, 2,335 properties had been visited, with over 850 having 3 or more contacts. The service had dealt with a number of complex cases, and other organisations had been engaged where relevant.

Six referrals had been received by the Private Rented Housing Home Visiting Service, and 10 families were being supported on an ongoing basis by volunteers. It was noted that two new adult volunteers had been engaged within the quarter. The case studies circulated served to highlight the complexity of issues faced by those engaged by the service.

Members considered the performance of the services provided through the Youth Resilience Fund.

The Immortals Project continued to perform well, with a successful event being held on 22nd September. Members commended the group on the pride established in the area, and continued commitment of young people.

With regards to Exodus, Members noted the significant number of events supported by volunteers during the summer. 31 young people had taken part, 3 of which were new in the quarter. 4 new adult volunteers had also been engaged. Questions were asked regarding the targets for the project, and it was agreed to provide these in future. Members also questioned the charges that the project levied, and it was noted that this was to cover expenses such as fuel, which were not covered by the Central Area Council contract.

The contract with the YMCA to provide youth work in Dodworth was considered. There had been 126 attendances within the quarter, with 18 of these being new attendees. Members heard how a number of older males had been seen to undermine the project; however it continued to be successful delivering one session a week in addition to engaging with groups congregating around the library from time to time.

Members heard how The Youth Association – Belonging in Barnsley project was meeting all its milestones and targets. Within the quarter 11 new young people had been engaged, with 10 attending three or more sessions. Two major projects, a Christmas Social Action project, and a project culminating in the climbing of Snowden, were planned

RESOLVED that the report be noted.

19. Consideration of Boroughwide Services Delivered Locally (Cen.06.11.2017/4)

The report was introduced by the Area Council Manager. Members were reminded of the ability of Area Councils to consider local issues relating to services other than those commissioned by the Area Council within their terms of reference. To this end two workshop sessions had recently been held, one with officers from Neighbourhood Services, and another with staff from Early Help/Family Centre Services.

The Chair went on to speak about the workshop with Neighbourhood Services, which was believed to be productive and conducive to building a partnership approach between the service and the Area Council. Highlighted were a number of areas of

concern such as:- the schedules for emptying litter bins; shrub maintenance; and how fly-tipping was dealt with.

A number of recommendations had been arrived at, which were attached as appendix 3 of the report. Members discussed the positive service delivered by Neighbourhood Services in removing fly-tipping quickly; however the undesired impact of encouraging further fly-tipping was noted and the need to consider this in more detail for the area acknowledged. Members noted that the problem was associated with Private Sector Housing in the area, and particularly linked to HMOs.

Councillor Clarke gave feedback on the workshop held with colleagues from Early Help/Family Centre Services, as at appendix 4. A number of concerns had been raised, including why certain centres were operating under capacity. Issues around the current take up of places for 2 year olds in the area were also discussed, however it was noted that the service was still in its infancy, and that more time may be required to fully judge its effectiveness.

Members noted the feedback from the workshop, and recommendations as part of the appendices, and the future areas for consideration.

RESOLVED:-

- (i) The update regarding the role of Area Council role to consider local issues identified about the delivery of area-based services and borough-wide services provided locally, within the framework as previously agreed be noted;
- (ii) The local service delivery reports for Neighbourhood Services, and Early Help/Family Centre Service be received and the recommendations contained within be endorsed;
- (iii) That the future service areas for consideration be approved.

20. Procurement and Financial Update (Cen.06.11.2017/5)

The Area Council Manager introduced the item, referring to the overview of all contracts, together with their timescales.

For the service to 'Create a cleaner and greener environment in partnership with local people' also known as the 'Clean and Green Service', Members were reminded of the decision to review the service in autumn 2017, in advance of the contract end date of March 2018.

Similarly the Home Visiting Service, and the Private Rented Housing Management and Enforcement Service were also scheduled to come to an end on 31st March, 2018. Both were also scheduled for review in autumn 2017.

With regards to the 'Clean and Green Service', Members acknowledged the progress made under the previous item, and also noted the review taking place within Neighbourhood Services. It was suggested that it would be better to review the 'Clean and Green Service' in light of the outcome of these pieces of work. To avoid any possible breaks in service, it was suggested that the contract with Twiggs Grounds Maintenance be extended for a further 6 months to allow this to take place.

In relation to the Private Sector Housing Management and Enforcement Service, Members acknowledged that the Safer Neighbourhood Service was still in its infancy.

Also noted was the imminent appointment of Housing and Migration Officers as part of Barnsley's Controlling Migration Fund. Due to their potential impact it was suggested that the review be postponed, and the current service be extended for a further 6 months.

Members also noted that, as previously discussed, the Family Centre Service was still relatively new and therefore it was difficult to identify gaps for investment under the 'Family Support' priority. Following discussion it was suggested that, in order to ensure families were still supported in the interim, the Homestart Home Visiting Service be extended for a further 6 months.

The Area Council Manager drew the attention of Members to the financial information, as attached in appendices 1 and 2. It was noted that for the 2017/18 financial year approximately £66,000 remained unallocated. If this was to be carried forward to 2018/19 this would leave around £124,000 for allocation, taking into account likely expenditure and that already committed. However, it was recognised that Members may wish to further devolve some of the Area Council budget to Ward Alliance Funds in the future.

RESOLVED:-

- (i) that the overview of Central Area Council's current contracts and timescales be noted;
- (ii) that authorisation be given to the Executive Director, Communities, to complete necessary paperwork in order to waive the relevant contract procedure rules to allow the extension of the 'Clean and Green' contract with Twiggs Grounds Maintenance Ltd for six months from 1st April, 2018 at a cost of £42,500;
- (iii) That a review of the 'Clean and Green' Service be undertaken in Winter/Spring 2017/18;
- (iv) That the SLA to provide a Private Rented Housing Management and Enforcement Service be extended for a further six months from 1st April, 2018, at a cost of £39,000;
- (v) That a review of the Private Rented Housing Management and Enforcement Service be undertaken in Winter/Spring 2017/18;
- (vi) That the contract with Homestart to provide a Home Visiting Service be extended for a further six months from April, 2018 at a cost of £12,000;
- (vii) That the current financial position for 2016/17 and projected expenditure for 2017/18-2019/20 be noted.

21. Notes of the Ward Alliances (Cen.06.11.2017/6)

The meeting received the notes of the meetings of the Central, Dodworth, Kingstone, Stairfoot and Worsbrough Ward Alliances within the Central Area held in July, August, September and October, 2017.

Councillor Williams took the opportunity to recognise the work of the Friends of Locke Park. Over the summer, two major events had been organised with in excess of 10,000 visitors at each, many from outside the borough. Over 40 charities were also supported. It was acknowledged that this asset benefitted all the residents in Barnsley, and other wards were encouraged to contribute financially to it where possible.

RESOLVED that the notes and feedback from the Ward Alliances be received.

22. Report on the Use of Ward Alliance Funds (Cen.06.11.2017/7)

The report was discussed in brief. The amounts remaining for allocation were noted, however it was acknowledged that a number of Ward Alliances had met since the publishing of the report in order and had recommended a number of applications for approval.

All Ward Alliances were progressing similarly in allocating their Ward Alliance Fund finance.

RESOLVED that the report be noted.

Chair

Item 24



MEETING:	Dearne Area Council
DATE:	Monday, 20 November 2017
TIME:	10.00 am
VENUE:	Meeting Room, Goldthorpe Library

MINUTES

Present Councillors Noble (Chair), Gardiner, Gollick, C. Johnson, Phillips and Sixsmith MBE

15 **Declarations of Pecuniary and Non-Pecuniary Interests**

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

16 **Minutes of the Previous Meeting of Dearne Area Council held on 18th September, 2017 (Dac.20.11.2017/2)**

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 18th September, be approved as a true and correct record.

17 **Developing Initiatives Supporting Communities (DISC) (Dac.20.11.2017/3)**

Donna Moss from DISC was welcomed to the meeting and provided an update of the performance of the service provided by DISC, which had gone live on 1st April 2017. Ms Moss explained that performance thus far had been somewhat disappointing, particularly in relation to the relatively small number of short-term clients in the service and the small number of clients in the service with shared care with GPs. In order to help to address this, a group work and activity volunteer had been recruited. In addition, hosting community aid groups (such as Narcotics Anonymous) was being explored.

The meeting expressed concern that the number of referrals which DISC received from GPs had dropped and discussed what could be done to promote GPs to make more referrals. Ms Moss explained that GPs typically provided contact details for DISC to patients, but formal referrals were more labour intensive for GPs and with the resource challenges facing GPs they were sometimes hesitant to proceed down this route.

The meeting suggested that, if patients agreed to it, GPs could provide DISC with the patient's contact details to allow DISC to make first contact, which may lead to more people accessing the service. The meeting also suggested that it would be beneficial to provide information regarding DISC's services in leaflets in local community areas, including pubs.

It was noted that the Area Council Team, Public Health Directorate and the Safe Neighbourhoods Team all had strong links with GPs and it would therefore be beneficial for the Area Manager to facilitate a meeting between the various parties to understand the issues and seek improvements in this area.

Ms Moss also reported that room rentals had reduced at the premises at The Factory. The meeting was informed that income from room rentals was a key part of DISC's budget for the service. Therefore, Members were requested, where appropriate, to promote The Factory as a potential meeting venue for community groups.

The meeting thanked Ms Moss for her presentation, agreed that this was a useful update and requested that a further update be provided to Area Council in six months.

RESOLVED:- That:

- a) The Area Manager facilitate a meeting between DISC, the Area Management Team, Public Health Directorate, Safe Neighbourhoods Team and local GP surgeries to explore ways to increase the number of people accessing DISC's services;
- b) A further update be provided to the Area Council in six months.

18 South Yorkshire Funding Advice Bureau (Dac.20.11.2017/4)

Karen Walke of South Yorkshire Funding Advice Bureau (SYFAB) attended the meeting to provide a presentation on the work of SYFAB, which provided advice to Community and Voluntary Sector organisations on funding opportunities. SYFAB provided groups with free access to a database of 200+ organisations providing funding to CVS organisations in South Yorkshire, with the majority of those funders being locally-focused organisations. In addition to this service, SYFAB provided advice and feedback on funding applications and provided training opportunities to CVS organisations.

Ms Walke explained that her role was to build capacity for CVS organisations to successfully apply for funding. This role was currently funded for one year, from August 2017, and the targets for this were monitored by the Stronger Communities team.

The meeting noted that while the cost of the training programmes may not appear to be high, even small costs such as these could be too high for new, small organisations. Ms Walke explained that SYFAB needed to charge for these sessions in order to add to its grant-based income, and while there were charges for the formal training programmes, access to the database and personalised sessions to provide advice on funding applications were free. Ms Walke explained that those services were of more use to new or small organisations, while the formal training sessions were targeted more towards larger, more established organisations.

The meeting agreed that the funding database provided by SYFAB was extremely helpful for all CVS organisations in Barnsley and all organisations should be encouraged to sign up to the database.

RESOLVED:- That the Area Council thanks Ms Walke for her attendance.

19 Community Safety In The Dearne (Dac.20.11.2017/5)

No Community Safety update was provided to the Area Council.

Members commented that it was vital that they received an updated at each meeting, as it was a vital issue for the area.

RESOLVED:- That a Community Safety update be provided to every meeting, with an officer present to answer Members' questions.

20 Performance Report (Dac.20.11.2017/6)

The meeting considered a report of the Area Council Manager which provided members with an update on the delivery of the Dearne Area Councils commissions and services paid for through the Dearne Development Fund.

The Area Council Manager explained that she had met with Kingdom to ensure that they focused on preventing littering and dog fouling in the area, rather than their current focus on illegal parking. The Area Council agreed that littering and dog fouling were the main issues for the area and it was appropriate that Kingdom focused on these issues. The Area Council Manager explained that she received monthly performance reports from Kingdom and would monitor these to ensure that performance changed as had been requested.

In addition to the work done by Kingdom, the meeting noted that all shops were responsible for keeping the vicinity of their shops clean and noted that Asda could do a better job of complying with this.

In relation to private sector housing, the Area Council Manager reported that good progress had been made in developing relationships with letting agents and landlords. There would be a change in the staff member undertaking this role in January 2018 but significant work would be undertaken to ensure that the relationships were maintained with the new staff member.

The Area Council Manager also noted that the letting agents and landlords had concerns about the proposals in relation to Selective Licencing, but accepted that this was not a decision for the Area Council. Elected Members had been working with letting agents and landlords over the previous 12 months to monitor their performance against agreed standards with a view to their potentially being excluded from the Selective Licensing requirements.

Twiggs had achieved the majority of their targets over the previous quarter and had added an apprentice post in addition to those paid for by the Area Council, which had led to an improvement in performance.

The meeting noted that there the take-up of offers of anti-littering education programmes for schools had been low, but efforts should continue to be made to be made to push this.

The meeting noted that the Citizens' Advice Bureau (CAB) had matched the funding from the Dearne Development Fund for a member of staff in the library (allowing two staff members to be present). However, the meeting also noted that the sessions run by Dial tended to be far busier than those run by CAB. Members suggested that, while Dial and CAB had different specialisations, it may be beneficial for residents if Dial was able to refer appropriate cases to CAB. The meeting also suggested that it would be beneficial for Dial and CAB to ask residents at these sessions why they

chose to come to each provider specifically, to determine the root cause of the differences in demand.

The meeting discussed the Dearne Development Group, which over 250 people had attended. The meeting was informed that the Communities Directorate would seek to increase the links between the Re-ablement Team and the Assistive Living Service, along with other related services, as there were significant benefits which could be realised from this.

In relation to the ICT Project for Employability, the Area Council Manager reported that a working party had been created to ensure employability services continued to be provided following the closure of the Job Centre in January 2018. Members noted that, once the Job Centre had closed, sanctioning of jobseekers in the Dearne may become a significant issue, as the nearest job centre was in Mexborough. Regular reports on this issue would be collated to ensure that it was monitored.

The meeting agreed that it would be helpful if local employment figures, which were collected for the whole of Barnsley at corporate level, were provided to the Area Councils.

It was reported that the Area Council had contributed £66k through the Dearne Development Fund and £73k of match funding had been received as a result of this.

RESOLVED:- That

- a) The meeting notes the progress of the two Dearne Area Council commissions and service level agreement with BMBC as set out in appendix one.
- b) The meeting notes the progress of the Dearne Development Fund applicants as set out in part C of appendix one to the report.

21 Dearne Area Council Financial Position and Progress of Projects (Dac.20.11.2017/7)

The meeting considered a report of the Area Council Manager provided an updated financial position for all Dearne Area Council spend, outlined the unallocated amount remaining for the 2017/18 financial year and provided an update in relation to projects that had previously been agreed at the Dearne Area Council.

£66k had been spent by the Area Council out of a total budget of £81k. A Panel Meeting would be arranged for January 2018 to discuss the use of the remaining funding which was available.

In relation to the Embankment Project, the meeting was informed that final costings were currently being awaited.

RESOLVED:- That the meeting

- a) notes the updated financial position for all Dearne Area Council spend and the unallocated amounts remaining for 2017/18; and
- b) notes the progress of previously agreed projects that have been committed out of Area Council finances.

22 Dearne Area Council Commissioning (Dac.20.11.2017/8)

The Area Council Manager presented a report which updated Members with regard to Area Council commissions and sought agreement to the continuation of Twiggs Grounds Maintenance until the end of March 2019.

The meeting noted that all current Area Council contracts were due to end in March 2019. A Working Party would be established from January 2018 to begin to discuss proposals for contracts from March 2019 onwards.

The Director of Communities explained that the Business Improvement and Performance Team was currently undertaking a project to improve the Council's intelligence profiles in relation to local areas and she suggested that it may be possible to undertake this project for the Dearne area first, to allow this information to be used in the discussion of post-March 2019 contracts.

RESOLVED:- That the meeting:

- a) approves the continuation of the contract with Twiggs Grounds Maintenance until the end of March 2019 at a cost of £75,000.
- b) notes the change in staffing with regards the private sector housing officer role, as discussed earlier in the meeting.

23 Notes from the Dearne Approach Steering Group held on 18th September, 2017 (Dac.20.11.2017/9)

Members considered the notes from the meeting held on 18th September, 2017.

RESOLVED that the notes from the Dearne Approach Steering Group be received.

24 Notes from the Ward Alliance (Dac.20.11.2017/10)

The meeting received the notes from the Dearne Ward Alliance, held on 19th October, 2017.

In relation to the Sloppy Slippers project to reduce falls, it was reported that 400 pairs of slippers had been received from Windsors. An open day would be arranged to launch this project, in addition to attendance at all sheltered housing groups.

RESOLVED that notes from the Ward Alliances be received.

25 Report on the Use of Ward Alliance Funds (Dac.20.11.2017/11)

The Area Council Manager introduced the item, noting the levels of expenditure contained within the report.

The Dearne North Ward Alliance Fund had £4,893.43 remaining for allocation from an opening balance of £11,050.53.

Dearne South Ward Alliance had £5,877.50 remaining for allocation from an opening balance of £11,724.90.

RESOLVED that the report be noted.

Chair

Item 25



MEETING:	North Area Council
DATE:	Monday, 20 November 2017
TIME:	2.00 pm
VENUE:	Meeting Room 1 - Barnsley Town Hall

MINUTES

Present Councillors Leech (Chair), Cave, Cherryholme, Howard, Miller, Platts, Spence and Tattersall

19 Declarations of Pecuniary and Non-Pecuniary Interests

Councillor Howard declared a non-pecuniary interest in respect of item 6 on the agenda as her mother lives in the Woolley Colliery village area.

20 Minutes of the North Area Council meeting held on 18th September 2017

The Area Council received the minutes of the previous meeting held on 18th September 2017.

RESOLVED that the minutes of the North Area Council meeting held on 18th September 2017 be approved as a true and correct record.

21 Safe and Well Checks

Tracy Leach, Health and Wellbeing Officer, was welcomed to the meeting and delivered a presentation regarding the Safe and Well initiative here in Barnsley. Key points to note included:

- This is a national movement, being rolled out across South Yorkshire, building on existing fire safety checks and including falls prevention and identifying cold homes.
- The initial focus is on vulnerable people aged 65+ and those with disabilities who are most at risk. A pilot is due to be launched in February 2018 and will be rolled out across the Borough later in the year.
- In Barnsley 47000 people smoke – 23.3% of population. Emergency hospital admissions due to falls is 2282.6 per 100,000 65+. In addition 11.3% of households in Barnsley experience fuel poverty.
- Partners include Barnsley MBC, South Yorkshire Police, South Yorkshire Housing Association, Berneslai Homes, South Yorkshire Fire and Rescue, Dementia Action Alliance, SWYFT and Age UK.
- Help from the Area Council is needed to raise the profile of the Safe and Well checks, to support the launch at Cudworth Station and to encourage local services who work with vulnerable people aged 65+ in the pilot area to become referrers to the scheme.

RESOLVED that the Area Council support the initiative and that Tracey Leach be thanked for her attendance and contribution.

22 Commissioning, Project Development and Finance Update

The Area Council Manager introduced this item and provided the Area Council with a financial position and forecast for expenditure based on the projects that have been proposed, highlighting the projects requiring significant financial commitment.

Members were informed that the recruitment to the Private Sector Housing and Enforcement Officer post had been unsuccessful. However, the Housing Migration Officer (HMO) role graded as scale 6 offered a satisfactory alternative. Recruitment for HMO posts is currently underway and a healthy number of applicants were being interviewed. It was recommended that the Area Council recruit an HMO for the North Area because the post holds similar responsibilities and requires many of the same skill. The feasibility of employing a Youth Participation worker was being explored and looked positive. However, it was felt that a similar post focussed on older people did not fit within existing structures and alternative possibilities should be considered.

It was also highlighted that the Area Council had benefitted from £112,294 of recycled Fixed Penalty Notice (FPN) income since 2014 and that this will cease in March 2018 following the decision to decommission the service.

RESOLVED that:

- i. The North Area Council note the existing budget position and forecast for the funding commitments.
- ii. The North Area Council note that contrary to previous information the North Area received a budget of £400,000 for the period 2017/18.
- iii. Members note the position on the recruitment of the Private Sector Housing and Environment Officer
- iv. Members note the current financial position and the surplus budget of £180,341 for 2017/18.
- v. Members note the forecasted annual budget commitments based on the decisions that were made at the September 2017 meeting.
- vi. The option to combine the older people's participation project with a larger project linked to prevention of winter deaths was looked on favourable and should be explored in a workshop.

23 Fresh Street Project

The Area Council Manager introduced this item, providing the Area Council with an introduction to Sheffield University's FRESH Street Project proposal for Athersley North, which also includes a proposed match funding arrangement. £5,000 has been secured from the Alexander Rose Charity by Sheffield University. The aim of the project is to increase participants' consumption of fresh fruit and vegetables to encourage behaviour change and contribute to improved health and wellbeing.

The target group for the project is all residents (adults and children aged 2+) living on two randomly selected streets within the Athersley North ward, who will be given vouchers to spend locally on fruit and vegetables for a 6 month period. The Yorkshire Health Study Questionnaire will be used to assess the health of the people in the Athersley North Area and the impact of the project.

RESOLVED that

- i. The North Area Council note the specific details of the FRESH Street Project provided within the report.
- ii. The Area Council agree a match funding proposal of £5,000 so that more local people will benefit from the project.

24 Energy Efficiency - Woolley Colliery Pilot & Larger Cross Area Project for 2018

The Area Council Manager introduced the report and provided the Area Council with an introduction to Strategic Housing's proposal to target Energy Efficiency Works in Woolley Colliery Village.

The project will install central heating systems in private sector households who do not have a gas supply and are at risk of fuel poverty. Members were aware of many, mainly elderly residents who did not receive a fuel allowance and were unable to keep their homes warm during the winter months. It was highlighted that Darton East ward has the second highest no. of excess winter deaths in the Borough. The project will be delivered by the Better Homes Barnsley energy efficiency programme. The current maximum amount of funding per household is £4,400 but this does not include VAT.

Members were asked to consider contributing additional funding to achieve added value. This will include VAT and the cost of ensuring that minor repairs, flue extensions and additional pipework is completed. A detailed business case is being drawn up and will be presented at a future meeting.

RESOLVED that

- i. The North Area Council note the proposed energy efficiency works in Woolley Colliery Village.
- ii. The North Area Council agree in principle to provide additional funding for the project once resident consultation has been completed and the business case has been fully costed up (by March 2018).

25 Performance Management Report - Commissioned Projects & Grant Summary

The item was introduced by the Area Council Manager, who updated Members with regard to the performance of commissioned projects and Stronger Communities projects for the period July to September 2017 (2017/18 Quarter 2).

A discussion took place regarding the various commissioned projects. The following key points were highlighted:

The Summer Holiday Internship programme (2015/16), delivered by C & K Careers, had achieved its objectives for those students who took part. Evidence indicated that all the young people involved were heading in a positive direction. Students had become more career confident and were pro-active about taking decisions and focussing on their post-16 opportunities. None of the participants had become NNET and 55 out of 83 had enrolled on a level 3 qualification. A copy of the final report was available on request.

Councillors were disappointed that the Kingdom Security project had not delivered the anticipated behaviour change with regard to littering and dog fouling.

It was highlighted that the CAB/Dial project had generated more than £3 million in benefit gains across the two-year life of the project and had handled £478,246 of debt. Survey feedback indicated that the project had helped to reduce residents' stress and improve their health and wellbeing, leaving them now more able to manage their own affairs.

RESOLVED that:-

- (i) Members note the content of the report.
- (ii) C & K Careers be sincerely thanked for their work on the Summer Holiday Internship Project, which had delivered positive outcomes for the young people involved.

26 Stronger Communities Grant - Approval to advertise 2018/19

The Area Council Manager updated Members with regard to the provisional grants programme for 2018/19, as recommended by the Stronger Communities Grant Panel.

RESOLVED:-

- i. that the indicative dates for applications, evaluation, notification of successful applicants and project start dates be agreed
- ii. that the value of the grant funding pot for 2018/19 be agreed at £80,000
- iii. that Councillors Charlesworth, Platts, Lofts and Howard represent their wards on the Grants Panel.

27 Commissioning Forward Plan

The Area Council Manager provided an update regarding progress on the Commissioning Forward Plan that had been made since the September meeting and requested a clear indication of which priority the Area Council wanted to concentrate on over the coming months.

A discussion took place regarding the recruitment of a Youth Participation Support Officer. The postholder's core hours would be in the afternoon and into the early evening, to include holiday times and occasional sessions at lunch time and over the weekend. Following discussions with Adult Social Care, it has been established that an Older People's Participation Support Officer would not fit within the existing structure of the Council.

RESOLVED that

- i. Members note the financial implications of commissioning a Support Worker for young people for the North Area and agreed to recruit to this post.
- ii. Members note that the Participation for Older People post does not fit within BMBC's existing structure
- iii. A workshop be arranged to identify an alternative project for Older People that would benefit from an intervention commissioned by the North Area Council, perhaps addressing loneliness and isolation, preventing winter deaths, healthy housing and social inclusion/befriending.

28 Report of the Ward Alliance Fund

The Area Council Manager updated Members with regard to the current financial position of the Ward Alliance budgets for 2017/18.

RESOLVED that Members note the current position of the Devolved Ward Budget and Ward Alliance funds and priorities the efficient expenditure of the Ward Alliance funds in line with the guidance on spend.

29 Notes from the Area's Ward Alliances

Members received an update regarding the progress made by each ward in relation to Ward Alliance implementation and received the notes of Ward Alliance meetings held in September and October 2017. Members were reminded of the requirement for Ward Alliance notes to be received by the Area Council.

Darton East

Cllr Spence congratulated The Green space Group for their hard work in planting between 5,000 and 7,000 spring bulbs per year and for their work on the Cenotaph.

Darton West

As printed.

Old Town

As printed.

St Helens

Cllr Platts reported back on the Feeding Britain project, which had been a great success. Over 1000 meals had been served to children across the Ward. Four Christmas events are planned (one being a memory tree service), across three venues, providing opportunities for residents to sign up for various activities such as healthy eating, exercising, money matters and volunteering.

RESOLVED that Members note the individual updates from each Ward Alliance.

Chair

Item 26



MEETING:	North East Area Council
DATE:	Thursday, 30 November 2017
TIME:	2.00 pm
VENUE:	Meeting Room 1 - Barnsley Town Hall

MINUTES

Present Councillors Hayward (Chair), Cheetham, Clements, Ennis, S. Green, Hampson, Makinson, Richardson, Sheard and C. Wraith MBE

30 **Declarations of Pecuniary and Non-Pecuniary Interests**

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

31 **Minutes of the Previous Meeting of North East Area Council held on 28th September 2017**

The meeting considered the minutes from the previous meeting of the North East Area Council held on 28th September 2017.

RESOLVED that the minutes of the North East Area Council held on 28th September 2017 be approved as a true and correct record.

32 **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 throughout September and October 2017. The following updates were noted:-

Cudworth – It was reported that the Ward Alliance celebration at the Metrodome on 15th November was a great success and thanks were expressed to the Cudworth Team for organising it. The ceremony for the Christmas lights will take place on Tuesday.

Monk Bretton – It was reported that Christmas lights will be switched on Friday at Monk Bretton Church and on 4th December at Carlton. The Christmas Fayre at Burton Grange will take place on 8th December. The Pantomime at Priory Campus is on 2nd December.

North East – It was reported that the Christmas tree lights were switched on in Grimethorpe yesterday (29th November). The Christmas lights ceremony will take place tonight in Shafton and next Tuesday in Brierley.

Royston – It was reported that Autumn planting has been carried out with local schools. Carol singing and the Christmas lights switch on went very well. The S106 group is pulling together plans for the pavilion in Royston Park. It was felt that the central S106 pot was underutilised and that more information is needed around the

criteria for spend, involving other interested parties. The Albert Shepherd event went well, family members were involved and thanks were expressed to both the Mayor's Office and the Royal British Legion. Figures from the DIAL project indicate that the service is performing extremely well and is well attended, with a huge social return on investment. There were reports of problems in Carlton Cemetery. The gates have been temporarily welded shut to address the problem.

RESOLVED that the notes from the Ward Alliances be received.

33 Safer Neighbourhood Services

Paul Brannan, Head of Service (Safer Communities) and Neighbourhoods Inspector Andrew Norton updated the North East Area Council with regard to the Safer Neighbourhood Service, giving an outline of the locality 'offer' and the best way to access services.

It was highlighted that the new structure comprises 4 area based teams delivering a 7 day service. Each locality team will have a Team Leader, 2 Community Safety Officers, a sergeant, 4 Police inspectors and a maximum of 16 Police Community Support Officers (PCSOs). It was highlighted that there are fewer police officers in the new structure but that the approach will be more targeted than previously, with results closely monitored.

The new approach will reduce the risk to vulnerable people, increase safeguarding and reduce demand on area team. Members were provided with full contact details. It was explained that close work with Berneslai Homes is crucial to the success of the project as this will help to address homelessness and other housing issues in the localities.

Members expressed concerns around the effectiveness of the current 101 service. It was felt that the online reporting service was difficult to use and should be simplified and made more 'user friendly' to encourage uptake. These comments will be fed back to the appropriate bodies. Members also queried whether there had been an increase in central hub planning enforcement activity, as there is a high level of demand for this service, with 145 live cases at the last count. It was explained that there may be additional capacity for this service from April 2018.

RESOLVED: that Paul Brannan and Inspector Andrew Norton be thanked for their attendance and contribution and that thanks also be expressed to Police Sergeant Brad Wynne who has now moved to a new post in Kendray.

34 The North East Area Council Project Performance Report - update on the delivery of commissioned projects

The North East Area Council Manager introduced this item and provided Members with a detailed report regarding performance of the North East Area Council's commissioned projects together with a summary performance management report and individual case studies for each service.

Key points to note include:

The Environmental Enforcement service provided by Kingdom Security is working very well. Members felt that it would be useful to have a breakdown of figures by Ward, as there is a perception that Kingdom do not work equally across all wards. The Revenue raised from Fixed Penalty Notices (FPNs) for Quarter One, April to June 2017 was £8,748. Members felt that the figure in respect of FPNs for parking offences would be useful.

The Private Sector Housing and Enforcement Officer has been working closely with residents and managing agents to address housing issues in the area. A number of case studies were provided for Members' information.

The final report for the Summer Holiday Internship project (2016) was provided. It was reported that all 83 interns had gone on to positive destinations such as Further Education or Apprenticeships which were relevant to their career aims. Out of 83 interns, 7 had gone on to an Apprenticeship (8.4%), an increase from the previous year when 3 out of 108 interns (2.7%) chose to progress to an Apprenticeship.

The first draft of the Village Life community magazine has been sent to print and will be distributed prior to Christmas. It was felt that the community magazine was a useful vehicle for self-promotion and should be printed in both the summer and winter of each year. As the bin emptying schedule is no longer printed and sent out to residents, this could also be included in the magazine.

The job description for a Stop Smoking Specialist is currently being prepared and will be advertised in the New Year once a meeting has taken place with SWYFT. It is likely that the postholder will be based in the Lift Centre.

RESOLVED that:

- (i) Members note the performance update, and
- (ii) Agreed that two editions of the Community Magazine should be printed and distributed each year (Summer and Winter) at a cost of approximately £6000.

35 Report on the Use of Area Council Budgets and Ward Alliance Funds

The North East Area Council Manager introduced this item and updated Members regarding the North East Area Council budget and progress in each Ward in expending the Ward Alliance Fund in line with priorities.

RESOLVED that the report be noted.

Chair

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MEETING:	Penistone Area Council
DATE:	Thursday, 7 December 2017
TIME:	10.00 am
VENUE:	Council Chamber, Penistone Town Hall

MINUTES

Present Councillors Barnard (Chair), David Griffin, Hand-Davis, Millner and Unsworth.

23 Declarations of pecuniary and non-pecuniary interests

No Members declared an interest in any item on the agenda.

24 Minutes of the Penistone Area Council meeting held on 5th October, 2017 (PAC.07.12.2017/2)

The Area Council received the minutes of the previous meeting held on 5th October, 2017.

Members asked for an update with regards to the pigeon mitigation in an alley off the high street. It was noted that the area was to be cleared by Neighbourhood Services staff, and the Area Council Manager would follow this up to ensure it had been completed.

It was noted within the Safer Neighbourhood Service in the area Sergeant Ian Bailey had now been replaced.

RESOLVED that the minutes of the Penistone Area Council meeting held on 5th October, 2017 be approved as a true and correct record.

25 Notes from the Penistone Ward Alliance held on 19th October, 2017 (PAC.07.12.2017/3)

The meeting received the notes from the Penistone East and West Ward Alliance held on 19th October, 2017.

Members noted that the Ward Alliance Fund guidance had been discussed at a recent event, and it had been agreed to be updated in light of comments received. Members were reminded to forward any further comments to the Area Council Manager.

RESOLVED that the notes from the Penistone East and West Ward Alliance held on 19th October, 2017 be received.

26 Report on the use of Ward Alliance Funds (PAC.07.12.2017/4)

The Area Council Manager introduced the item. Members were made aware that in the 2017/18 financial year the Ward Alliance Fund had £40,000 to allocate. This comprised of £20,000 of finance allocated from central funds together with a further £20,000 devolved from the Area Council.

From the £40,000, at the timing of writing the report, £11,544.81 remained. However it was noted that 3 applications had been approved since the report had been published, which reduced this figure.

RESOLVED that the report be noted.

27 Performance report (PAC.07.12.2017/5)

The item was introduced by the Area Council Manager, who referred to the report circulated. The current DIAL project funded through the Working Together Fund was discussed, noting that the contract only ran until the end of December, 2017. Members were supportive of continuing this valuable service for another year through a further application to the Working Together Fund. A suggestion was made for the service to consider implementing a system whereby some appointments could be booked.

Members noted that a number of other projects funded through the Working Together Fund were also due to come to an end. These included the Trans Pennine Trail Volunteers, Penistone Round Table, and the South Pennine Community Transport Pilot. A briefing was to be arranged for Members to discuss the outcome of the latter, which would be considered in light of the SYPTE options assessment.

Those present heard how the latest version of Penistone Matters was now in print and that the Clean and Green service provided by Twiggs Grounds Maintenance was now operational.

Overall performance was very encouraging, and the Area Council Manager noted the significant increases in number of adults engaged, volunteer hours, and residents given advice and support. Members noted that the information for Penistone Youth Project was still outstanding, and it was agreed to circulate this information once it had been received.

Members discussed the overall impact of the investment, and it was suggested that the high number of 'green' ratings reflected the high quality of delivery in the area.

A discussion was had about the impact of the community magazine, and it was suggested that feedback received had generally been positive.

RESOLVED that the report be received.

28 Affordable housing (PAC.07.12.2017/6)

Sarah Cartwright, Group Leader Housing Growth was welcomed to the meeting to provide an update on affordable housing provision in the area.

Members were reminded of the definition used for affordable housing, which includes Social Rented housing; Affordable Rented housing let by councils or registered providers at 80% or less than the market rate; and Intermediate Housing which includes shared ownership or rent below market level but above social rent. It was noted that the definition did not include help to buy properties, or other low cost housing.

Those present heard how that the Strategic Housing Market Assessment had been updated in 2017, but had not changed substantially, and the shortfall of all property sizes was noted. Members noted the target for affordable housing provision in the borough of 295 units per year, with a preference of approximately 80% rented and 20% intermediate tenure.

The existing policy relating to affordable housing requested 25% of all developments of 15 units or more to be affordable in the Penistone area; however Members noted that within policy H8 of the draft local plan this rose to 30%. It was acknowledged that these levels could be impacted upon by the viability of the site and each proposal would be considered independently.

Members were reminded of the different ways of making provision for affordable housing, with the preference being provided on-site, however the significant number of other options were noted.

The attention of Members was drawn to figures relating to housing provision since 2000. It was noted that the majority of sites within the borough were below the 15 unit threshold and therefore there was no provision required. Members were also reminded that planning permission was approved for a number of sites in the area prior to the adoption of the affordable housing policy, and therefore contained no affordable provision.

Members acknowledged the evidence for the Local Plan, which highlighted that for areas where 25% of units developed were requested to be developed 19.5% had been delivered on site. Annual targets of providing 150 units were met in 2016/17 (160), and were on track in 2017/18 (98 by Q2). It was noted that these figures had been met through a variety of means which included new build, but also the refurbishment of void properties and purchasing long term empty homes.

The Area Council was made aware of the current situation with regards to Affordable Housing section 106 finance and the current priorities. Moving forward Members noted future priorities included the acquisition of land to develop Council houses with 106 funding, and the opportunities for affordable housing provision associated with strategic site within the Local Plan.

Members discussed the numbers of empty homes. It was noted that in the previous year 37 homes had been put back into use, but that this could be time consuming as owners may not be willing.

The issue of viability assessments were discussed and assurances were given to Members that developers were robustly challenged on quality of developments and the provision of affordable housing, with the district valuer engaged where necessary.

The quality of new build properties was considered, and it was noted that properties purchased by the authority using section 106 finance were inspected and any issues rectified before taking ownership. It was also acknowledged that a number of builders now engage third party building control services for inspection as opposed to the service provided by the local authority.

A suggestion was made that Members may wish to receive a further presentation on the use of Section 106 finance in due course.

RESOLVED:-

- (i) That the Group Leader Housing Growth be thanked for their attendance;
- (ii) That a future meeting of the Area Council receives a presentation on the use of Section 106 Finance in the area;
- (iii) That the information provided be noted.

29 Clean, Green and Tidy - Twiggs Grounds Maintenance (PAC.07.12.2017/7)

John Twigg and Adam Price from Twiggs Grounds Maintenance were welcomed to the meeting discuss the new service which they would be delivering in the Penistone Area.

The team consisted of a Supervisor, an Operative, and would shortly include an Apprentice. They had just begun working in the area, and had been visiting established groups and Parish Councils in order to better know the area and work already taking place.

A presence on social media had been established and a number of events publicised. It was noted that this included tree planting of a community orchard in Millhouse Green, and working with volunteers at Saunderson Gardens. In addition, the team had made links and organised to work with Hoylandswaine School and would be making links with others.

Members thanked the team for their work to date, which had been thought positive. It was suggested that the team returns in approximately 6 months to discuss progress.

RESOLVED:-

- (i) That thanks be given to John Twigg and Adam Price for their attendance;
- (ii) That Members forward any requests for work through the Area Team for appropriate scheduling;
- (iii) That Twiggs Grounds Maintenance are invited to a future meeting of the Area Council in approximately 6 months to discuss progress.

30 Principal Towns Investment Programme Update (PAC.07.12.2017/8)

Fiona O'Brien, Principal Towns Project Manager, was welcomed to the meeting and a video was presented which had been compiled by Sheffield University students. The presentation suggested a number of areas of improvement within the town centre. These included improving way-finding, traffic management, and increasing the offer at the Town Hall/Paramount and also within the Market Barn.

Members were supportive of plans, and in discussion wheelchair accessibility, access to parking, and increased signage were also mentioned. It was noted further development work would commence shortly; this would include feasibility work and further development of plans by architects.

It was noted that approval would shortly be sought for a scheme to improve shop fronts as part of the Principal Towns Programme and that the High Street may also be able to benefit from this.

RESOLVED:-

- (i) That the plans developed so far be supported;
- (ii) That the Principal Towns Project Manager be thanked for their presentation.

31 Procurement and financial update (PAC.07.12.2017/9)

The Area Council Manager introduced the item, noting that the contract with Age UK for a further year of the service for isolated and vulnerable older people had now been issued. Targets were due to be agreed shortly.

Members noted that the Working Together Fund was allocated a total budget of £202,038 from the Area Council. A total amount of £147,249 had been approved, leaving £54,789. Acknowledged were a number of applications expected to be submitted, however it was suggested that the fund be promoted again to encourage further applications before the end of the financial year.

It was noted that the Clean, Green and Tidy contract with Twiggs Grounds Maintenance had started on 1st November, 2017 and the detail of this had been discussed earlier in the meeting.

Those present heard that the community magazine had recently been printed and would be distributed before Christmas. Members discussed further print runs of the magazine, noting that production was at nil cost due to the advertisements and were supportive of further editions. It was suggested that further consideration ought to be given to measuring the impact of the magazine where possible.

RESOLVED:-

- (i) That the update report be received;
- (ii) That the position on the Clean and Tidy Contract be noted;
- (iii) That two further editions of the community magazine be produced, and with further detail regarding costs for distribution be considered at a future meeting;
- (iv) That the financial situation for the Area Council be noted.

Chair

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Item 28



MEETING:	South Area Council
DATE:	Friday, 15 December 2017
TIME:	10.00 am
VENUE:	Meeting Room, The Hoyland Centre

MINUTES

Present Councillors Stowe (Chair), Andrews BEM, Coates, Franklin, Frost, Lamb, Markham, Shepherd and R. Wraith.

27 **Declarations of Pecuniary and Non-Pecuniary Interests**

Councillors Franklin, Lamb and Shepherd declared non-pecuniary interests in minutes 31 and 33 in relation to discussion about the Clean and Tidy Team and their positions as directors of Forge Community Partnership.

28 **Minutes of the Meeting of South Area Council held on 20th October, 2017 (Sac.15.12.2017/2)**

The meeting considered the minutes of South Area Council held on 20th October, 2017.

RESOLVED that the minutes of the South Area Council held on 20th October, 2017 be approved as a true and correct record.

29 **Notes of the Ward Alliances (Sac.15.12.2017/3)**

The meeting received the notes from the following Ward Alliances:- Hoyland Milton and Rockingham held on 6th November; Wombwell Ward Alliance held on 7th November; and Darfield Ward Alliance held on 23rd November, 2017.

RESOLVED that the notes from the Ward Alliances be received.

30 **Report on the Use of Ward Alliance Funds (Sac.15.12.2017/4)**

Members considered the report on the use of Ward Alliance Funds, previously circulated.

RESOLVED that the report be noted.

31 **Performance Report (Sac.15.12.2017/5)**

The item was introduced by the Area Council Manager. The attention of Members was drawn to the service provided by CAB delivering advice sessions. The service had recently seen a significant increase in clients attending, with numbers attending well over target, and many having complex cases.

Meetings had taken place to discuss the reasons behind increases and a survey was also to be conducted to provide an insight. A report would then be compiled with options for addressing the problem, which would then be discussed by Members at a future meeting of the Area Council. In the interim, the Area Council Manager made

members aware that staff employed in the library would try to provide support, letting clients know of waiting times.

Members discussed the possibility of putting in place an appointment system, noting that this could have adverse as well as positive impacts.

The Area Council Manager told the meeting that the Tidy Team generally had positive performance but it was noted that an amber rating had been given for 'outcome indicator targets met'. This was as a result of failing to meet a number of targets, including the number of litter picks, clean ups, as well as engaging businesses a new community groups. It was noted that this would be discussed at the next meeting of the Tidy Team Steering Group.

With regards to the contract with Kingdom Security to provide Environmental Enforcement, it was noted that there was a significant increase in the numbers of fixed penalty notices issued. Within the quarter 194 had been issued for littering and 6 for dog fouling, and 100% of contracted hours had been delivered.

Members discussed the visibility of officers and also the issues with regards to parking in centres such as Wombwell and Hoyland. It was suggested that Members provide intelligence highlighting areas where they would like officers to concentrate their patrols, including specific times where appropriate.

RESOLVED

- (i) that the report be noted;
- (ii) that a future meeting of the Area Council receives a report on options for dealing with the high levels of demand for advice.

32 Reducing the Strength and other health initiatives (Sac.15.12.2017/6)

Diane Lee, Head of Public Health, was welcomed to the meeting to provide an overview of 'Reducing the Strength' and other public health initiative with a view to discussing how to adapt delivery to the South Area.

Members were reminded how views of health have changed, and how a little as 10% of our health is related to health services, with the majority of health being linked to the environment in which we live.

Statistics related to life expectancy in both women and men showed gaps between Barnsley and national averages. Statistics showed that although people are living longer, much of this is in poor health. Also highlighted were the inequalities within the borough itself.

When considered against other areas within Yorkshire, Barnsley was highest for alcohol related hospital admissions and smoking related hospital admissions. The associated costs of each were noted.

Members noted the work to create a Smoke Free Barnsley, with many parks adopting this, and plans to roll this out to Barnsley Market in the New Year, whilst also aiming to adopt a similar policy around schools. Also noted were initiatives such as Best Bar None, and Reducing the Strength to address issues associated with alcohol.

Those present were made aware of initiatives to help residents maintain a healthy weight, including encouraging schools to adopt a policy of sugar free drinks.

In summary a number of areas were suggested where South Area Council could develop a Public Health Plan for the area. These included Reducing the Strength; Low Sugar Communities; Smoke Free Communities; Healthier Takeaways; Social Isolation; and Sleep.

Members supported the idea, and a number of positive suggestions were made. It was suggested that the plan needed to take account of the very constrained financial situation, and therefore focus was required. The plan could consider initiatives at all levels, borough wide, area, and ward, with the Area Council concentrating on the appropriate level, with Ward Alliances adopting the same approach. A suggestion was also made for the Area Council to be briefed on the work Age Concern was supporting in the area at a future meeting

In addition work could be undertaken to ensure a 'golden thread' supporting public health could be seen running through all Area Council and Ward Alliance work.

Members noted the positive work to make smoking invisible, but also commented on the rise of vaping. The use of this to aid stopping smoking was acknowledged, as was the potential for this to be a gateway to smoking tobacco.

RESOLVED:-

- (i) Thanks be given for the presentation and its content noted;
- (ii) That support be given for the development of a Public Health Plan for the South Area, with this being discussed a future meeting of the Area Council;
- (iii) That a future meeting of the Area Council receives a presentation from Age Concern about their work in the area.

33 Procurement and Financial Update (Sac.15.12.2017/7)

The item was introduced by the Area Council Manager. Members attention was drawn to the financial situation of the Area Council, and it was noted that approximately £42,000 remained for allocation in the current financial year. It was noted that income from the Kingdom Contract would be forthcoming at the end of the financial year.

Members were reminded of previous discussions about where the Area Council could potentially invest its resources. These included work to address social isolation; a further extension of the Private Sector Housing Enforcement contract,;and the Grantfinder package. It was noted that discussion was taking place at a forthcoming Area Chairs meeting about the latter, and that there would be a workshop to fully scope work on social isolation in due course. Members commented on the current Private Sector Housing Enforcement contract, noting its positive impact.

Members discussed the merits of continuing the community magazine, noting that there were plans to try to evaluate its effectiveness using social media. It was noted that the magazine was produced at nil cost due to the advertisements within the

publication, with the only cost being for distribution. Members were supportive of two further editions of the magazine, given its reach.

RESOLVED that:-

- (i) The financial position for 2017/18, and 2018/19 be noted;
- (ii) That approval be given to produce two further editions of the Community Magazine in 2018.

34 Tour De Yorkshire (Sac.15.12.2017/8)

The Area Council Manager introduced the presentation, reminding Members of the recent announcement of Barnsley to host a stage of the Tour de Yorkshire on 4th May, 2018.

Both Men's and Women's races were scheduled to start outside the Town Hall and would come through the South Area, passing through Blacker Hill, Hoyland and Elsecar.

Members noted that a number of sessions were being held offering opportunities for businesses to get involved. The events team would also be assisting people to get involved in the 'In Gear' arts project.

The Area Council Manager highlighted some of the benefits from the previous year, with 25,000 spectators spending £538,500.

Members discussed the event, and it was noted that this offered an opportunity to showcase parts of the area. Discussion turned to financial support of the event, and it was suggested that any community activity around the event requiring additional finance should be directed towards the Ward Alliances. Members agreed that if the Area Council was to consider supporting the event financially, this ought to include what the investment would be for, how this would help meet Area Council priorities, and how it would provide value for money.

RESOLVED that the update of the Tour De Yorkshire be received.

35 Appreciation

Following her recent resignation as Councillor, Members expressed thanks to Emma Dures on her contribution to the Area Council and to the wider work of the Council. Members collectively gave their best wishes to her in her future endeavours.

RESOLVED that thanks for the contribution of Emma Dures be noted.

Chair

Item 29

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 Executive
Director of Core Services

1. Purpose of report

- 1.1 The Combined Authority (Mayoral Elections) Order 2017 formally requires that each constituent Council in the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority shall appoint an Officer of the Council to be the Local Returning Officer for the election of a Combined Authority Mayor.

2. Recommendations

- 2.1 That the Chief Executive, Diana Terris be appointed as the Local Returning Officer for the Council at the Combined Authority Mayoral elections.

3. Introduction

- 3.1 Under Section 35 (1) of the Representation of the People Act 1983, Councils are required to appoint an Officer to be the Returning Officer for local elections.
- 3.2 In the draft Combined Authority (Mayoral Elections) Order 2017 circulated prior to the Order being formally laid before Parliament, the Returning Officer at local elections was automatically the Returning Officer at Combined Authority Mayoral elections.
- 3.3 In the final legislation which became law on 31 January 2017, Section 35 of the Representation of the People Act 1983 has been modified by paragraph 1(5) of Schedule 2 of the 2017 Order, so as to provide that a separate Returning Officer appointment should be made for the Combined Authority Mayoral Election. The Council must therefore now make a specific decision with respect to this.

4. Proposal and justification

- 4.1 That the Chief Executive, Diana Terris be appointed as the Local Returning Officer for the Council at the Combined Authority Mayoral elections.
- 4.2 This appointment would be in line with Electoral Commission recommendations that the most senior officer of the council is appointed as Returning Officer for all elections and reflects the appointment of the Chief Executive as Returning Officer for Local Elections.

5. Consideration of alternative approaches

5.1 None

6. Implications for local people / service users

6.1 None

7. Financial implications

7.1 None. the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority has agreed that no fees will be paid to Returning Officers at Combined Authority Mayoral elections. The Local Returning Officer will be able to recover from the Combined Authority the additional cost of administering the Mayoral election over and above the Local Elections with which the Mayoral election will be combined. The costs of administering the Mayoral election will therefore be cost neutral.

8. Employee implications

8.1 None

9. Communications implications

9.1 None

10. Consultations

10.1 None

11. Background papers

11.1 None.

Officer Contact: A.C. Frosdick, Telephone No: Ext 3001, Date: 17th January 2018

Item 31

BARNESLEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

Joint Report of the
Executive Director-Core
Services – and the
Executive Director-Place

HOUSING REVENUE ACCOUNT –DRAFT BUDGET 2018/19 & HOUSING CAPITAL INVESTMENT PROGRAMME 2018-2023

1. Purpose of report

1.1 This report provides a summary of:-

- (i) The Housing Revenue Account HRA draft budget for 2018/2019;
- (ii) 5 Year HRA Forecast;
- (iii) Use of the HRA Working Balance and Berneslai Homes Surplus; and
- (iv) The 2018/23 proposed capital investment programme

2. Recommendations

It is recommended:-

- (i) That the Housing Revenue Account Draft Budget for 2018/2019 be approved, with any final amendments / additions being delegated to the Cabinet Spokesperson for Place and the Executive Director for Place in consultation with Cabinet Spokesman for Core Services and Service Director-Finance (S151);
- (ii) That the Development Proposals for 2018/19 as set out in Appendix C and section 3.10-3.21 be agreed;
- (iii) That the Service Charge Proposals for 2018/2019 as set out at Appendix E & Sections 3.33 to 3.35 be approved;
- (iv) That the 2018/19 Berneslai Homes Management Fee at section 3.45 is 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;
- (v) That the use Unallocated Working Balances as outlined in section 3.30-3.31 be approved;
- (vi) The Council Housing Capital Investment programme for 2022-23 is approved.
- (vii) That a rent reduction in line with Government's rent policy be approved; and that;
- (viii) The Board of Berneslai Homes be authorised to vary any of the approved core 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.

3. Introduction

3.1 This reports sets out the proposed 2018/19 HRA draft budget and the 2018/23 Housing Capital Investment Programme. At section 3.5-3.9 the five year financial forecast is shown highlighting the key pressures facing the HRA over the next five years.

Rent Policy

- 3.2 On the 8th July 2015 the Government made a surprise announcement to reduce social housing rents by 1% per annum for the next four years from 2016/17. Rent income forecasts had been previously based upon a rent increase formula of CPI plus 1%. In 2016/17 this amounted to a loss of income of £3.4M rising to £13.2M by 2020/21.
- 3.3 In September 2017 the Government confirmed that rents from 2020/21 would increase by CPI plus 1% for a five year period, this has been factored into the rent income forecasts.
- 3.4 The 1% rent decrease leads to an average rent decrease of £0.79p per week for 2018/19. All new lets, new build, acquisition and extended properties will be let at target rent.

Five Year Forecast

3.5 The table below compares the savings requirements reported in last year's business plan to those currently forecast. After funding the developments summarised in section 3.10-3.20 £0.504M is required from the HRA unallocated working balance.

	2018/19 £M	2019/20 £M	2020/21 £M	2021/22 £M	2022/23 £M
Savings Required Jan 17	1.493	4.333	4.520	4.255	5.013
Major Changes:					
Rental Income	-0.414	-0.612	-0.833	-1.087	-1.243
Management Costs	-0.462	-0.562	-0.661	-0.763	-0.870
Repairs	0.240	0.134	0.038	0.016	-0.051
Bad Debts	-1.043	0.020	0.025	0.731	0.025
Interest Charges	-0.092	-0.051	0.332	0.451	0.385
Transfer to Capital Prog	-0.264	-0.379	-0.526	-0.744	-1.064
Budget Developments	1.051	0.227	0.232	0.515	0.241
Other (net)	0.000	0.020	0.010	0.034	-0.087
Savings Required	-	3.130	3.137	3.407	2.349
Working Balance Requirement	0.504	-	-	-	-

- 3.6 The reasons for the key variation in the 2018/19 financial forecasts shown in the table above are summarised below:
- Rental income – Higher average stock number forecasts due to lower predicted Right to Buy sales.
 - Management costs – Lower management fee due to incorporation of savings identified from a zero based budget review
 - Repairs – Higher inflation rate applied (3%)
 - Bad debts – Delays in the roll out nationally of Universal Credit
 - Interest charges – lower interest rate assumptions on variable rate loans
 - Transfer to capital programme –Reduced resource requirement based upon the capital requirements in the 30 year capital plan.
- 3.7 It should be noted that significant savings still required from 2019/20 onwards.
- 3.8 A remodelled service offer is being developed to achieve the required savings in future years. The outcome of the service reviews and calls upon HRA reserves may also impact upon the level of future savings requirements.
- 3.9 A summary of the draft 2018/19 budget is included at Appendix A and the main variations are included at Appendix B.

Development Proposals

- 3.10 Appendix C summarises the development proposals showing a net cost to the HRA of £1.051M in 2018/19.
- 3.11 Three out of the four proposals are in relation to Health and Safety/Regulatory Compliance. The proposed developments are detailed below:

Domestic Electrical Testing

- 3.12 General domestic electrical tests are not statutory but are recommended as good practice by the Electrical Safety Council and undertaken by the majority of social housing providers. The current regime does not give full evidenced assurance that every domestic electrical system has had an electrical test. Increasingly housing providers are being asked by the Home and Communities Agency as regulator to provide assurance that health and safety requirements can be evidenced.
- 3.13 The proposal is to introduce periodic electrical testing on a ten year cyclical programme covering 100% of the stock. The current testing regime includes voids, decent homes work, new installation and covers approximately 85% of the stock.
- 3.14 In 2018/19 it is anticipated that first year inspection costs covering 3,000 properties would cost £0.450M with £0.250M potential additional repairs arising from the inspections. In subsequent years testing costs would amount to around £0.150M for tests on 1,000 dwellings per year. Additional resources are required to establish monitoring systems costing £0.097M, it is proposed that this is funded from Berneslai Homes reserves.

Domestic Legionella Risk Assessments

- 3.15 Currently risk assessments are carried out for our commercial properties but there is no provision for a legionella risk assessment of our domestic properties. The Health and Safety Executive has updated legislation to now include a responsibility for smaller water systems in domestic properties to be risk assessed.
- 3.16 In 2018/19 it is estimated that a full risk assessment which consists of a full physical inspection of all the housing stock will cost £0.278M. It is proposed that every three years the risk assessments are repeated at the same cost. Additional resources are required to establish monitoring systems costing £0.066M, it is proposed that this is funded from Berneslai Homes reserves.

Person Centred Fire Risk Assessments

- 3.17 In the summer of 2017 the National Fire Chiefs Council published new guidance on Fire Safety in Specialised Housing. Landlords are expected to take account of this guidance which is intended to assist with Fire Safety Order compliance. The guidance is designed to cover properties in which the fire safety design of the building supports a stay put strategy.
- 3.18 In order to comply with this guidance it is proposed to develop and adopt a person centred fire risk assessment approach in the 11 Independent Living (Under one roof former sheltered housing scheme) and the 3 medium rise block of flats on Sheffield Road (Britannia, Buckley and Albion) which have a stay put policy. In total this covers approximately 1000 properties. The additional duties applying to the Sheffield Road flats cannot be contained within existing resources of the team. The increased staffing costs equates to £0.016M per annum.
- 3.19 Following the Grenfell Tower Tragedy in June 2017, fire safety compliance checks were carried out on the three Sheffield Road storey block of flats. The flats are of different construction to Grenfell Tower and are not over clad. The checks gave assurance on the fire safety measures in place. As yet the Grenfell Tower public enquiry is still some way off making recommendations, but the scale of the tragedy will inevitably lead to far reaching recommendations. These may include the installation of fire suppression systems in buildings of certain types or where more vulnerable tenants live and the level of the recommendations may have an impact on future spending priorities and savings required from other HRA budget headings. Thus far working closely with the South Yorkshire Fire Service we have prioritised independent living schemes for fire suppression systems. Seven of these have or are in the process of having systems fitted and this has been supported by grant from the Fire Service.

Mental Health Support Workers

- 3.20 A successful mental health pilot scheme has been in operation since September 2016. It is proposed that this support is now embedded into core services.
- 3.21 The support makes provision for early help to vulnerable customers with mental health support needs and is supportive of the Borough's All Age Early Help Strategy. This will assist tenants to maintain and sustain their tenancy, avoiding escalation pressures and costs on in-house and partner agencies. The cost of this proposal is £0.057M per annum.

2018/19 Key Budget Assumptions

- 3.22 A number of assumptions have been built into the 2018-19 budget, the key areas are summarised below:
- Average housing stock of 18,420 dwellings
 - No requirement for new external borrowing
 - 1.5% of rent income for the bad debt provision
 - 1.0% rent loss due to voids
 - 3.0% inflation applied to repairs expenditure

- 3.23 The HRA borrowing cap is £301M, the estimated level of debt at the start of 2018/19 is £272M, giving a borrowing headroom of £29M. The current interest charges are based upon the existing level of debt any further borrowing will increase these charges in the HRA.

Available HRA Working Balances

- 3.24 The table below summarises the latest HRA working balance position and forecast spend of the earmarkings in the 2017/19 period.

	Latest Position £M	Spend 17/18 £M	Spend 18/19 £M	Balance 31/03/19 £M
HRA Working Balance *	44.7			
<u>Earmarked For:</u>				
i) Capital Programme Commitments	13.6	4.3	9.2	0.1
ii) HRA Reserve Fund	14.3	0.3	4.8	9.2
iii) Welfare Reform	3.0	0.0	0.0	3.0
iv) Sale of High Value Voids	2.5	0.0	0.0	2.5
v) New Build Bungalows *	2.4	0.8	1.6	0.0
vi) Budget Development Proposals	0.5	0.0	0.5	0.0
vii) General Contingency/Minimum Working Balance	3.5	0.0	0.0	3.5
viii) Unallocated	4.9	0.0	0.0	4.9
iv) Total	44.7	5.4	16.1	23.2

**Includes budget surplus allocated to new build bungalows in the 17/18 budget process*

- 3.25 The welfare reform earmarking is reviewed on an annual basis and will be released in later years subject to the impact of the full roll out of Universal Credit.
- 3.26 The £4.9M unallocated balance is due to the 2016/17 underspend on the HRA (£3.4M), release of an earmarked sum for impairment (£2M) partially offset by a funding requirement for 2018/19 development proposals (£0.5M). Revised statutory determinations in relation to the accounting treatment of impairment have been released which means the impairment earmarking in the working balance is no longer required.
- 3.27 The general contingency is set at 5% of the rent income budget, this is the minimum working balance.
- 3.28 The enforced sale of high value voids is a risk to the HRA as outlined at sections 11.11-11.12 and the Government's intentions regarding scale and timescales are still not clear. The position will be monitored on an ongoing basis and the earmarked resources will be released to support other priorities if no longer required.

Available Berneslai Homes Working Balances

- 3.29 The table below summarises the Berneslai Homes working balance position.

	£M
Berneslai Homes Working Balance at 31 st March 2017	11.04
Earmarked For:	
i) Modernisation	1.61
ii) Regulatory Compliance	0.16
iii) General Contingency (5% of turnover)	1.75
iv) Unallocated	7.52

Strategic Use of Unallocated Balances

- 3.30 The total unallocated balance across the HRA (£4.9M) and Berneslai Homes Ltd (£7.5) is £12.4M.
- 3.31 The identified strategic priorities are a sum of £1.5m over a three year period from the unallocated balances to assist with the Council's strategy of reducing the number of long term empty homes. The remaining unallocated balance is to be used to support site acquisitions, strategic residential developments, and improvements to poor quality private sector housing. Together with meeting key Council priorities arising through the Homelessness Reduction Act.
- 3.32 The 2017 Autumn Budget Statement shows a commitment to future housing growth, supporting 300,000 new homes a year by the mid 2020's and investing £44bn across the sector in housebuilding in capital funding, loans and guarantees. There may also be opportunities for the Council to get additional funding from the £2.7bn housing infrastructure fund and £1.1bn announced for unlocking strategic sites. In addition the budget statement makes reference to lifting borrowing caps in "high-demand areas" and we will await the detail on this statement

Service Charge Increases/Decreases

- 3.33 It is proposed that the communal facilities charge for those in housing for Independent living schemes should increase from £6.96 per week to £7.05 over 48 weeks in line with projected actual costs of the services provided.
- 3.34 There are 33 existing new build properties with shared facilities for which service charges are levied. It is proposed to levy the weekly charges in line with estimated actual costs, the individual scheme costs are shown in Appendix E.
- 3.35 The current charge for district heating is 9.5p per kilowatt hour. Based upon actual costs incurred it is proposed that there is no change to this charge in 2018/19.

2018/23 Council Housing Investment Programme

- 3.36 Cabinet previously approved a five year Council Housing Capital Investment Programme 2017-22 (Cab.11.1.2017/9). Moving forward a year this report sets out the proposed investment programme for 2022/23.
- 3.37 The proposed 2018-23 Council Housing Investment Programme totals £137.886M. The aim of the core investment programme is to maintain the council housing stock in Barnsley at decency standards as determined by the Homes and Communities Agency Home Standard which is a regulatory requirement for all local authorities. This is the Barnsley Homes Standard and Appendix D details the five year programme and the resources available for investment.
- 3.38 The 2018-23 Barnsley Homes Standard (BHS) budget is kept at a level to keep properties from falling into non decency. This programme targets those properties where, through the passage of time, elements such as kitchens; bathrooms; heating systems; windows and external doors are worn out and need replacing. Investment in the council housing stock ensures properties remain lettable and the rental income ensures the viability of the HRA.
- 3.39 The five year programme also includes the main non Barnsley Homes standard budgets including planned replacement items, major adaptations and structural extensive works.
- 3.40 The programme includes funding for new build and acquisition schemes to support the Council's priority of housing and economic growth and providing affordable rented housing. In 2016/17 savings totalling £14.3M were identified within the Council Housing capital programme (£9.3M) and from a review of the HRA working balances (£5M) to support this area.
- 3.41 Additional budgets for new build targeted at older persons and vulnerable adults and individual acquisition purchases (including right of refusal on right to buy and long term empty homes) are also part of the HRA added value investment.

- 3.42 The proposed investment in acquisitions and new build will enable the Council to utilise its '1-4-1' receipts generated from the sale of Council dwellings through 'Right to Buy (RTB)'. These receipts can be used to invest in eligible new build schemes and acquisitions but must be spent within 3 years or be returned back to the Government. In addition the 1-4-1 contribution can only represent 30% of the total cost of the investment, the other 70% is required from other HRA capital resources and cannot be match funded with any other government grant.
- 3.43 Investment in further New Build and acquisitions helps to offset the stock loss and subsequent rent income loss from sales through RTB's, helping the sustainability of the HRA.

Management Fee

- 3.44 Berneslai Homes challenges itself each year to identify savings and efficiencies to enable inflationary and other cost pressures (e.g. pay awards, pensions increases, impact on rents team of welfare reform) to be contained. This is demonstrated by the agreed budget for the Management Fee over the last 4 years as shown below:-

2014/15 Management Fee £13.775M
 2015/16 Management Fee £13.946M
 2016/17 Management Fee £13.946M
 2017/18 Management Fee £13.937M
 2018/19 Management Fee £13.840M (proposed)

During 2017/18 Berneslai Homes has undertaken a zero based budget review, which identified management fee savings shown in the table below.

- 3.45 The proposed Berneslai Homes Management Fee for 2018/19 is detailed below.

	£
Original Management Fee 2017/18	13,936,570
<u>Variations</u>	
Salaries (pay award 1%)	57,390
Insurance Premium Increase	40,000
Zero Based Budget Review	-291,330
Other	24,360
Total Variations	-169,580
Updated Management Fee (Before Development Proposals)	13,766,990
Development Proposals (per Appendix C)	73,110
Proposed Management Fee 2018/19	13,840,100

4. Consideration of alternative approaches

- 4.1 The budget has been developed with the aim of ensuring wherever possible that existing approved policies and support of corporate strategies can continue to be delivered. From the many alternative approaches available the package of proposals in this report is considered to best achieve this intention.

5. Proposal and justification

- 5.1 It is proposed that individual dwelling rents be decreased in line with the Government's rent policy. In addition it is proposed that the use of Unallocated Working Balances as set outlined in 3.30-3.31 be approved and that the proposed developments as set out in sections 3.10-3.21 & Appendix C be approved. It is proposed that the 2018-23 capital programme (Appendix D) is approved. The programme is affordable over the five year period and consistent with the Council's approved Housing Strategy.

6. Implications for local people / service users

- 6.1 The effective management of the HRA helps to consistently drive forward service improvements for the benefit of both council tenants and the wider community, and ensure investment and maintenance in council housing.
- 6.2 The capital programme is designed to meet decency standards and has aspects within it to help reduce fuel poverty and to maximise opportunities to invest in affordable warmth initiatives. The major adaptations budget also supports the continued independent living of vulnerable people.

7. Financial implications

- 7.1 In total these proposals will maintain the minimum working balance at the required level of £3.5M.
- 7.2 The total cost of the 2018/23 capital programme is £137.886M and is affordable over this five year period.

8. Employee implications

- 8.1 Any employee implications will be addressed as detailed scheme proposals are developed and approved.

9. Communications implications

- 9.1 A joint press release will be issued. Berneslai Homes will continue to communicate directly with those tenants who will be directly affected by proposed capital works in a timely manner.

10. Consultations

- 10.1 Discussions have taken place with the Director –Finance, Property & Information Services and the Executive Director – Place.
- 10.2 Consultations with local members on the Barnsley Homes Standard and on any other major capital schemes in their area will continue to take place.
- 10.3 Consultations on the Council Housing Capital Investment Programme have and will continue to take place with BMBC Planning and Highways, Legal Services, Internal Audit and NPS Barnsley where appropriate.

11. Risk management issues

- 11.1 In preparing the draft budget for 2018/19 a number of risks have been identified which will require attention during the financial year. Risks have been identified where they would have a significant impact on the ability of the Council and Berneslai Homes to achieve the stated objectives and to ensure a balanced budget at the year-end.

(1) Welfare Reform

- 11.2 Rent collection rates in the first 6 months of 2017/18 continue to remain strong at 98.11% compared to 98.27% at the same point of time last year. This can be attributed to the excellent efforts in the rent collection team, their flexible approach in supporting tenants to downsize in order to reduce their financial commitments and the team being proactive in helping tenants to claim grants and benefits including discretionary housing payments.
- 11.3 Welfare Reform continues to be a major risk to the HRA Business Plan, in particular the reduced benefit cap implemented from November 2016 and, the full roll out of the digital Universal Credit (UC) service which went fully live in Barnsley in September 2017. In September 2016 Berneslai Homes were aware of 103 tenants who were in receipt of UC. By the end of September 2017 this had risen to 238 tenants with 79% of them being in rent arrears totalling £99,890.
- 11.4 In October this year the government dropped plans to cap housing benefit in the social housing sector at Local Housing Allowance (LHA) rates. The LHA caps which had been due to be introduced in April 2019 could have left tenants with a shortfall between housing benefits and rents due increasing the risk to rent collection levels.
- 11.5 The 2017 autumn budget statement has announced that the seven-day initial waiting period for processing of Universal Credit claims is to be scrapped. Therefore potentially this will have a positive impact on rent collection rates.
- 11.6 The annual provision for Bad Debts within the HRA Business Plan has been reviewed in light of the delays in the roll out of Universal Credit. The budget has been set at 1.5% of rental income in 2018/19 rising to 3% in 2019/20 to 2021/22 reducing to 2% thereafter. This reflects the impact of the roll out of Universal Credit and a return to more normal levels after.

(2) Treasury Management

- 11.7 With the introduction of self financing the HRA exposure to treasury management risk has significantly increased as the protection from increased interest rates provided by the previous Housing subsidy system has ceased. The Council's approach to managing treasury management risk is set out in the Treasury Management Strategy agreed annually as part of the budget process. The types of risk which are most relevant to the HRA are interest rate risk and refinancing risk.
- 11.8 In the 2018/19 budget variable rate loans previously included at 2% have been reduced to 1.5% rising to 2.0% in 2019/20. This does increase the interest rate risk and will need to be monitored closely.

(3) Right to Buy

- 11.9 The level of sales through the 'Right to Buy' is greater following Government changes which have made the scheme more attractive through increases to the amount of discount which tenants receive. The actual sales for 2016/17 were 198 compared to 40 sales in 2011/12. The estimate for 2017/18 is 200 and 2018/19 is 215. The first call against the receipt from each **additional** sale is to meet the debt for that property taken on under the self financing regime. Yet increased sales through 'Right to Buy' still places a burden on the 30 year plan due to the loss of economies of scale, difficulties in downsizing to match new lower income levels and potential restructuring costs. Maintaining stock levels by taking advantage of acquisition and new build opportunities will mitigate against this risk and provide homes for people in housing need.

(4) 1-4-1 Receipts

- 11.10 1-4-1 receipts are generated from the sale of Council dwellings through Right to Buy (RTB) sales. 1-4-1 receipts can be used to invest in eligible new build schemes and acquisitions but can only represent 30% of the total cost of a scheme, 70% is required from the HRA Reserves Fund. If RTB numbers increase the amount of 1-4-1 receipts increases requiring further match funding. 1-4-1 receipts are returned to the Government if they are not spent within 3 years of receipt.

(5) High Value Sales

- 11.11 The Housing and Planning Act 2016 introduced the 'Right to Buy' for Housing Association tenants. To fund this scheme and compensate Housing Associations for the loss of their housing stock the government plans to introduce an annual levy on Local Authority HRA's. The levy is payable regardless of any high value stock actually becoming vacant or being sold.
- 11.12 In 2015/16 HRA final accounts report (cab.15.6.2016/9) approval was given to earmark savings to mitigate against the impact of the Sale of High Value Voids avoiding the need to sell around 30 dwellings. The date of implementation of the levy and the scale of the levy are still unknown.

12. Glossary

Strategic Plan - This document sets out Berneslai Homes' priorities, planned outputs and targets for the coming year and is agreed with the Council.

HRA – Housing Revenue Account

Working Balance - The accumulated surplus (excess of income over expenditure) on the Housing Revenue Account

Earmarked Working Balance - Working Balance which is set aside to meet planned future expenditure

Unallocated Working Balance - Working balance which is not set aside and is potentially available to fund priority additional expenditure items

PRIP - Property Repairs and Improvement Partnership

MRR - Depreciation Charges to the HRA are transferred to the Major Repairs Reserve pending their use to fund capital schemes

Impairment Charges - these are made to reflect reductions in the value of assets due to changes in the physical condition of the property over and above normal wear and tear and reductions due to changes in market conditions. These charges can first be made against the revaluation reserve of the asset (if one exists). Charges in excess of the revaluation reserve have to be made to the income and expenditure statement.

13. List of appendices

Appendix A - Housing Revenue Account Draft Budget 2018/19

Appendix B - Major Variations

Appendix C - Development Proposals

Appendix D - Housing Capital Investment Programme 2018-23

Appendix E - Proposed 2018-19 Service Charge Increases

14. Background papers

14.1 Welfare and Work Act 2016

14.2 Housing and Planning Act 2016

14.3 Budget working papers containing exempt information - not available for inspection.

Officer Contact: Service Director-Finance (S151)
Tel No: 773101
Executive Director – Place
Tel No: 772001
Date December 2017

Housing Revenue Account - Draft Budget 2018/19

	2017/18 Original £	2018/19 Draft £
<u>INCOME</u>		
1 Dwellings Rent	69,843,580	68,890,540
2 Non Dwellings Rents	371,480	360,560
3 Heating Charges	574,780	524,780
4 Other Charges for Services and Facilities	471,060	464,950
5 Contributions towards Expenditure	927,720	1,107,220
	72,188,620	71,348,050
<u>EXPENDITURE</u>		
6 Repairs and Maintenance (including fees)	18,294,990	18,811,460
7 Supervision, Management & Special Services	2,737,070	2,667,290
8 Management Fee	13,875,060	13,705,270
9 Rents, Rates, Taxes and Other Charges	201,300	246,250
10 Increased Provision for Doubtful Debts	1,047,650	1,033,360
11 Depreciation & Impairment of Fixed Assets	12,027,970	14,456,800
12 Debt Management Costs	94,580	96,000
	48,278,620	51,016,430
13 Net Cost of Services	-23,910,000	-20,331,620
14 Interest Payable and similar charges	10,635,600	10,629,720
15 Amortised Premiums and Discounts	77,570	77,570
16 Investment Income	-107,230	-89,280
17 Net Operating Expenditure	-13,304,060	-9,713,610
Appropriations		
18 Transfer to/from Major Repairs Reserve	8,907,170	6,870,380
19 Revenue Contribution to Capital	7,819,640	15,809,200
20 Debt Repayment	2,028,530	2,109,680
21 Base Budget	5,451,280	15,075,650
22 Use of (-) / Contribution to Working Balance	-7,819,640	-16,126,260
23 Set Aside for Additional New Build	2,368,360	0
24 2018/19 Development Proposals-Management Fee		73,110
25 2018/19 Development Proposals - Repairs		977,500
26 Surplus (-) /Deficit to be Financed	0	0

Housing Revenue Account - Draft Budget 2018/19

ITEM	£	£
1 2017/18 BUDGET		5,451,280
2 ADD VARIATIONS		
3 Increase in Revenue Contribution to Capital	7,989,560	
4 1% Rent Decrease	953,040	
5 Increase in the transfer to the major repairs reserve re depreciation in line with the Self Financing Settlement	354,020	
6 Debt Repayment in line with approved Council Debt Repayment Policy	81,150	
7 Repairs & Maintenance 3% inflation	383,970	
8 Decrease in Management Fee	-169,790	
9 Increase in NPS Fees - PRIP Tender Costs	130,000	
10 Other Variations	-97,580	
11 TOTAL VARIATIONS		9,624,370
12 2018/19 DRAFT BASE BUDGET		15,075,650

Housing Revenue Account - Draft Budget 2018/19

<u>DEVELOPMENT PROPOSALS</u>	2018/19 Expenditure £	Full Year Effect £
<u>HRA</u>		
1 Domestic Electrical Testing	700,000	150,000
2 Domestic Legionella Risk Assessments *	277,500	277,500
3 Sub-Total	977,500	427,500
Berneslai Homes Management Fee		
3 Person Centered Fire Risk Assessments	16,340	16,340
4 Mental Health Support Workers	56,770	56,770
5 Sub-Total	73,110	73,110
6 Net Cost to HRA	1,050,610	500,610

* It is proposed that the risk assessments are carried out every 3 years

Housing Capital Investment Programme 2018-23

	2018/19	2019/20	2020/21	2021/22	2022/23	TOTAL
	£M	£M	£M	£M	£M	£M
Expenditure:						
Core Programme:						
1 Barnsley Homes Standard	18.178	13.954	14.176	18.368	15.237	79.913
2 Heating Works	1.258	1.070	1.097	1.124	1.146	5.695
3 Replacement Items	1.526	1.539	1.587	1.636	1.669	7.957
4 Major Adaptations	2.040	2.007	2.097	2.150	2.193	10.487
5 Structural Extensive Works	1.650	1.686	1.785	1.758	1.793	8.672
6 Other	0.823	0.514	0.526	0.538	0.548	2.949
Added Value Investment:						
7 Housing Reserve Fund	4.830	4.900	3.894	0.000	0.000	13.624
8 New Build	3.554	0.556	0.000	0.000	0.000	4.110
9 Acquisitions	2.873	1.163	0.443	0.000	0.000	4.479
10 Total Expenditure	36.732	27.389	25.605	25.574	22.586	137.886
Resources:						
12 Major Repairs Reserve	19.043	19.877	20.372	24.662	21.670	105.624
13 Capital Receipts	0.689	0.702	0.702	0.714	0.714	3.521
14 1-4-1 Capital Receipts	1.163	1.163	0.443	0.000	0.000	2.769
15 Revenue Contribution to Capital *	10.979	0.729	0.194	0.198	0.202	12.302
16 HRA Reserve Funding	4.830	4.900	3.894	0.000	0.000	13.624
18 Other	0.028	0.018	0.000	0.000	0.000	0.046
19 Total Resources	36.732	27.389	25.605	25.574	22.586	137.886

Proposed 2018/19 New Build Service Charges

Location	Current Charge £	Proposed Charge £
Vernon Crescent	2.70	2.51
Lidgett Close	6.02	6.33
Halifax Street	4.53	4.78
Roy Kilner Road	2.66	2.22
Huddersfield Road – Flat 1	0.93	0.58
39 Huddersfield Road Flats 2-5	1.17	0.58

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Item 32

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 Executive Director
Core Services

COMMUNITY ASSET TRANSFER; THE PAVILION, BRIERLEY PARK, BRIERLEY GRANT OF A 25 YEAR LEASE BY THE COUNCIL AS TRUSTEE OF THE MINERS WELFARE RECREATION GROUND, BRIERLEY, TO BRIERLEY PLAYMATES

1. Purpose of Report

- 1.1 The purpose of the report is to consider the grant of a 25-year lease of the Community Pavilion and surrounding grounds at Brierley Park (shown edged black on the attached plan) by the Council, as Trustee of the Brierley Miners Welfare Scheme, to Brierley Playmates, so that they can continue to provide pre-school nursery places to the local community.

2. Recommendations

RECOMMENDATION TO COUNCIL:

- 2.1 That, subject to the statutory procedures under the Charities Act 2011 being complied with, the Council, in its capacity as Trustee of the Brierley Miners Welfare Scheme, approves the grant of a 25-year lease to Brierley Playmates.
- 2.2 That the Service Director Assets be authorised to finalise Heads of Terms for the proposed 25-year lease , in accordance with charity legislation.
- 2.3 That the Executive Director of Core Services be authorised to complete the lease to Brierley Playmates.

3. Introduction

- 3.1 Following the dissolution of Brierley Town Council and abolition of the Parish of Brierley in April 2016, the rights and liabilities of Brierley Town Council transferred to Barnsley Metropolitan Borough Council. The Council subsequently became trustee of Brierley Miners Welfare Scheme Recreation Ground originally having been created by the Department of Education and Science, in pursuance of Section 3 of the Open Spaces Act 1906 as deposited with the Secretary of State.
- 3.2 The Community Pavilion is situated on the eastern boundary of the Recreation Ground. It is a former sports changing facility that has undergone major refurbishment over time and is now the place of operation and headquarters of Brierley Playmates. Although they have occupied the pavilion for a number of years, they currently have no formal agreement detailing the terms of their occupation.

- 3.3 Brierley Playmates (registered charity 1036606) provide pre-school education and care to local children between the ages of 2 and 5. They are committee run, with parents of the attending children invited to become members. The Charity receives Early Years Education funding on a per-child headcount basis and currently employs 5 members of staff.
- 3.4 The Council are in receipt of approvals for the proposed lease from the Coal Industry Social Welfare Organisation (CISWO) and the Charity Commission.
- 3.5 Charities legislation allows for “charity-to-charity” transactions to be completed at less-than-best obtainable value, provided that the relevant authorisation can be obtained and the transaction is in-line with the objectives of the Trust.

4.0 Proposal and Justification

- 4.1 It is proposed that subject to the procedures under the Charities Act being adhered to, the Council as Trustee approve the granting of a 25 year lease of the Brierley Park Community Pavilion and grounds to Brierley Playmates in accordance with charity legislation.
- 4.2 The terms of the lease will make the tenants responsible for maintenance and any repairs to the property, along with all outgoing costs and utilities. The Council will continue to insure the building but recharge the premium to the tenant.
- 4.3 The proposed lease will contain a landlord or tenant break clause, subject to 6-months’ written notice. This will provide a degree of flexibility ensuring the Charity can terminate the agreement if the management of the facility becomes too onerous and allow the Council to take occupation in the event of continued and material tenant breach.
- 4.4 The proposal is in line with the Council’s Community Asset Transfer Policy (Cab 30.1.2013.6.3). However, this consent is not relevant to this transaction given this is a decision taken by the Council as Trustee, rather than Local Authority. Such an arrangement is permitted under Charities Legislation as a “charity-to-charity” transaction and will enable the Council’s charitable ambitions to be fulfilled as the Brierley Playmates will continue to meet the objectives of the Trust.
- 4.5 The continued operation of the facility as a nursery is an important factor in ensuring community wellbeing, not just in terms of the provision of pre-school education in the village (Brierley Playmates is the only current local provider), but also in the availability of a social interaction and community events for the parents or carers of the attending children.
- 4.6 Community groups or charities with observable vested interests in property are more likely to receive funding from external parties for the purposes of development, refurbishment or stock replenishment. The proposed lease would assist the Charity in undertaking any necessary repairs or redevelopment of the building and provide confidence in the Charity’s long term ability to sustain itself financially.

5. Consideration of Alternative Approaches

- 5.1 If the proposal is not approved, the Council's obligations as Trustee and reasonable landowner will mean the management of the pavilion will revert back into the Council's remit. Due to budget pressures and limited resources, in such circumstances it is likely that the building would be closed, forcing the Charity to either suspend operations or relocate. In either event, the service would be lost to the community.
- 5.2 Transferring the freehold of the land in question to the Charity is not possible due to the Council's Trust obligations.

6 Impact on Local People

- 6.1 The proposal would ensure the continued involvement, inclusion and empowerment of a third-sector organisation in the local community. It would also provide a sustainable location for the provision of pre-school education in the village, including a social hub for parents and carers of young children.
- 6.2 Central to Brierley Playmates structure is the encouragement for parents and carers to be involved in the management of the Charity at a committee level. The proposed lease would provide a long-term stability that would only serve to boost participation and thus increase social investment in the community.

7. Financial Implications

- 7.1 There are no direct financial implications associated with this proposal as the transaction is being dealt by the Council as Trustee as opposed to the Local Authority.
- 7.2 The grant of a 25 year lease to Brierley Playmates will ensure that the building is maintained and continues to be used by the community in line with the Council's Community Asset Transfer Policy ref Cab.30.1.2013/6.3.
- 7.3 The grant of a 25 year lease will allow Brierley Playmates to make applications for funds to support their operation and funds towards the premises that the Council as Trustees is unable to access.
- 7.4 The proposal to award the lease ensures the best use of the asset and will have significant benefits to the local community as outline within section 6 of this report.
- 7.5 The Brierley Playmates will pay the councils reasonable legal and surveyors fees in respect of the lease.
- 7.6 There are no undue VAT implications arising as a result of this report.
- 7.7 For the purpose of IFRS the lease will be classified as an operating lease.

8. Employee implications

- 8.1 There are no implications for BMBC employees as a result of this recommendation

9. Communications implications

- 9.1 The grant of the new lease will be subject to complying with the Charities Act and where required the necessary public notices will be posted.

10. Consultations

- 10.1 Local ward members have been consulted on the proposed lease and support the proposals as detailed in this report.
- 10.2 The Service Director Stronger, Safer & Healthier Communities (Parks Services) support the grant of a 25 year lease.
- 10.3 Financial services Manager and the insurance and Taxation Manager on behalf of the Service Director of Finance (S151 Officer), has been consulted and details are shown in Item7 of the report.
- 10.4 Legal Services have also been consulted in the creation of this report in respect to the grant of a lease in relation to land and property subject to Trust.

11. The Corporate Plan and The Council's Performance Management Framework

- 11.1 The Charity's mission statement emphasises the importance of community involvement and is in alignment with the continuing development, consolidation and expansion of community resources as detailed in the Council's Corporate Plan. Moreover, the Charity is committed to developing attending children's social relationships and community awareness as part of the Early Years Foundation Stage Framework, which will foster long-term emotional investment in the borough.

12. Promoting Equality and Diversity and Social Inclusion

- 12.1 The continuation of free childcare in the village will assist families with young children, teenage parents, and families on low income. There are no foreseeable negative effects arising from this report.

13. Tackling the Impact of Poverty

- 13.1 The presence of a reliable and sustainable free childcare provider in the village enables families with young children to feel confident pursuing other vocations. The service provides a welcome respite to parents you would otherwise be full-time carers and gives them the time to enter or continue employment or to pursue further education.

13.2 Longer-term, the presence of a pre-school education facility in the village will increase communication and connectivity with local schools and academies for mutual academic benefit.

14. Tackling Health Inequalities

14.1 The continuation of the community nursery facility will provide a source of advice and information about many issues that impact on children's health including diet, exercise, and healthcare.

14.2 The Charity has adopted the Early Years Foundation Stage learning framework. A central theme of this document is the promotion of children's physical development, including detailed emphasis on the importance of physical exercise, basic hygiene, and self-care. Moreover, the framework encourages regular and consistent discourse with health professionals throughout child development.

15. Reduction of Crime and Disorder

15.1 Vacant or under used buildings and land can attract vandalism and unauthorised uses such as fly-tipping, substance abuse and other anti-social behaviour. The proposed transfer will keep the property in use, helping to prevent such problems.

15.2 A thriving pre-school service will encourage more use of the park by local residents, thereby increasing the potential participation in the use of the land by other community organisations, including the existing neighbouring football club.

16. Risk Management Considerations

16.1 The granting of a lease to the Brierley Playmates would see a continuation and potential development of the nursery facility that had been under the management of the Charity for a number of years, keeping the asset at the heart of the community and in a productive use for the benefit of the local population. That being said, it is possible during the 25 year term that the Charity disbands, either through financial hardships or possible changing priorities of the personnel.

16.2 To mitigate the ramifications of this, the lease will include both landlord and tenant break clauses, allowing both parties to terminate the agreement subject to 6 month's written notice. This will ensure that the Charity is not entering into an agreement that is potentially too onerous to fulfil and will give the council the opportunity to terminate the agreement in the event that the tenants fail to remain in accordance with the terms of the lease.

17. Health, Safety and Emergency Resilience Issues

17.1 The proposal to lease the property will be carried out giving full considerations to current Health and Safety legislation.

18. Compatibility with European Convention on Human Rights

18.1 This report recognises the promotion and importance of equality, diversity and human rights for all members of the local community and the wider borough.

19. Conservation of Biodiversity

19.1 There are no issues arising from this report.

20. Glossary

21.1 CISWO - Coal Industry Social Welfare Organisation

21. List of appendices

21.1 Appendix A – Site plan

22. Background Papers

22.1 Correspondence regarding this matter is held on the files in Asset Management – not available for inspection, contains exempt information.

Office Contact: Tim Hartley Telephone No: 774615 Date: 11th December 2017

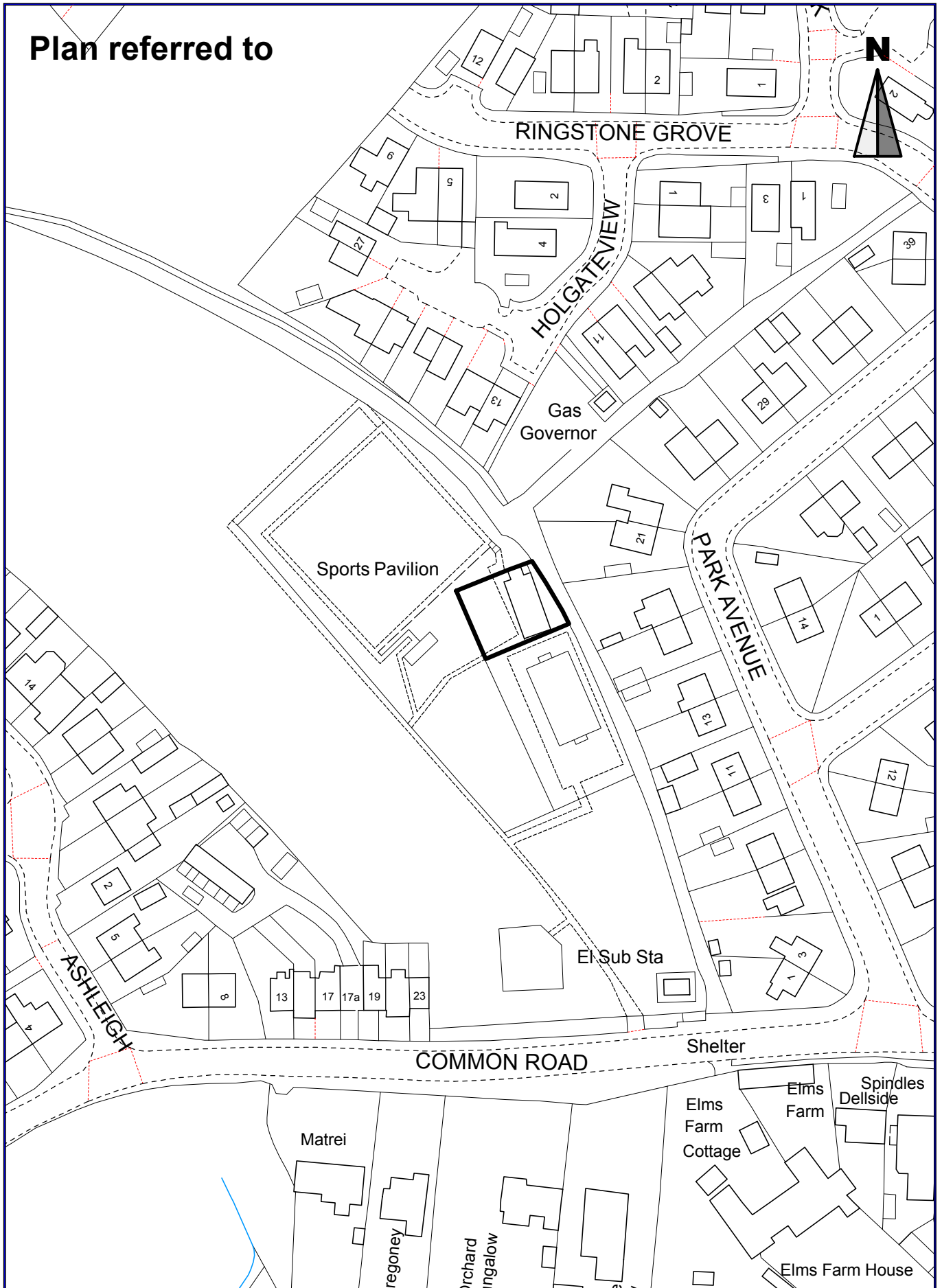
Financial Implications/Consultation



.....

(To be signed by senior Financial Services officer where no financial implications)

Plan referred to



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Date: 08/12/2017

Scale 1: 1,250

Drawing Title :
Brierley Miners Welfare Park



BARNSELY
Metropolitan Borough Council

Strategic Property and Procurement/Asset Management
PO Box 634, Barnsley, S70 9GG

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Item 33

BARNSELEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan.

Report of the Executive Director of Place to
Cabinet on 10.01.2018.

Home to School Travel Assistance Policy 2018 - 2020

1. Purpose of report

- 1.1 The purpose of this report is to seek support for the implementation of the updated Travel Assistance Policy 2018 – 2020.

2. Recommendations

- 2.1 That Cabinet is minded to accept the consultations and its findings.
- 2.2 That Cabinet supports the strategic drive of alternative transport provisions such as travel training, the use of personal budgets and mileage payments, where appropriate, to be used as a way of developing independence in children, providing them with life skills and preparing them for further education, apprenticeships or further employment.
- 2.3 That Cabinet supports the continued engagement with parents, carers and key professional stakeholders to produce operational guidelines to support the Travel Assistance Policy.
- 2.4 That Cabinet supports the recommendation that full Council approves the Home to School/College Travel Assistance Policy 2018 – 2020.

3. Introduction

- 3.1 As part of Future Council, transportation for eligible children, young people and adults have been brought together under BU 6 Environment & Transport, within the Place Directorate. The current Travel Policy expired at the end of 2016. A 'One Council' joint task & finish group from different business units have worked together to update the policy in line with our corporate strategy; that is to support eligible children and adults with the provision of statutorily required services that encourage and support independence.
- 3.2 As part of this group's work it built upon the review of transport services undertaken in 2014. This work benchmarked our services against many other local authorities in the region.
- 3.3 The updated policy has been developed around the following key aims:
- To provide travel assistance service that offers a more bespoke arrangement that compliments the development of independence in children.
 - To meet our corporate strategy to create and support independence;
 - To provide a more sustainable, efficient and effective service offer;

- To update our policy in line with best practices recommended by Department for Education;
- To align our updated policy more closely with our adjacent south Yorkshire authorities and those services that South Yorkshire Passenger Transport support; and
- To support and compliment the Barnsley SEND Strategy 2016-18.

4. Report

4.1 BMBC has a statutory duty under section 508A and 508D of the Education Act 1996 (amended by the Education and Inspections Act 2006) to ensure that travel assistance as it considers necessary are made to facilitate attendance at school for eligible children or students. The Council's Home to School Transport Policy sets out BMBC's arrangement for facilitating this statutory duty. The current Home to School transport policy expired at the end of 2016. This report proposes an updated replacement for the expired policy entitled Home to School / College Travel Assistance Policy 2018 – 2020, a copy of which is attached at appendix A.

4.2 The proposed revised policy contains the following amendments;

- a) For children and students with Special Educational Needs and Disabilities (SEND) the following menu of travel options are now included in the new policy; Independent travel training, mileage reimbursement, personal travel budgets, school minibus or taxi and zero fare pass.
- b) Transport for SEND children in transition.
- c) Children with SEN (without a statement or EHCP) disabilities or mobility problems
- d) Travel assistance for Post-16 mainstream students where there is no suitable public transport option.
- e) Simplified appeal process.

Details about these amendments are provided in section 6.

5.0 Consultation / engagement

5.1 Statutory guidance states that Local Authorities should consult widely on any proposed changes to their local policies on school travel arrangements with all

interested parties. Consultations should last at least 28 working days during term time. The period should be extended to take account of any school holidays that may occur during the period of consultation. In line with this statutory guidance BMBC carried out a consultation phase and followed that with a further engagement process.

5.2 **Consultation – phase 1.**

5.3 A 9-week consultation period took place between December 2016 and February 2017. This consisted of a survey questionnaire that was placed online which was open to members of the public, service users and those involved with the service from a professional perspective. In terms of direct correspondence, we wrote to c500 service users twice making them aware of the consultation process.

5.4 Of 97 online responses received in the Public Consultation 83 (80%) were from parents, carers or guardians with a stake in the proposals. 7 respondents (7%) were from either a school governor or teacher and a further 8 respondents were from consultees who were responding on behalf of an organisation with an interest in the proposals. These included the Barnsley Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS).

5.5 In conclusion, the consultation found that there were understandably levels of concern and anxiety from parents and carers in respect of potential change. To address these concerns a number of parent/carer meetings were held in the Spring and Summer of 2017. The outcome of which were that parents /carers felt that the spirit of Co-production had not been embraced by the Council.

5.6 Whilst parent/carers are not able to co-produce Council policy especially where we are complying with statutory guidelines. It was acknowledged that there were areas, particularly around operational aspects that would benefit from further engagement because parent/carers are best placed to know what would and would not work. It was therefore agreed to hold a further engagement process.

5.7 **Consultation phase 2 – further engagement.**

5.8 A 3-week engagement exercise took place in November 2017. This consisted of placing a copy of the draft policy on line for parent/carers to read and a short survey asking for comments on the policy.

5.9 To address criticism that the request for comments in the previous round of consultation was not wide enough School SEN Coordinators (SENCOS) were asked to distribute a letter on our behalf. This ensured that parent/carers of all SEND children whether they had a statement or Education, Health & Care Plan (EHCP) or not, would receive information about the policy and the engagement process. Additionally, SENDIASS and Family Information Service (FIS) also sent the letter around their contacts and finally everyone on the Council's transport database were sent a letter.

5.10 Three drop in sessions for people who do not have access to the internet to be able to take part in the engagement process and /or directly put questions to Officers were held. Attendance at these sessions was low.

5.11 Finally, a further parent/carer meeting was held once the engagement process was closed to give feedback on comments received and gain opinion on the engagement process. Attendance at this was also low.

5.12 A table of comments (appendix B) was placed onto the Council's School transport page, together with a copy of the draft policy highlighting where amendments have been made as a result of comments received during the engagement process. These two documents remained on the website until the

8th December giving parents/carers chance to comment on any of the proposed changes. Finally, a final draft version incorporating all changes was placed on the website from the 11th - 17th December 2017 to give parent/carers opportunity to view the policy before it was put before Cabinet for approval.

- 5.13 As can be seen in the table at appendix B, the majority of comments received were included in the policy (79%). Some comments were more operational in nature (16 %) and will be detailed in the Parents & Carers guidance documents that will be drawn up once the policy is adopted. Two comments (4%) was not included in the policy because it is a discretionary element that would place a further pressure on the budget. This is the transport of children from school enrichment classes and after school clubs.
- 5.14 Many schools offer after school enrichment classes and whilst attendance is voluntary parent/carers state that pressure is placed on both themselves and the child to attend, citing that their grades will improve as a result. Additionally, many schools also offer after school clubs and parent/carers feel discriminated against because their children are unable to attend due to needing to get the transport home. In order to facilitate this request additional transport would have to be provided.
- 5.15 The priority is to ensure that we provide mandatory travel assistance services to all those that require it. Investing in discretionary areas of service would increase the risk of the authority being unable to meet this obligation. The aim of the Home to School Travel Assistance Policy is to facilitate attendance at school and the inclusion of attendance at enrichment classes or after school clubs would be a discretionary element. It is therefore recommended that we do not provide this transport option. Further information is provided in the Equality Impact Assessment appendix C and under section 9 of the report.

6.0 Home to School / College Travel Assistance Policy 2018-2020

- 6.1 The Main change from the original policy is the introduction of independent travel training and personal transport budget (PTB) as part of a menu of travel options. The title has also changed from Home to School/College Transport Policy to Home to School/travel Assistance Policy to reflect the fact that the policy contains a range of travel options and not simply taxi and bus transport.
- 6.2 **Independent travel training** – the updated policy will consider this as an option. The benefits of travel training are proven to show greater access to education and employment opportunities. In addition, the outcomes from this included greater accessibility, road safety awareness, improved health and a reduction of dependency of social services and fits in with the LA's corporate strategy to develop people to their full potential aligned with the Key Stages of the educational curriculum. This will place a resource demand in the Communities Directorate Travel Training team. Following concerns from the SEND community, it has been made very clear in the policy that independent travel training will only be offered where appropriate in consultation with parent/carers and school.
- 6.3 **Personal Travel Budgets (PTB)** – The advantage of the introduction of PTB's is that it provides the opportunity for parents/carers to exercise some choice and control over the way their child gets to and from school. This could be particularly useful if they wish to enrol their child in after school clubs. A PTB is offered at the

discretion of the Council and where it is a cost effective way of arranging for a pupil to get to school. Parents are not obliged to take up a PTB where offered.

- 6.4 **Transport for SEND children in transition** – A comment received on the engagement survey was that the whole SEND code of practice is around transitioning yet the school transport policy does not support this. Whilst providing transport for a very short period is not always practical, we will in exceptional circumstances seek to provide travel assistance if required and the policy has been amended accordingly.
- 6.5 **Children with SEND but without a statement or EHCP** – Statutory guidance clearly states that children with disabilities living within the statutory qualifying walking distance that prevent them from walking to school should be provided with transport. Many Local Authorities have chosen not to provide this causing recent lobbying to Government by Contact (charity for families with disabled children) for this to be strengthened in the statutory guidance. The previous BMBC policy was not sufficiently clear with regard to this area and it was difficult for officers to make an informed assessment on whether transport should be provided. In the new policy the process has been clarified with a request for supporting written documentation from health and education professionals over the previous 12 months to be supplied with the application.
- 6.6 **Travel assistance for post 16 mainstream pupils**
The Department for Education (DfE) has recently issued statutory guidance for local authorities on Post 16 transport to education and training (October 2017). Post 16 transport is currently a discretionary element and many Local Authorities, including BMBC, took the decision a few years ago to not provide transport for post 16 mainstream students. A number have also taken the decision either not to provide, or to introduce a contribution towards the cost for SEND post 16 students. BMBC still provides free transport assistance for this cohort of pupils and there is no proposal to change this at the present time.
- 6.7 The DfE statutory guidance reaffirms that LA's do not have to provide free or subsidised transport for post 16 students. However, it reminds LA's that the age of participation has increased to 18 and we have a duty to ensure that everyone is able to access education or training and should not be barred because there is no suitable transport, or they are not able to afford the journey.
- 6.8 The post 16 mainstream section has therefore been amended to ensure that in exceptional cases, for pupils living in rural areas without access to public transport, travel assistance will be provided. This may consist of charging for an available vacant seat on school buses operated by BMBC for the same cost as the 16 – 18 travel pass which the majority of post 16 students will purchase.
- 6.9 **Simplify the appeals process** – The present appeals process was not in keeping with the best practice advised by the DfE. This has been amended and the Council's complaint process has also been included.
- 6.10 **Other general changes** – a number of smaller changes have been made to the policy following comment from the parent/carers in the two consultation rounds. These include, but are not restricted to; splitting out mainstream and SEND; linking to the Local Offer; inclusion of an eligibility flow chart; clarifying the transport of medication; training of school escorts; travel times; and behaviour whilst on transport

7 Proposal and Justification

- 7.1 In summary, every effort was made to engage with residents of Barnsley and in particular with the wider SEND community. The resultant policy reflects many of the comments received.
- 7.2 In implementing this policy it is clear from the consultation that we need to develop a strategy to manage anxieties through the implementation of this policy, for example around the ratio of escorts on a minibus and dealing with challenging behaviour. Engaging and working with parents/carers to produce parent/carer guides will help to address these concerns.

8 Consideration of alternative approaches

- 8.1 Do nothing – The current Home to School transport policy could be renewed in its current form with no changes made. This would prevent the LA from being able to offer alternative travel options to pupils designed to increase independence, create flexibility for parent/ carers and provide a more efficient, cost effective streamlined service. In the current financial climate the do nothing option is not really viable.
- 8.2 Completely remove all discretionary services – The provision of home to school travel assistance is a statutory duty for pupils that meet the eligibility criteria. The eligibility criteria (qualifying distance from home to school and extended rights for low income families) is set out in the statutory guidance and the LA is required to comply with this. Albeit, the LA can choose whether to provide discretionary elements. Currently BMBC provide the discretionary element of free travel assistance for post 16 SEND pupils. The removal of this discretionary element would save circa £20k per annum. Officers within both People and Place directorates are working to improve relationships with SEND community and the removal of this discretionary element seen as important to many families is not recommended.

9.0 Implications for local people and service users

- 9.1 An Equality Impact Assessment has been prepared attached (appendix C). It highlights the key inequality issue that remains unresolved is the lack of transport to enrichment classes and after school clubs. A number of parents/carers have commented that because their child or children use school transport due to their disabilities, they are unable to access these clubs like mainstream children. This is particularly concerning when schools advise that attendance at enrichment classes may help to improve their child's grades. The provision of transport for these activities would be a discretionary element. The priority is to ensure that we provide mandatory travel assistance service to all those that require it. Investing in discretion services would increase the risk of the authority being able to meet this obligation.
- 9.2 The introduction of PTB's and an improved mileage reimbursement offer in BMBC's Travel Assistance Policy 2018 – 2020 does offer parent/carers flexibility with the transport, for example they could choose to accept mileage reimbursement which would enable them to build in after school club times into the daily journey.

10 Financial Implications

- 10.1 **The Travel Assistance function continues to face significant financial pressures. Whilst the additional cost as a result of the increase in users of the service has been recently recognised within the Council Medium Term Financial Strategy, the service still shows a forecast overspend as reported in the recent Quarterly Monitoring Report.**
- 10.2 **Future delivery of a balance budget for the service is heavily predicated on the adoption, strict control and adherence of this new policy. This will be monitored carefully from 1st April 2018 with any variations reported through the normal financial performance monitoring route.**

11 Employee implications

- 11.1 In the present and foreseeable future demand is expected to rise for children who are or will be eligible for Travel Assistance. This will mean that additional resources will need to be provided to support service users. It is anticipated that this additional resourcing will be focused around managing the service; the provision of drivers and escorts; and in the travel training service.

12 Communications implications

- 12.1 A set of policy guidelines covering contractor responsibilities, driver and escort responsibilities, school responsibilities, parent /carer responsibilities and Home to School team responsibilities will need to be produced to back up the operation of this policy. These will need to be drawn up in consultation with parent/carers, health and educational professionals and where applicable the service users i.e. children and young persons.

13 Consultations

- 13.1 Appendix B provides an analysis of the comments received from the recent engagement process.

14 List of Appendices

- 14.1 Draft Home to School /College Travel Assistance Policy 2018 – 2020 Appendix A
- 14.2 Table of comments received from the engagement process Appendix B
- 14.3 Equality Impact Assessment Appendix C

15 Background Papers

- 15.1 Home to School Transport Policy 2015-16

Officer Contact Sally Killips Tele No01226 772057 Date 6th December 2017

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BARNLSLEY

Metropolitan Borough Council

Barnsley Metropolitan Borough Council

Home to School/College Travel Assistance Policy.

2018- 2020

Date: DD/MM/2018

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Information can be made available in other languages, or other formats such as Braille or Audio tape, upon request. Please contact The Home to School Transport team on (01226 773584)

Section 1

General

- 1.0 The LA has a duty to make arrangements to facilitate attendance at schools and colleges by providing free travel assistance in certain circumstances.
- 1.1 This Policy is prepared in response to the duties of Barnsley Metropolitan Borough Council (BMBC), hereafter known as the Local Authority (LA) (See paragraph 1.10), under section 508B of the Education Act 1996, (amended by Education and Inspections Act 2006) which deals with the duty of Local Authorities in England to ensure that suitable travel assistance as it considers necessary are made to facilitate attendance at school for eligible children or students. The Council's policy is to provide free school transport (referred to in the Act and in this document as "Travel Assistance") to these categories of eligible children in accordance with its legal obligations, but not otherwise unless there are exceptional circumstances.
- 1.2 This travel assistance policy has been designed to complement the school curriculum in providing the skills to create greater personal independence. It will also provide support to eligible children to encourage independent travel.
- 1.3 This policy summarises the categories of eligible children set out in the Special educational needs and disability code of practice (SEND): 0 to 25 years 2015, who are entitled to travel assistance. It also sets out how parents or carers must apply for travel assistance, how decisions are made and how parents and carers may appeal against decisions that they are unhappy with.
- 1.4 The policy is intended to provide clarity for parents or carers facing a wide range of circumstances, and to ensure that children and young people with particular and significant needs according to the eligibility criteria are appropriately supported. However, it is the legal responsibility of parents or carers of each child or young person to ensure they attend school regularly.
- 1.5 The primary responsibility for ensuring pupils and students attend school or college is that of the parent or carer (see paragraph 1.11). However, section 444(3B) provides a parent with a defence if he or she proves that The LA has a duty to make travel arrangements in relation to the child under section 508B and has failed to discharge that duty.
- 1.6 Schedule 35B of the 1996 Act (amended by the Education and Inspections Act 2006) defines "eligible children" as those categories of children in an authority's area for which travel arrangements will always be required. A condition of each category is that they are of compulsory school age. Under section 508B, these arrangements must be provided free of charge.
- 1.7 Local offer
- 1.8 The arrangements as set out in this policy are publicised in the "Local Offer" as per section 30 (2) (d) of the Children and Families Act 2014.
- 1.9 In addition to the above Education Act 1996 and Education and Inspections Act 2006, the following legislation has been referred to in preparation of this policy;
- Equality Act 2010
 - School admission code
 - European Convention on Human Rights
 - Public Service Vehicles (Carrying capacity) Regulations 1984
 - Children and Families Act 2014.

Notes

1.10 The LA

References in this policy to the 'LA' are a reference to Barnsley Metropolitan Borough Council (BMBC) and references to the 'LA's area' is to the administrative area of the Borough.

1.11 Parent/Carer

Reference to parent and/or carer in this policy means any person having parental responsibility for the child (for whom assistance with travel is being sought) within the meaning of the Children Act 1989.

It is the responsibility of those applying for assistance with travel to satisfy the LA that they have parental responsibility for the child for whom assistance is being sought.

1.12 Ordinarily Resident

Reference in this policy to 'ordinarily resident' means where a pupil or student is habitually and normally resident at their address other than for occasional absences and for a settled purpose, which is not solely to receive education i.e. the residence at which the child resides during the normal school week at the closing date for receiving applications for admission to school during the normal admission round.

Any reference to the pupil or student's 'home', or to where they 'live' or 'reside' shall refer to where they are ordinarily resident.

It is the responsibility of those applying for assistance with travel to provide such information as the LA requires in order to be satisfied as to where the pupil or student is ordinarily resident.

1.13 Qualifying School

These are defined as:

- maintained (publicly funded) schools,
- non maintained special schools,
- pupil referral units (educational setting)
- maintained nursery schools,
- city technology colleges and academies
- in the case of a child with a statement of special educational needs, an independent school if this is the only school or the nearest school named in Part 4 of the statement. (Para 15(3) Sched.35B)

1.14 Definition of Eligible Child

The following are examples of an Eligible Child

1.15 Children who attend schools beyond the statutory walking distance

These children are eligible for travel assistance, provided that the LA has made no "suitable arrangements" for boarding accommodation or attendance at a nearer school and the children live beyond walking distance and attend their nearest suitable school. The statutory walking distance is 2 miles for children under 8 years old and 3 miles for children 8 or over.

1.16 Children with SEN, disabilities or mobility problems

These children may live within the statutory walking distance and have special educational needs, a disability or mobility problem which means that they cannot reasonably be expected to walk to their school and no suitable arrangements have been made by the LA to enable them to attend a nearer school.

1.17 Children whose route is unsafe

The Statutory walking distance is measured by the shortest safe walking route to school. Children living within the statutory walking distance, and cannot be reasonably expected to walk to their nearest suitable school, because the route is deemed to be unsafe.

1.18 Children from low income families

Please see eligibility criteria on page 15

1.19 Equality considerations

The Equality Act 2010 places a duty on Local Authorities to promote equality of opportunity for disabled people and to eliminate discrimination and this applies to the exercise of its policies, practices and procedures and provision of services so that they do not discriminate against disabled people or those associated with them.

Reasonable adjustments under the Equality Act as applicable will be considered in relation to travel assistance eligibility and the type of travel assistance provided. For example when parents' disability prevents them from accompanying their child along a walking route then a reasonable adjustment could be for the LA to consider travel assistance for the child depending on the circumstances. The LA might consider this if the effects of the parents' disability on their ability to escort their child to school cannot be eliminated, for example the parent making arrangements for a suitable other adult to accompany their child to school if necessary.

1.20 **Status**

1.21 This information represents the Travel Assistance Policy of Barnsley Metropolitan Borough Council (BMBC) at the time of publication. However, BMBC reserves the right to amend the policy to reflect either changes in policy or legislation.

1.22 Any personal data/information held by the Home to School Transport Team in relation to Travel Assistance, will be securely stored and maintained in line with the Data Protection Act 1998.

1.23 Personal data collected will only be processed for the purpose of the education of the young person.

Section 2

Travel Assistance for Mainstream Pupils

2.0 Introduction

2.1 Parents and Carers have a legal responsibility to ensure that their children attend school regularly. This includes arranging travel to and from school, meeting the costs of this and accompanying their child as necessary.

2.2 In some cases, the Council has a legal obligation to provide suitable free school travel. Where this applies travel assistance will be provided in the most cost effective and appropriate way for children's needs. This policy summarises the categories of eligible children, the provision offered, circumstances when assistance is not provided and how to appeal against a decision.

2.3 Qualifying criteria for home to school travel assistance

2.4 Travel assistance will be provided for pupils who meet all of the following criteria;

- a) Live in the Barnsley Metropolitan Borough Area
- b) Are of compulsory school age
- c) Attend their qualifying primary or secondary school
- d) Live over 2 miles from school if below the age of 8 (on 1st September) and over 3 miles if aged between 8 and 16.

2.5 Compulsory school age

2.6 Compulsory school age is the age when a child must be in school i.e. the term immediately following their 5th birthday up to 16 years old i.e. the last Friday in June of the year the child turns 16. (Education Act 1997 Sec 52). In Barnsley "primary" aged children range from 4+ to 10+ and "secondary" aged children range from 11+ to 16.

2.7 Qualifying distance

2.8 The walking distance will be measured from the front gate of the address where the pupil is ordinary resident, to the nearest designated entrance of the school or college where the LA has awarded a place

2.9 The walking distances are; (hereafter known as the statutory qualifying distance)

- a) For pupils of less than 8 years of age (on 1st September) 2 miles and
- b) For pupils aged 8 years or older and still of compulsory school age 3 or more miles.

2.10 The route measured will be the nearest direct available walking route (having had regard to the age of the child), the pupil could be reasonably expected to take. The LA has established criteria for the assessment of the safety of a walking route to school and will determine the availability or otherwise of a route in accordance with the approved criteria. The assessment of the availability or otherwise of the route will be based on a child being accompanied by an adult. It will be irrelevant for the purposes of that assessment whether or not the child would or would not be accompanied by an adult.

2.11 The route will be measured using a computerised information system. The LA considers this an exact measure and cannot be considered marginal. If the LA considers it necessary a route may be measured by calibrated pedometer.

2.12 For pupils from low income families please refer to paragraph 2.45 on page 15.

2.13 **Zero fare pass (ZFP)**

2.14 A zero fare pass entitles a child to travel free on public transport to school and back.

2.15 It is valid at certain times in the day Monday to Friday during term time only for school children up to the end of year 11 and allows pupils to travel free of charge between the bus stop nearest their home address and the school, or the nearest bus stop to the school they attend.

2.16 **Is your child eligible?**

2.17 Appendix A has a flow chart that provides a quick guide to whether a child is eligible for travel assistance.

2.18 **Pupils under the age of 4 years.**

2.19 Other than for a child with a statement of SEN or Education Health Care Plan (EHP) who has had travel assistance approved in accordance with Section 3 no assistance with transport shall be given to a nursery aged child.

2.20 **Pupils aged 4 – 7 attending their nearest available school**

2.21 For pupils less than 8 years of age (on 1 September) travel assistance will be provided where the distance between their home and nearest available school is 2 or more miles, measured by the nearest available walking route (hereafter referred to as statutory qualifying distance see paragraph 2.7 page 12) Travel will normally be facilitated through the provision of a zero fare bus pass for the child. However if there is no suitable bus route, the LA will either offer mileage reimbursement or provide a bus or taxi to get your child to school.

2.22 Pupils living less than the statutory qualifying distance may be eligible for free travel if the LA determines that they qualify under extended rights for low income families see page 15.

2.23 Parents/carers should ensure their child's safety by making appropriate arrangements for their child to be accompanied to and from the nearest bus stop and during the journey if required.

2.24 **Pupils aged 8 – 16 attending their nearest available school**

2.25 For pupils who are aged 8 years or older (on 1 September) and still of compulsory school age, travel assistance will be provided where the distance between their home and nearest available school is 3 or more miles measured by the nearest available walking route (hereafter referred to as the statutory qualifying distance – see paragraph 2.7 page 12). Travel assistance will normally be facilitated through the provision of a zero fare bus pass. However if there is no suitable bus route, the LA will either offer mileage reimbursement or provide a bus or taxi to get your child to school.

2.26 Parents/carers should ensure their child's safety by making appropriate arrangements for their child to be accompanied to and from the nearest bus stop and during the journey if required.

2.27 **Split families and travel assistance to alternate addresses**

2.28 Home to school travel assistance is provided from/to the main home address of the child i.e. the address where the child lives permanently or most often. Travel assistance will not be provided to alternative addresses e.g. childminders

2.29 In the case of split families where a child spends more than 50% of their time during the school week at one or other of their parent's addresses then that is the only address which will be used to determine eligibility for and provision of school travel assistance irrespective if they would qualify from the address where they spend the lesser amount of time.

2.30 For children whose parents live at separate addresses where the child spends an equal amount of time during the school week at both addresses and the child would qualify for assisted travel to school from both addresses, the LA will provide assistance from one address only and this will be the address where child benefit is paid to.

2.31 The LA may ask parents/carers to provide documentary proof of residency.

2.32 **Travel assistance for pupils who move addresses**

2.33 For pupils who move home within the Barnsley Metropolitan Borough Area whilst in years 10 and 11, and who wish to remain at the school they have been attending to complete their examination course, travel assistance will be provided where the distance between their new home and their school is more than the statutory qualifying distance. Travel assistance will normally be facilitated through the provision of a zero fare bus pass (ZFP)

2.34 **Pupils attending denominational schools**

2.35 From September 2016, the LA is no longer able to provide travel assistance on denominational grounds. Pupils who were previously entitled to free travel on denominational grounds will continue to receive a free ZFP until they reach the end of their particular phase of education, i.e. until the end of primary education in Y6 or until the end of statutory secondary education in Y11.

2.36 **Pupils attending independent schools**

2.37 The LA is not able to provide free Travel Assistance for pupils who are attending private or fee paying schools.

2.38 **Pupils not attending their nearest available school**

2.39 The LA recognises the rights of parents given under the Education Act, 1996 to express a preference for their choice of school and the duties on the LA under the same Act in respect of those preferences expressed. However, in order to ensure the efficient use of its resources, the LA will normally only provide a free ZFP to pupils meeting the relevant eligibility conditions attending:

2.40 The school designated as the nearest available school for the area in which the LA has determined the pupil is ordinarily resident for the purposes of admissions to schools.

2.41 The LA is not in a position to guarantee travelling arrangements to any school; such arrangements are entirely in the hands of the providers of public bus services and/or SYPTE.

2.42 When selecting alternative schools, parents/carers must do so in the knowledge that, unless they qualify for travel assistance it will not be available, regardless of the distance involved. They should also consider, as a factor in making their decision, the consequences of possible future alterations to bus services.

2.43 **Post 16 – sixth form/further education students**

2.44 Under the Raising the Participation Age agenda, from September 2014 students have been required to be in education, employment or training until their 18th birthday. This could involve mixing full time work with study, following an apprenticeship, continuing full time in school or college or combining part time training with volunteering.

2.45 Students in further education or apprenticeship are able to obtain a 16 – 18 travel pass which provides discounted travel across the region. Passes will be valid for two years and will have the expiry date of the 31st July of the second year in further education, apprenticeship or traineeship.

2.46 In exceptional cases where no suitable public transport exists and the distance to the nearest school/college is over 3 miles travel assistance will be considered.

2.47 Students from low income families may be eligible for the 16 – 19 Bursary Fund towards the cost of the travel pass. Students need to speak to their school or college for further information. Failing that they may be eligible for extended rights for low income families, see details below.

2.48 **Extended Rights for low income families**

2.49 The Education and Inspections Act 2006 introduced extended rights for free travel assistance for pupils from low income families. Pupils who qualify under this legislation are pupils in receipt of Free School Meals (FSM) or whose families are in receipt of Maximum Working Tax Credit (MWTC). Pupils meeting the following criteria will receive travel assistance usually in the form of a zero fare bus pass (ZFP).

- Primary school age children (aged 8 – 11) from low income families who live more than 2 miles (rather than 3) from their nearest suitable school become eligible for travel assistance from the LA.
- Secondary school age children (11 from September 1st-16) from low income families who attend schools over 2 and up to 6 miles from their home will be eligible for travel assistance even if the school they attend is not their nearest suitable school, providing there are not three or more suitable schools which are nearer to their home. (Note; schools below 2 miles are included). This also includes children who are receiving education elsewhere than in school e.g. children who are excluded from school.

- Secondary age children (11-16) in accordance with Schedule 35B to the 1996 Act(inserted by the Education and Inspections Act 2006) the Council will provide travel assistance to the nearest suitable school preferred by reason of a parent's religion or belief, that is over 2 miles and under 15 miles from the home address. The Council will normally seek documentary evidence of faith or belief e.g. a minister's letter.
- 2.50 Parents/guardians are required to apply for travel assistance under the extended rights rules on an annual basis. This should be done at least one month in advance of children starting school. Travel assistance may be withdrawn in subsequent years if a child ceases to qualify under low income extended rights.
- 2.51 **Pupils and students in public care**
- 2.52 The LA recognises its duties and responsibilities in respect of pupils and students in public care. For the purposes of determining any assistance with travel pupils will be considered under the appropriate section of this policy.
- 2.53 **Excluded pupils and students**
- 2.54 **Pupils of Compulsory School Age Attending Schools:**
- 2.55 Where a pupil has been excluded from their school and the LA allocates an alternative school which is within the statutory qualifying distance appropriate to the age of the pupil from where the pupil is ordinarily resident, a ZFP will be provided.
- 2.56 Where the parents/carers of the pupil choose for him/her not to attend the allocated school and accept a place at an alternative school, which is the statutory qualifying distance appropriate to the age of the pupil from where the pupil is ordinarily resident, to the extent that the LA does not incur additional expenditure, a ZFP to enable the pupil to attend the alternative school will be provided equivalent to that the pupil would have received had s/he attended the allocated school.
- 2.57 Where a pupil qualifies for assistance with travel under this section, the parents/carers should ensure their child's safety by making appropriate arrangements for their child to be accompanied to and from the nearest bus stop if required. The LA is not in a position to guarantee travelling arrangements to any school. ZFP's are for use on public Transport. There is no provision for dedicated School Buses – such arrangements are entirely in the hands of the providers of bus services and/or SYPTE.
- 2.58 **Pupils of Compulsory School Age attending alternate Provision:**
- 2.59 Where a pupil has been excluded from their school and the LA arranges provision for the pupil at an institution other than a school, assistance with travel will be considered.
- 2.60 **Travel assistance for pupils on a managed move**
- 2.61 Transport assistance will only be provided under the Authorities discretion outside the normal eligibility rules stated in this policy, according to the Fair Access Protocol and
- Is only at the start and end of each school day and

- Is subject to the distance from home to the new school exceeding statutory walking distances and
- Is for a maximum of 12 weeks.

2.62 **Exceptional Circumstances**

2.63 In exceptional circumstances and for a short period, consideration may be given to individual exceptional requests for travel assistance. Each case is considered on its merits. Examples (this list is not exhaustive) could be;

- Where a pupil is subject to a child protection plan
- A recent bereavement in the immediate family

2.64 Exceptional travel assistance requests should be made in writing and supported with appropriate professional documentation to the address shown at the bottom of this policy.

2.65 **Ceasing assistance with travel.**

2.66 The government expects each school to promote appropriate standards of behaviour by pupils on their journey to and from school through rewarding positive behaviour and using sanctions to address poor behaviour. The Education and Inspections Act 2006 empowers head teachers to take action to address unacceptable behaviour even when this takes place outside the school premises and when pupils are not under the legal control of the school, but when it is reasonable to do so. In the government's view, this would include behaviour on buses or otherwise on the route to and from school, whether or not the pupils are in school uniform.

2.67 The LA has a duty to ensure all children travel in reasonable safety and comfort and has therefore adopted a Code of Practice for the safety and behaviour of pupils. Any behaviour affecting other passengers, the public or the driver that endangers (whether intentionally or unintentionally) themselves or others may lead to travel assistance being withdrawn from a child, either temporarily or permanently. In these circumstances, the arrangement and cost of travel will fall to the parent and it will remain the duty of the parent to ensure their children continue to attend school.

2.68 In addition to the Code of Practice the LA has, in conjunction with the other 3 South Yorkshire Authorities and SYPTE, produced a policy for managing criminal and unacceptable behaviour on public transport. Any breach of this policy may result in the withdrawal of the zero fare bus pass and/or further measures being taken as appropriate.

2.69 More information with regards to acceptable behaviour of pupils on transport can be found in the parent's handbook.

2.70 **Application process**

2.71 If you think that your child is eligible for travel assistance please visit the BMBC website and complete the application form for a ZFP. This will then be processed by our school transport team and if eligible the travel pass will be posted direct to you from South Yorkshire Passenger Transport Executive (SYPTE). A full explanation of the criteria and how to apply is available at www.barnsley.gov.uk and search for ZFP.

2.72 The closing date for ZFP applications is 30th June. Whilst we will process ZFP applications at any time we will not guarantee that they will be available at the start of term unless received by the closing date. No refunds will be made for travel expenses incurred as a result of a late application for travel.

2.73 **School transport appeal procedure**

2.74 Parents/Carers have the right of appeal should they be dissatisfied with the service or are in disagreement about the eligibility of their child for home to school travel assistance. Parents may challenge a decision about;

- Their child's eligibility
- The transport arrangements offered
- The distance measurement in relation to statutory walking distances
- The distance measurement by road in relation to nearest school
- The safety of the walking route

2.75 **Stage One Review**

2.76 This review will be undertaken by a Senior Officer of the Council and the Transport Planning Coordinator.

- Parents/carers will have 20 school days from receipt of the local authority's decision to refuse their application to complete and return a Notice of Appeal Form requesting a review of the decision. This form should be completed by the parent/carer and give details of any personal or family circumstances that the parent/carer believes should be taken into account when the decision is reviewed.
- Within 20 school days of receipt of this form, the Senior Officer will review the case and send out a letter notifying the parent/carer of the decision.
- The letter should explain how the review was conducted, information about other Departments or Agencies that have been consulted as part of the process, the rationale for the decision reached and information about how the parent can escalate their case to stage 2.

2.77 **Stage Two Review**

2.78 This Review will be undertaken by an independent appeal panel facilitated by the Council Governance Unit

- A parent/carer will have 20 school days from receipt of the Stage 1 decision to make a written request to escalate the matter to Stage 2.
- The Council Governance Unit will be informed that an appeal has been received, they will arrange a date for the Hearing and will send out Agendas and invites to the meeting.
- Within 40 school days of receipt of the parent/carer's request the Council Governance Unit will consider written and verbal representations from both the parent and Officers of the council involved in the case.

- The Council Governance Unit will send out notification of the outcome of the appeal within 5 school days which will set out:
 - The nature of the decision reached.
 - How the review was conducted, information from other agencies or departments consulted, what factors were considered, the rationale for the decision reached and information about the parent's right to put the matter to the Local Government Ombudsman.
 - It will be made clear that a referral of a complaint to the Local Government Ombudsman should only be made if the complainant considers that there was a failure to comply with the procedural rules or if they consider that there have been any irregularities in the handling of the appeal.

2.79 All hearings of the Panel will be conducted in accordance with the approved LA protocols.

2.80 The powers of the Independent Review Panel will be limited solely to an examination of the correct application of the Travel Assistance Policy taking account of when the application was made.

2.81 **Complaints**

2.82 The above appeal process is specifically for parents/carers to be able to challenge the decision regarding the eligibility of their child to receive travel assistance. If however a parent/carer wishes to complain, about the service delivery e.g. the standard of transport or the behaviour of staff/children please;

Email us at; schooltransport@barnsley.gov.uk

Or call us on 01226 773584.

Alternatively you can write to us at

Home to School Transport Team,
Environment and Transport,
Place Directorate,
Barnsley MBC,
Po Box 634 9GG.

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Section 3

Travel Assistance for

Special Educational
Needs and Disabled
(SEND) Pupils

3.0 Introduction

- 3.1 The LA has a duty to make arrangements to facilitate attendance at schools and colleges by providing travel assistance in certain circumstances. The legislation underpinning this is outlined in section 1 of this policy.
- 3.2 This section is for pupils with Special Educational Needs (SEN), disabilities and mobility needs and explains how the LA assists with home to school travel arrangements for these pupils, whether the pupil's school place is in a mainstream school, educational setting attached to a mainstream school or a special school and whether it is within the statutory walking distance or further away from home.
- 3.3 It should be noted that travel assistance is not included as part of a statement of SEN. Travel assistance may occasionally be included in an Education Health Care Plan (EHCP), if for example travel provision is agreed as part of an individual travel budget. Each child therefore identified by the LA having SEN will have their individual travel needs assessed, via the SEN travel assistance panel, taking into account their age, mobility and the effect of their SEN on their ability to travel to school. These travel needs will be reassessed at key transition stages such as the move from primary to secondary school.
- 3.4 The assistance provided by the LA will be provided in the most cost effective and appropriate way whilst meeting the child's assessed travel needs. It may be provided in a number of ways, including local bus, or bus coach or minibus arranged by the LA. In certain circumstances parents may have the option to take their child to school and claim mileage expenses. Or a personal travel budget will be provided to meet their expenses. Independent travel training may also be provided. If no other travel options are available, the authority will arrange for a taxi, which may be shared with other children. All eligibility and travel assistance arrangements will be reviewed annually and also at times of transition e.g. moving from primary to secondary education; to ensure that the basis for entitlement continues and the method of travel assistance remains appropriate.
- 3.5 Travel assistance is provided to the child's nearest suitable school. Where parental preference is for the child to attend an establishment further away than that recommended in the statement or EHCP, the Authority must weigh the relative costs and reasons for the parental preference and reach a decision which is proportionate and compatible with the efficient use of resources.
- 3.6 Transition –In exceptional cases when a child is making a transition between one school and another the LA will consider providing transport to manage the transition depending on the needs of the child, subject to the child being eligible for transport to that school.
- 3.7 Travel assistance is only provided at the normal school / college start and finish time. However, exceptions will be considered based on the long term medical /health needs of a child where they can only attend school on a reduced time basis.
- 3.8 Where a child is educated off site, the school or college is responsible for making travel arrangements.
- 3.9 Where travel assistance has been agreed it will **not** be provided for
- Extra-curricular activities or journeys between institutions within the school day (for journeys of this nature the organising school or institution will be responsible for travel arrangements)

- Induction days, taster days, open days or interviews
- Assessment days (except when required by the SEN assessment service)
- Work experience
- School trips
- Dental, medical or hospital appointments, or other non-educational appointments
- Children taken ill during the day
- Children that are excluded during the day
- Examination timetables – travel assistance will not be tailored to examination timetables, it will only be provided at the standard school start and finish times
- When off site provision is made by the school, travel assistance is the responsibility of the school
- Before and after school activities – where a family wish a child to attend activities before and after school, then parents /carers, or the school are responsible for making travel arrangements.

3.10 **Travel Assistance eligibility**

3.11 Appendix A has a flow chart that provides a quick guide to whether a child is eligible for travel assistance.

3.12 **Pupils under the age of 4 years**

3.13 Children below compulsory school age, attending the nearest suitable special school or educational setting for assessment purposes, may be entitled to travel assistance where exceptional circumstances can be demonstrated that result in the parent/carer being unable to get the child to the placement themselves.

3.14 **Pupils aged 4 to 7 years**

3.15 Travel assistance is provided for children under 8 years with a statement of SEN or EHCP who attend a special school or educational setting which has been designated by the LA that meets the needs of the child and where the distance is more than 2 miles (see section 2 for details of distance measurement)

3.16 **Pupils aged 8 to 16 years**

3.17 Travel assistance is provided for pupils between 8 to 16 years with a statement of SEN or EHCP who attend a special school or educational setting which has been designated by the LA as the nearest appropriate school that meets the needs of the child and where the distance between home to school is more than 3 miles (see section 2 for details of distance measurement).

3.18 **Children with SEN (without a statement or EHCP), disabilities or mobility problems**

3.19 Where the distance to the appropriate school is less than the distances specified in section 2 and / or when a child has no statement of SEN or EHCP, travel assistance will be considered, taking into account the individual circumstances and the travel needs of children with significant sensory, physical, medical or behavioural difficulties that prevent them from getting to school even when accompanied by a parent/carer. In such instances travel assistance will be considered using supporting written evidence, within the preceding 12 months, from a range of sources for example, Education or Health professionals, parents and school SENCO, that describes the child as having;

- Long term severely restricted independent mobility, due to physical disability
- Long term severely restricted mobility due to a medical condition resulting in persistent pain or extreme fatigue
- A sensory impairment resulting in severely restricted mobility
- Severe behavioural emotional and/ or social difficulties in comparison with other children their age. This may be linked with cognitive ability or be as a result of a specific disorder.

3.20 This is not an exhaustive list and requests will be considered on a case by case basis. This information needs to be supplied at time of application.

3.21 **Residential Schools**

3.22 Where a pupil attends a qualifying residential school, travel assistance will be arranged by the LA in accordance with placement terms agreed by the LA as follows;

- a) pupils who board for 5 days - at the start and end of each school week
- b) pupils who board for 7 days - at the start and end of each school term and half term.

3.23 In addition pupils who are in the National Curriculum Year Group 7 or below i.e. who have not yet had their 12th birthday, and who board for 7 days will be provided with additional return journeys for two weekends per half term.

3.24 **Post 16 students**

3.25 Please refer to section 4 of this policy for the eligibility criteria for travel assistance for post 16 SEND students.

3.26 **Exceptional circumstances**

3.27 The LA will consider applications from parents whose children are not otherwise eligible for travel assistance on the basis that assistance should be offered if exceptional circumstances apply.

3.28 Although not an exhaustive list of exceptional circumstances, dependent on the facts of the case the following examples could amount to an exceptional circumstance;

- Circumstances beyond the control of the child or family that prevents the parent from ensuring their child attends school;
- Where the welfare of the child is at risk if the travel assistance were not provided, for example, as part of the protection plan.

3.29 **Travel assistance**

3.30 If travel assistance is approved by the SEN transport panel it is for the LA to decide on the travel arrangements to get your child between home and school at the beginning and end of the school day. LA assistance will be provided in the most cost effective and appropriate way whilst meeting the child's assessed travel needs.

3.31 Travel assistance may be provided in a number of ways including independent travel training, zero fare pass, personal travel budget, mileage reimbursement or contract school minibus or taxi. More detail about these options are provided below. The most appropriate one for the child will be selected after careful consideration of the child's

needs by the transport panel. The child's needs will be assessed from information supplied from a variety of sources such as parents/guardians, education, health and social care professionals.

3.32 **Independent Travel Training**

3.33 As part of the LA's corporate strategy to develop people to their full potential aligned with the Key Stages of the educational curriculum travel assistance provision will be reviewed to assist in the development of personal independence for any qualifying pupil who is in receipt of services through this policy. Independent travel training can help support independence by developing personal social and life skills by looking at the needs and capabilities of a young person.

3.34 Independent Travel training will be undertaken only if appropriate with the agreement of parents/carers, school and any other applicable professional body.

3.35 Pupils who successfully complete their travel training and begin to travel independently will be given a zero fare bus pass, if required.

3.36 Once training has been completed successfully pupils will be expected to travel independently.

3.37 **Mileage reimbursements**

3.38 Mileage reimbursements will be paid termly or half termly calculated on the actual mileage allowance multiplied by the number of days the pupils attends. Payment is based on home to school and back (if the parent / carer is returning back home after dropping the child off in the morning and starting from home in the afternoon.). If parent/carers is not returning back home after dropping the child at school then the mileage will only be paid for the journey between home and school Equally if the parent /carer is coming from a different location to pick the child up from school then mileage will only be paid from school to home. The mileage will be determined by the shortest route using the Council's Geographical Information System (GIS)

3.39 Mileage Reimbursement to Parents/Carers will be paid in accordance with the rates outlined below:

Circumstances		Suggested Rate Per Mile
1	Parents offer to undertake transport but pupil can fit on existing transport at nil cost.	Nil – Request refused
2	Parent offers to transport their own child no other run in place.	45p - Rate correct as at April 2017. This will need to be reviewed on an annual basis as rates change.
3	Local Authority requests parents to transport own child as LA is unable for whatever reason to provide safe transport (e.g. Health and Safety).	45p - This is the current BMBC car mileage rate

E.g. 10 miles home to school = journey home to school and back in the morning and home to school and back in the afternoon (assuming parent / carer is starting and ending at the child's home) = 40 miles @ 45p per mile x 190 (total number of school days) = £3,420

NB Please note that payment is made by LA after parents/carers submit an attendance form signed off as correct by the school their child attends.

3.40 **Personal Travel budgets**

3.41 A personal travel budget (PTB) provides the opportunity for parents to exercise some choice and control over the way their child gets to and from school. A PTB is offered at the discretion of the Council and where it is a cost effective way of arranging for a pupil to get to school. Parents are not obliged to take up a personal travel budget where offered. A PTB is completely separate to the money a school receives for an SEND child.

3.42 The PTB can help you to arrange your child's travel to school or college in a way which suits your circumstances and could offer more flexibility, for example around breakfast and after school clubs. The payments can be used in creative ways such as

- Buy a travel pass for an adult to accompany the child to and from school
- Pay for an escort to walk with the child to school
- Cover the cost of driving with your child to school
- Share travel arrangements with other parents
- Cover the cost of child care arrangements for siblings to allow parents / carers to take their child to school.

3.43 The amount you receive is based on the distance from your home to your child's nearest suitable school or college and any other relevant factors. A month's notice will be required of any intention to end a PTB arrangement, in order for the authority to arrange alternative travel assistance.

3.44 If a student's punctuality or attendance at school is becoming affected by a PTB the arrangement will be reviewed by the Council. Non- attendance of more than 10 days in a school year (5%) will result in the family being asked to return the overpayment (this could be done via a reduction in subsequent monthly payments)

3.45 **School bus / minibus or taxi**

3.46 Pupils who are assessed as requiring travel on mini-bus, taxi/private hire or similar vehicle, will be picked up and dropped off at their home address. In exceptional circumstances, if the mini bus or taxi is unable to access the home address the pick-up and drop off point will be the most convenient, designated point nearest their home address. Having due regard to their needs and safety this may be a designated bus stop. It is the responsibility of parents/carers to ensure their child's safety by making appropriate arrangements to accompany their child to and from the designated pick up point, or see them safely onto and off the vehicle. A student will normally be expected to share a vehicle with other students. Individual transport will only be provided in exceptional circumstances and where the need for individual transport has been clearly identified from the assessment under the approved assessment criteria.

3.47 Travel assistance is only provided at normal school start and finish times. However we will where possible be prepared to work with parent/carer to facilitate attendance at community clubs by for example altering the drop off times round if it is practicable to do so. Exceptions to the normal start and finish time of the school day will be considered based on the long term medical needs of a child where they are only able to attend school for a reduced number of hours.

3.48 If parents/carers request a variation to the arrangements for example, for their child to be collected from, or dropped off at, a relative/neighbour/child-minder's address,

consideration to an amendment to the agreed travel arrangements will only be given where:

- The request is for a permanent change on each school day; and
- No change to the transport provider will be required; and
- No additional cost will be incurred by the LA; and
- The request would not add unreasonable additional travelling time for other pupils in the vehicle.

3.49 In cases where individual transport is provided by taxi or minibus, parents are requested to cancel transport when not required i.e. in case of holidays or illness. Failure to cancel transport more than three times when not required may lead to a recharge of the cost or ultimately cancellation of the transport. Parents/carers will receive a written warning prior to any action taken.

3.50 **Zero fare bus pass**

3.51 Zero fare passes operate from the bus stop nearest to the child's home. Parents/carers should ensure their child's safety by making appropriate arrangements for their child to be accompanied to and from the nearest bus stop if required.

3.52 **Additional Information**

3.53 **TRAVEL TIMES**

3.54 The suitability of travel arrangements must enable the child to reach school without stress, strain or difficulty that would prevent them from benefitting from the education provided. Best practice guidance suggests that the maximum each way length of journey for a child of primary school age to be 45 minutes and for secondary school age 75 minutes and the LA will make every effort to stay within these times. However for children with SEN and /or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible. Distance to out of borough provision may increase the recommended times.

3.55 **SCHOOL TRANSPORT ESCORT**

3.56 School transport escorts are provided only where a child has a severe physical condition or severe behavioural difficulties meaning that the health and safety of the child, driver or anyone else travelling on the vehicle would be at risk. The use of a school transport escort will be reviewed regularly, since the need may change as the child grows older.

3.57 School transport escorts are PATS (Passenger Transport Assistant training) qualified and hold up to date first aid certificates and are subject to an enhanced Disclosure and Barring Service (DBS) check. Where required School Escorts are trained in the delivery of Epilepsy Rescue Medication.

3.58 Any special equipment or supervision arrangements required because of the child's needs will normally be arranged by the LA in accordance with the assessed need.

3.59 **TRAVEL FOR PUPILS WITH MEDICAL NEEDS**

3.60 Pupils with a medical condition are those that require;

- (a) Prescribed medicines;
- (b) May require emergency medical treatment on route to school. Or;

(c) Continuous medical support.

3.61 Administering medicines to pupils

3.62 With the exception of Epilepsy Rescue Medication, school transport escorts are not trained to, or expected to deliver medical procedures or interventions to pupils whilst travelling on home to school transport. Nor be expected to transport a pupil's medication from home to school. Parents are responsible for ensuring, where relevant, that the school has a sufficient supply of medication for the child. In individual cases, subject to the agreement of the parent, escort and school, a pupil's medication may be transported in the vehicle with the pupil. Where this arrangement is agreed the medication shall be in a sealed envelope or container with the pupil's name clearly displayed and given to the school escort for handing to the school.

3.63 Where the travel arrangements provided under this policy cannot facilitate the travel needs of the pupil, the Relevant Officer shall convene a case conference. The case conference shall be chaired by an appropriate Senior Officer of the Service and other relevant professionals shall be invited.

3.64 The case conference shall;

- a) Discuss the issues associating with transporting the pupil to school and
- b) Make a recommendation for the future transport arrangements.

3.65 Emergency medical treatment

3.66 In the event of emergency medical treatment being required, the Escort shall contact the emergency medical services by telephoning 999; and inform the Local Authority and the Parents of the child concerned.

3.67 DISCLOSURE AND BARRING SERVICE (DBS)

3.68 Private Contractors and BMBC School Transport Escorts on taxis, minibuses and hired coaches arranged by the LA are required to undertake an enhanced DBS check. This does not apply to those driving buses on services available to the public.

3.69 MONITORING OPERATOR PERFORMANCE

3.70 Minibuses used to take pupils to school are public service vehicles and as such are subject to specific legislation on safety standards.

3.71 Children travelling to and from the school in a taxi or minibus arranged by the authority will be required to use restraints (car seat, booster seat or seatbelts) appropriate to their age, height and weight.

3.72 As part of the LA's procurement, process checks are carried out on transport operators to ensure they comply with statutory and legal requirements. These checks include vehicle and public liability insurance cover and vehicle MOT. LA employees undertake spot checks on services throughout the year to ensure the contractors are complying with their contracts and that their vehicles are roadworthy.

3.73 Review of travel assistance provision for SEND pupils

3.74 Travel assistance will be reviewed at key stage changes with parents, education and healthcare professionals who know the child and are part of the statement or EHCP

review. Parents will be told of all decisions in writing. We need to ensure that the service provided continues to be appropriate for the student's assessed needs.

- 3.75 The LA will do everything reasonably practicable to ensure all children can travel in safety and comfort. In circumstances where behaviour compromises safety of passengers or driver the LA in discussion with parent/carer and the school will take steps to ensure alternative and appropriate means are in place to address this issue such as an additional school escort or a change of transport.
- 3.76 The LA shall suspend the provision of Travel Assistance in cases of persistent absence or where the pupil/student has been absent for a week or more without good reason until the pupil is able to return to school.
- 3.77 In cases where individual transport is provided by taxi or minibus parents/carers are requested to cancel transport when not required i.e. in cases of holidays or illness. Failure to cancel transport 3 times in a term may lead to a recharge of the cost or ultimately cancellation of the transport. Parent/carers will always be provided with a written warning before action is taken.

3.78 **Application Process**

- 3.79 An application for travel assistance under this policy must be completed. Application forms are available from the website www.barnsley.gov.uk and search SEN transport. Alternatively contact the LA and one will be sent out by post.
- 3.80 The decision on whether your child is eligible to receive travel assistance will be made at the transport panel. The decision will be communicated to you either by telephone or letter to confirm the outcome of the assessment. If travel assistance is approved we will send out a Transport Information Form (TIF) which will need to be completed and returned to school transport. Please note that no assessment or transport arrangements will commence until a completed TIF is received.
- 3.81 A TIF form will need to be completed annually by parents/carers as the needs and requirements of the pupil can change and it is important that this information is kept up to date.
- 3.82 Requests for travel assistance in relation to paragraph 3.17 (disability grounds) must be made on the application form found at www.barnsley.gov.uk under the section children with special educational needs and must be supported by appropriate professional documentation as outlined in paragraph 3.17.
- 3.83 Applications that do not have the appropriate evidence in support, for example, evidence from health or education professionals, study timetables, or are otherwise incomplete will not be processed but returned to the applicant for the application to be completed and resubmitted.
- 3.84 Parents/carers are reminded that it is their legal duty to ensure their child's attendance at school. That duty is not affected pending the outcome of an application or review procedure.

3.85 **School Transport appeal process**

- 3.86 Parents/Carers have the right of appeal should they be in disagreement about the eligibility of their child for home to school travel assistance. Parents may challenge a decision about;

- Their child's eligibility
- The transport arrangements offered
- The distance measurement in relation to statutory walking distances
- The distance measurement by road in relation to nearest school
- The safety of the walking route

3.87 This will be a 2-stage process as follows:

3.88 Stage One Review

3.89 Parents/Carers may request that a review of the original SEN Transport panel decision to refuse Travel assistance be reviewed.

3.90 This review will be undertaken by a Senior Officer of the Council and the Transport Planning Coordinator.

- Parents/carers will have 20 school days from receipt of the local authority's decision to refuse their application to complete and return a Notice of Appeal Form requesting a review of the decision. This form should be completed by the parent/carer and give details of any personal or family circumstances that the parent/carer believes should be taken into account when the decision is reviewed.
- Within 20 school days of receipt of this form, the Senior Officer will review the case and send out a letter notifying the parent/carer of the decision.
- The letter should explain how the review was conducted, information about other Departments or Agencies that have been consulted as part of the process, the rationale for the decision reached and information about how the parent can escalate their case to stage 2.

3.91 Stage Two Review

3.92 This Review will be undertaken by an independent appeal panel facilitated by the Council Governance Unit

- A parent/carer will have 20 school days from receipt of the Stage 1 decision to make a written request to escalate the matter to Stage 2.
- The Council Governance Unit will be informed that an appeal has been received, they will arrange a date for the Hearing and will send out Agendas and invites to the meeting.
- Within 40 school days of receipt of the parent/carer's request the Council Governance Unit will consider written and verbal representations from both the parent and Officers of the council involved in the case.
- The Council Governance Unit will send out notification of the outcome of the appeal within 5 school days which will set out:
 - The nature of the decision reached.
 - How the review was conducted, information from other agencies or departments consulted, what factors were considered, the rationale for the decision reached and information about the parent's right to put the matter to the Local Government Ombudsman.

- It will be made clear that a referral of a complaint to the Local Government Ombudsman should only be made if the complainant considers that there was a failure to comply with the procedural rules or if they consider that there have been any irregularities in the handling of the appeal.

All hearings of the Panel will be conducted in accordance with the approved LA protocols.

3.93 The powers of the Independent Review Panel will be limited solely to an examination of the correct application of the Transport Policy taking account of when the application was made.

3.94 **Complaints**

3.95 The above appeal process is specifically for parents/carers to be able to challenge the decision regarding the eligibility of their child to receive travel assistance. If however a parent/carer wishes to complain about the service delivery e.g. the standard of transport or the behaviour of staff/children please;

Email us at; schooltransport@barnsley.gov.uk

Or call us on 01226 773584.

Alternatively you can write to us at

Home to School Transport Team,

Environment and Transport,

Place Directorate,

Barnsley MBC,

PO Box 634,

S70 9GG.

3.96 **Local Offer**

3.97 Information on this policy is set out in the “Local Offer” together with information on organisations who can give further advice on the application, appeal or complaint process for travel assistance.

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Section 4

Travel Assistance for

Post 16 Special
Educational Needs
and Disabled (SEND)
Pupils.

4.0 Introduction

4.1 There is no automatic entitlement for travel assistance for home to school or college once a student is over 16 years. The LA currently provides travel assistance for post 16 SEND pupils.

4.2 This document sets out the support available to the young people of Barnsley with special educational needs and disabilities (SEND) entering or continuing with Post 16 education. It explains the support available to encourage participation and prevent travel being a barrier to young learners

4.3 The post 16 education and training landscape is very diverse. It encompasses school sixth forms (both mainstream and special schools), sixth form colleges, general further education (FE) colleges, 16 – 19 academies, special post 16 institutions and vocational learning and training providers. The range of available study programmes is broad and includes AS/A – levels, vocational qualifications at all levels, apprenticeships, traineeships, supported internships and bespoke packages of learning.

4.4 Eligibility

4.5 An assessment of the Travel Assistance need will be undertaken by the appropriate Officer(s) of the SEN Transport Panel using information contained in the SEN statement or EHCP, together with information supplied by the school/college/ and parent/carer, and health care professionals taking into account their age, mobility and the effect of their SEND on their ability to travel to school or college, for students who are;

- aged 16 years or older on 1st September
- Over the age of 19 and under 25 years of age on 1 September; and
- Ordinarily resident in the LA area; and have, or have had previously, a statement of SEN, an EHCP which includes, or included, in order to meet the needs of the student, a requirement for transport.
- Are registered as disabled under the Chronically Sick and Disabled Persons' Act 1970; and
- Attending a course funded by the Education Funding Agency, at an FE College which has been agreed as appropriate and that the course is a graduation/progression of a previous subject and that this meets the needs of the student. Unless attendance on a course at another institution has been agreed as more appropriate, to meet a specific educational and/or social need of the student.
- Travel assistance will be provided where the distance between their home and college or training establishment is 3 or more miles measured by the nearest available walking route
- Where the distance to the appropriate school is less than the distances specified above and / or when a student has no statement of SEN or EHCP, travel assistance will be considered, taking into account the individual circumstances and the travel needs of children with significant sensory, physical, medical or behavioural difficulties that prevent them from getting to school / college even when accompanied by a parent/carer. In such instances travel assistance will be considered using supporting written evidence, within the preceding 12 months,

from a range of sources for example, Education or Health professionals, parents and school SENCO, that describes the young person as having;

- Long term severely restricted independent mobility, due to physical disability
- Long term severely restricted mobility due to a medical condition resulting in persistent pain or extreme fatigue
- A sensory impairment resulting in severely restricted mobility
- Severe behavioural emotional and/ or social difficulties in comparison with other children their age. This may be linked with cognitive ability or be as a result of a specific disorder.

This is not an exhaustive list and requests will be considered on a case by case basis. This information needs to be supplied at time of application.

- For students over 19 progression in learning must be evidenced against outcomes in the EHCP. Lack of progression will mean that Travel Assistance will no longer be approved. Funding will not normally be provided where a student repeats a course or studies at the same academic level as one previously studied.

4.6 **Provision of travel assistance**

4.7 If travel assistance is approved it is for the LA to decide on the travel arrangements to get pupils between home and their place of learning. LA assistance will be provided in the most cost effective and appropriate way for the student.

4.8 Travel assistance may be provided in a number of ways including independent travel training, personal travel budget, mileage reimbursement or contract school minibus or taxi. More detail about these options is provided below. The most appropriate one for the child will be selected after careful consideration of the child's needs by the transport panel.

4.9 **Independent travel training-** All post 16 SEND students will be assessed for their suitability in conjunction with parent/carer and school/college, to receive independent travel training. If travel training BMBC is committed to ensuring that every child and young person can fulfil their potential. The aim of independent travel training is that all children and young people with a Statement of special educational needs (SEN) or Education Health Care Plan (EHCP), or have a learning disability and / or disability should lead lives that are as independent and as free from restriction as possible and that each child or young person is supported to achieve independent travel wherever possible.

4.10 **Mileage reimbursement** – Mileage reimbursement will be paid termly or half termly calculated on the actual mileage allowance multiplied by the number of days the student attends. This is not available to parents/carers if other suitable transport is available. For further details on mileage reimbursements please refer to section 3 of this policy document “Travel Assistance for SEND up to the age of 16”

4.11 **Personal travel budgets** – A parent/carer may be offered the option of a personal travel budget to make their own travel arrangements. This is not available to parents/carers if other suitable transport is available. For further details on personal travel budgets please refer to section 3 of this policy document “Travel Assistance for SEND up to the age of 16”

4.12 **School bus/minibus or taxi-** Students who are assessed as requiring travel on minibus, taxi/private hire or similar vehicle will be picked up and dropped off at the most convenient, designated point nearest to their home address. Having due regards to their needs and safety this may be a designated bus stop, Students will only be guaranteed collection and drop off from outside their home address if their needs exceptionally require this arrangement. A student will normally be expected to share a vehicle with other students.

4.13 **During what times during the day can learners use their travel pass or obtain concessionary fares?**

4.14 The majority of students will have passes which can be used on public services. These can be used at any time of the day, during college term time, when services are available.

4.15 Students who have transport provided via contract buses or taxis will only be able to access transport at the beginning and end of the college day. However, exceptions will be considered based on the long term medical needs of the young person where they are only able to attend college for a set reduced number of hours.

4.16 **Application process**

4.17 If a student is continuing in their same school provision and already in receipt of travel assistance there is no need to reapply. However a Transport Information form (TIF) will need to be completed and returned to provide up to date information on the student's needs and requirements. School transport team will automatically send out a form.

4.18 For new students an application for transport assistance under this policy must be completed. Application forms are available from the website www.barnsley.gov.uk and search SEN transport. Alternatively contact the LA and one will be sent out by post.

4.19 The decision on whether your child is eligible to receive travel assistance will be made at the transport panel. The decision will be communicated to you either by telephone or letter to confirm the outcome of the assessment. If travel assistance is approved we will send out a Transport Information Form (TIF) which will need to be completed and returned to school transport. Please note that no assessment or transport arrangements will commence until a completed TIF is received.

4.20 A TIF form will need to be completed annually by parents/carers as the needs and requirements of the pupil can change and it is important that this information is kept up to date.

4.21 **Appeal Process**

4.22 Parents/Carers have the right of appeal should they be in disagreement about the eligibility of their child for home to school travel assistance. Parents may challenge a decision about;

- Their child's eligibility
- The transport arrangements offered
- The distance measurement in relation to statutory walking distances
- The distance measurement by road in relation to nearest school
- The safety of the walking route

4.23 Parents/carers will have the right to appeal against any decision to refuse requests for assistance with travel made by Officers of the LA under this policy.

4.24 For details of the appeal process and timescale please see the end of section 3

4.25 **Complaints**

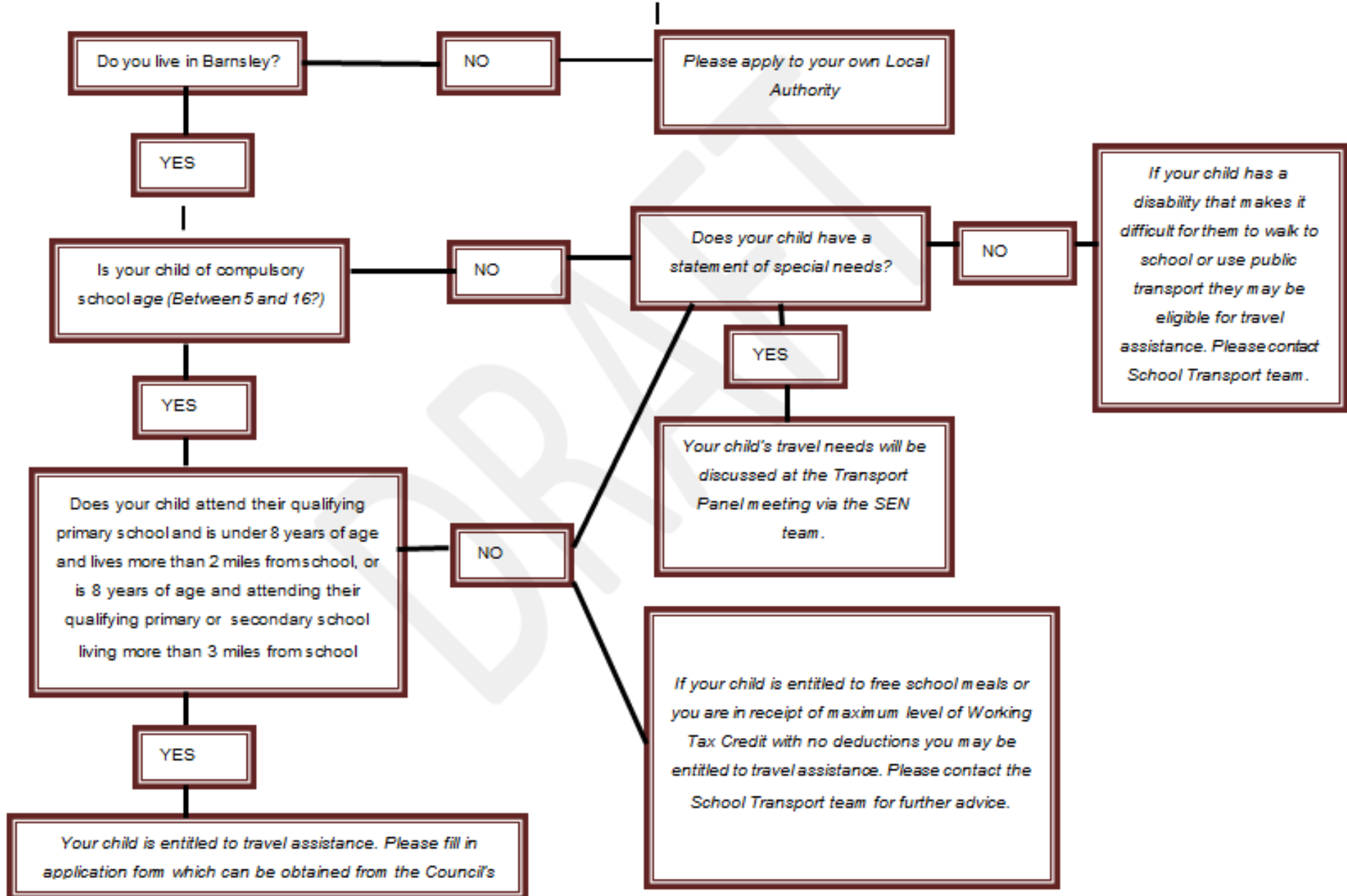
4.26 The above appeal process is specifically for parents/carers to be able to challenge the decision regarding the eligibility of their child to receive travel assistance. If however a parent/carer wishes to complain about the service delivery e.g. the standard of transport or the behaviour of staff/children please;

Email us at; schooltransport@barnsley.gov.uk

Or call us on 01226 773584.

Alternatively you can write to us at
Home to School Transport Team,
Environment and Transport,
Place Directorate,
Barnsley MBC,
PO Box 634,
S70 9GG.

APPENDIX A IS YOUR CHILD ELIGIBLE FOR TRAVEL ASSISTANCE TO SCHOOL?



APPENDIX B

Table of comments from parent/carers engagement

Comment	LA response	Policy to be amended / not amended
<p>Comprehensive plan.</p> <p>Do escorts receive training to meet SEN needs?</p> <p>Is there any safety device used to stop seat belts being undone?</p>	<p>Issue covered in para 3.57 - School escorts are PATS (passenger assistant trained) first aid and enhanced DBS and epilepsy medication training.</p> <p>In certain cases where appropriate harnesses are used.</p>	<p>Information already in policy</p> <p>Operational issue rather than policy issue. Information to be placed in policy guideline document. This is to be drawn up in consultation with parent/carers and schools once policy has been approved.</p>
<p>Strongly believe that children with special needs in mainstream schools should be entitled to free transport</p>	<p>Para 3.3 states that each child identified by the LA as having SEN will have their individual transport needs assessed.</p> <p>Para 3.18 states that children without SEN but with mobility problems can apply for travel assistance</p>	<p>Children and pupils in mainstream schools that have proven difficulty getting to school due to their disabilities will be eligible for travel assistance. Information already in the policy.</p>
<p>School distance criteria should be judged on child's needs and choice suitable for child.</p> <p>LA to better work with parents' e.g. meet driver /escort beforehand.</p> <p>More escorts required</p>	<p>School distance criteria is derived from the statutory walking distance eligibility set by DfE.</p> <p>The LA now instructs all escorts to meet with parents/carers before start of route. Drivers are asked to meet also.</p> <p>Parents / carers could become escorts. LA to provide cost of enhanced DBS check. If child is assessed as requiring an escort the parent/carer will also be paid.</p>	<p>Distance criteria is judged on the child's nearest LA recommended suitable school. Statutory criteria in policy and cannot be changed.</p> <p>This is an operational issue and policy need not be amended. Information to be placed into a policy guideline document.</p> <p>Para 3.55 states that school escorts are provided where child has severe physical condition or severe behavioural difficulties. Information already contained in policy.</p>
<p>Pick up and drop off points should only be used if home address is inaccessible by vehicle. Otherwise difficult for parent/carers</p> <p>Extra -curricular activities are a part of a child's overall education.</p>	<p>Comment accepted</p> <p>The aim of the policy is to enable children to attend school.</p>	<p>Para 3.46 has been altered accordingly. Policy amended.</p> <p>The inclusion of personal travel budgets and mileage</p>

<p>To deny a child this opportunity to do better in exams is discriminatory</p> <p>I have tried to cancel transport but struggle to get through. Who decides what is an unreasonable amount of no “shows” before transport is removed.</p> <p>Post 16 – concerned about the part that implies if not enough progress is made transport will be stopped. How can this be done if compulsory to be in education or training to 18?</p>	<p>However we will look to work with schools to find out if they can help make enrichment classes more inclusive.</p> <p>Comment accepted. We have extended the hours that someone is in the office from 6am – 5.30pm. We are also installing an answerphone. All we ask for is a quick email, text to escort or a phone call. In the instance of an emergency when child is taken very ill just contact us as soon as you are able.</p> <p>Commented accepted</p>	<p>reimbursement into the policy is designed to give parents/carers the flexibility of fine tuning transport to suit their child’s specific requirements. Policy not amended.</p> <p>Para 3.49 has been amended to state that three no shows without contact in a term may lead to a cancellation of transport but parents/carers will receive a written warning before any action is taken Policy amended</p> <p>Para 4.5 final bullet point has been amended to make clear that this refers to students over the age of 19. Policy amended</p>
<p>UK legislation stipulates that travel assistance will be provided to eligible children regardless of the type of setting attended.</p>	<p>Comment accepted</p>	<p>Paras 3.13,15 and 17 amended to include “educational setting” Policy amended</p>
<p>Escorts not transporting medication puts SEND parents at an unfair disadvantage because SEND children are more likely to require medication.</p> <p>Needs to be clarification as to what DBS checks are undertaken</p> <p>Needs to be clarification as to what agencies will be taken into account when assessing the ability for a post 16 student to travel by any other means than a funded minibus or taxi. This must not be a single agency decision.</p>	<p>Comment accepted however we do state that we will transport medication but parent/carer need to discuss it with us first.</p> <p>Comment accepted.</p> <p>Comment accepted</p>	<p>Para 3.62 amended to make the transport of medication procedure clearer Policy amended</p> <p>Para 3.68 to be amended to read “enhanced DBS check” Policy amended</p> <p>Para 4.5 altered to state that an assessment of travel assistance will be undertaken using information contained in the EHCP and information supplied by parent/carer and school/college and health care professionals. Policy amended.</p>
<p>The whole SEN code of practice is around transitioning, yet where does the school transport policy actually support this.</p> <p>Out of school clubs. A child without SEND would be able to attend out of school clubs as they often attend a local school. Children with SEND don’t get the same opportunities as they often live some distance away.</p>	<p>Comment accepted</p> <p>The policy is to facilitate attendance at school and whilst we fully understand the point here it is not the remit of this policy to facilitate. However we do try to be as flexible as we can and will if possible be prepared to alt</p>	<p>A paragraph has been inserted at 3.6. Policy amended</p> <p>Para 3.47 amended to reflect this flexibility Policy amended</p>

	enable children to attend local community clubs.	
It would be useful if you could clarify what the changes are and we currently qualify for transport. I assume this will be unaffected by the new policy.	We have not changed the eligibility criteria. Any child eligible under the existing policy will still be eligible under the new policy. The main changes are in the menu of travel options available including the introduction of independent travel training and PTB's. The removal of the section "ceasing transport for bad behaviour" for SEN children. We have also split the policy into sections to make it a clearer read for all.	This was a question and not a request for a policy change.
I am worried that there does not appear to be any strategy regarding challenging behaviour. I am worried that without proper legislation he is not protected from being told that he can no longer access transport to school	The new policy has removed the text that states that a child will be removed from transport for poor behaviour. Instead there is a process by which alternative options and techniques are considered in conjunction with parents and school to help reduce bad behaviour. This provides a more positive way of dealing with the issue.	Policy has already been amended to reflect concern from previous consultation that children are going to be removed from transport for bad behaviour. Following further comments at a drop in session para 3.75 has been further amended to include the process for dealing with challenging behaviour and the sort of alternative options we would consider. Policy amended
No mention of a ratio of escort to children on minibuses. Cannot see how one escort can fully care for up to 12 children with complex needs.	School escorts are provided based on the needs of the child. All children are assessed for whether they require an escort and those with complex needs are usually provided with one.	The numbers of school escorts on a bus is determined by the risk assessment. Information on risk assessments to be placed in guidance notes
What about transport for post 16. It is ok saying that independent training is available but it is too vague.	Independent travel training is one of a menu of travel options. If Independent travel training was appropriate for the young person it would be in discussion with the parent/carer and school/college.	Para 4.9 has been altered to emphasise that a decision is made in conjunction with parent/carer and school/college. Policy amended
Travel assistance is provided to child's nearest school. If only one school named in EHCP then it is unlawful to refuse transport on grounds of nearest school	Comment accepted	Paragraph 3.5 has been amended. Policy amended
Travel times – the example of distance is reasonable to go outside travel times but not because more children are fitted	This paragraph was put into the policy following comment made in the original consultation that nothi	Travel time guidelines are already in the policy. More information will be placed in the guidance document

<p>onto the bus.</p> <p>Post 16 policy states travel will be for the normal start and finish of the school/college day but no mention is made of exception for students who are not medically able to stay the whole day.</p>	<p>times. The Council monitors distance times and has already cut a route into two to reduce the travel times. We will continue to monitor this closely and stick wherever possible to the policy guidelines.</p> <p>Comment accepted.</p>	<p>Para 4.15 changed. Policy amended</p>
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Please check that the summary details of the project plan/proposal outlined in the Initial EIA are still correct and up to date.

Details

Service	Lead Officer	Date
Transport Operations	Sally Killips	24th November 2017
Business Unit	Email	Telephone
BU6 Environment & Transport	sallykillips@barnsley.gov.uk	01226 774191

Summary

Outline of project proposal

This EIA covers the review of the Home to School Transport policy which will form the basis for any future service changes.

Summary of project objectives

The revision of the Home to School Transport policy seeks to introduce:

- a) A clear range of options for travel assistance,
- b) Screening for independent travel training at Year 6
- c) Clarity about the legal criteria for travel assistance eligibility.

Reference

Step 1

What are the key equality and diversity questions you would like to ask?

- eg *Do some diverse groups experience poorer outcomes or barriers to access?*
- Do some diverse groups experience greater need for services?*
- How can the project the help improve outcomes for diverse groups?*
- How can the project help to promote equal access / take-up of services for all sections of the community?*

Numbers of children currently benefitting from statutory and discretionary home to school transport assistance and the associated cost.

Are we confident that we are not creating any inequalities by providing a menu of supported travel options?

Distances children and young people travel who are in receipt of assisted travel to school/college. Are there areas of inequality?

What policy changes are proposed, and what are the implications? Are there any elements of the new policy which could potentially create or entrench inequalities?

Step 2

How will you find out the answers to these questions?

eg *Ask staff and other stakeholders what they know.*

Discuss the issue with service users.

Meet with a relevant community group or forum.

Analyse service performance data and compare it with local demographic data.

	<i>Who</i>	<i>When</i>
Analyse data about service users - numbers, age profile, routes, transport methods.	<i>Sally Killips / Jules Horsler</i>	<i>November 2017</i>
Consult with current service users and other stakeholders to add depth to our understanding of the effectiveness of the service. Analyse consultation findings to identify any implications for the content or operation of the new policy.	<i>Sally Killips / Jules Horsler</i>	<i>November 2017</i>
Where possible, model any service or policy revision to seek to predict the impact this will have on future pattern of transport support provided and how this might affect the groups identified above. Use performance indicators about travel options being used currently.	<i>Sally Killips / Jules Horsler</i>	<i>November 2017 and ongoing</i>

Step 3

What have you learnt about how this project could promote equality and inclusion?

- eg *The investment could help to promote services to BME communities who currently do not know it exists or how to access it.*
- Some disabled people may not be able to access the service on-line and need an alternative.*
- Men may have worse health outcomes because they do not visit the doctor regularly - the investment will help to address this.*
- The investment may enable the service to be more flexible and to meet individual needs (eg culturally appropriate to some faith groups).*

Latest data about the service user profile is as follows (Nov 2017):

534 children in total

11 looked after children

13 children with physical disabilities, who do not have a statement or EHCP (it is anticipated that this will increase, due to guidance about eligibility being clarified in the new policy)

182 primary school children and 266 secondary school children

These children are transported to school on a total of 130 different routes (using a mixture of 8, 12 and 17 minibuses, and taxis)

There are 62 routes that go out of Barnsley borough to special schools

38 single occupancy taxis are used

In addition, 542 zero fare passes have been issued to mainstream children

Consultation was carried out with service users during December 2016 to February 2017. Although mainly targeted at families using these services, the consultation was open to all Barnsley's residents should they wish to participate. In addition further consultation was carried out with the wider SEND community via a series of meetings. In November 2017, a further period of consultation and engagement was undertaken, on the revised policy document. This consisted of an online survey and a number of 'drop in' sessions.

Many of the comments received during the consultation related to minor changes to wording, which did not materially change the nature of the policy - these were incorporated into the revised policy. The remaining key issues arising from this period of consultation were:

1. Access to transport home for children who want to participate in extra-curricular activities after normal school hours - the usual transport home pick-ups depart before any after-school social activities, which affects whether some children can attend these activities, if they will then be unable to travel home at a later time. This situation creates a potential inequality for these children, compared to their peers. The policy and service provision have a responsibility to enable access to education, but do not cover social activities. Providing additional transport would have cost implications for the service, and would also be difficult to predict and plan for, as the numbers and frequency would fluctuate.

This is potentially the key equality issue remaining unresolved.

Discussions have taken place with schools, who remain unwilling to contribute towards transport costs for this purpose; in addition, although parents have the option of a personal travel budget for their children, which would enable them to buy in transport services home from after-school social activities, this would also mean the onus would be on parents to arrange all of their home-to-school transport, when in most cases they are satisfied with current arrangements.

Senior managers and Members are asked to consider this issue and a potential way forward.

2. Many respondents to the consultation were not in favour of designated pick-up and drop-off points, and prefer door-to-door transport. This proposal is therefore being taken out of the policy.

3. Some respondents raised the issue of whether there should be set ratios of escorts to children. At present, each child travelling by bus will have an individual escort, but the minibus services may only have one escort (who is also the driver). This has been covered by risk assessments, and current arrangements are considered suitable, as once the children are safely seated within the minibus, which does not stop off anywhere en route to school, the risks during the journey are not such that an additional escort would be needed.

4. SEN code of practice for children who are in transition between schools - at present, specific transport arrangements are not made for children who are 'trying out' new schools in preparation for moving up. A number of parents made comments about preferring their children to start using the transport routes / methods for their new school as soon as possible, as part of the transition process. The policy will therefore be amended to contain a reference to accommodating children on transport for their new school, as far as possible.

The whole ethos of Home to School Transport is to provide access to education for all. It therefore very much promotes and assists in providing equality and inclusion amongst school children, suited to their situation. This is reflected in the change of approach from a hierarchical decision-making process about which transport service is received by an individual child, to a 'menu' approach, from which children and parents / guardians can select the service which best suits their circumstances, preferences, confidence, abilities and needs.

Step 4

What equality objectives, actions and measures will be (or have been) incorporated into your project plan/proposal?

- eg *Develop action plan to meet minimum access standards*
- To increase awareness of service and how to access it amongst under-represented groups.*
- To improve how service meets the needs of LGBT community.*
- Analyse service performance data and compare it with local demographic data.*

	<i>Who</i>	<i>When</i>
Independent Travel Training - to monitor service performance data around how many children have been travel trained, how many children have gone onto travel independently to school as a result of the training.	<i>Transport Operations Manager</i>	<i>annually</i>
To monitor how many families have opted to take up other home-to-school transport options, such as mileage reimbursement and personal travel budget options.	<i>Transport Operations Manager</i>	<i>annually</i>
To monitor the impact of these trends on demand for the service, and the impact on service budgets.	<i>Transport Operations Manager</i>	<i>annually</i>

Step 5

When and how will you review whether these equality objectives have been achieved?

- eg *As part of service review in 2 years time.*
- Incorporate equality performance measures into performance framework.*
- Provide feedback on progress to relevant community / service user group.*
- Provide regular progress reports to a project board.*

	<i>Who</i>	<i>When</i>
Annual service review to evaluate the impact and effectiveness of the new policy.	<i>Transport Operations Manager</i>	<i>annually</i>
Home to School Transport Working Group to receive regular updates about service user numbers, and take-up of different transport options.	<i>Transport Operations Manager</i>	<i>monthly</i>
Continue to hold service user forums with parents / carers of children using the home to school transport service	<i>Transport Operations Manager</i>	<i>ongoing</i>

Step 6

How will you make sure relevant decision-makers are able to fully consider the outcomes of this EIA?

Include EIA as appendix to relevant Cabinet report.

Brief Cabinet Spokesperson / Service Director on outcomes of EIA.

Publish outcome of EIA on website.

Provide feedback to stakeholders on outcome of EIA process.

	<i>Who</i>	<i>When</i>
Brief Cabinet spokesperson / Service Director on outcomes of EIA. Include EIA as an appendix to Cabinet report.	<i>Sally Killips</i>	<i>December 2017</i>
Highlight recommendations to SMT and Cabinet in order to resolve outstanding issues which may cause potential inequality.	<i>Sally Killips</i>	<i>December 2017</i>
Provide feedback to service users and respondents to the consultation exercises, to set out how the service has responded to issues raised and reflected them in the new policy.	<i>Sally Killips</i>	<i>December 2017</i>
Liaise with People Directorate as appropriate re. the establishment of a SEND parent-carer forum.	<i>Sally Killips</i>	<i>Ongoing</i>

MONITORING - Which groups may experience a differential impact in this service area before the project?

Review and update below the potential inequalities you identified when undertaking the initial EIA - are these the same or has your assessment now changed?

Protected characteristic	Details of group	Degree of inequality	+ve or -ve inequality
<i>Please select group from the drop-down list.</i>	<i>Describe in more detail which people in this protected characteristic group currently experience a differential impact and why. Eg "BME people, especially new arrivals to the borough, are under-represented amongst current service users".</i>	<i>Please select the level of inequality experienced by the group (high, medium, low or none).</i>	<i>Is the inequality positive or negative for the group?</i>
<i>Disabled people</i>	<i>Disabled children who do not have a SEN or EHCP and live within the statutory distance criteria currently fall outside the eligibility criteria for travel assistance</i>	<i>Low</i>	<i>Negative</i>
<i>Disabled people</i>	<i>Children with SEN or EHCP in place have their travel assistance eligibility assessed by the Transport Panel. The rate of referral to this panel fluctuates but is currently around 10 - 15 per month. Presently the average success rate of referrals is 90 - 95%.</i>	<i>Low</i>	<i>Negative</i>

Which groups may experience a differential impact in this service area after the project?

Review and update below the potential inequalities you identified when undertaking the initial EIA - are these the same or has your assessment now changed?

Protected characteristic	Details of group	Degree of inequality	Predicted improvement?
Please select group from the drop-down list.	Describe in more detail which people in this protected characteristic group will be affected and why. Eg " <i>Disabled people with communication disabilities such as people with sensory impairments and people with learning difficulties because they may find using online services more difficult.</i> "	Please select the level of inequality likely to be experienced by the group after the project (high, medium, low or none).	Is the situation for this group likely to improve or become more unequal as a result of this project?
Disabled people	The policy now contains a methodology by which children who have difficulties walking to school and live within the statutory qualifying distance (i.e not eligible for automatic travel assistance) can obtain travel assistance providing written evidence is provided from education and health care officials.	Low	Improve
Disabled people	Better control of the budget will be achieved by applying a fair and consistent application and assessment process of eligibility at the Transport Panel as set out in the transport policy. This may run the risk that more children are refused at the transport panel stage. However, by implementing a menu of travel options rather than a strict hierarchy, choice has been enhanced for children and their parents / carers, increasing flexibility of services available suited to individual families' particular needs and preferences.	Low	Improve

Step 7b

Consultation, Advice and Support

E+I Team Consulted	E+I Business Partner (Name / email)	Date of most recent contact
Yes	Sue Smith	23rd November 2017

Step 8

Please email your completed EIA to: equalityanddiversity@barnsley.gov.uk

Item 34



MEETING:	Cabinet
DATE:	Wednesday, 15 November 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Gardiner, Howard, Miller, Platts and Pourali

Members in Attendance: Councillors Franklin, Frost, David Griffin and Lamb and Sheard

113. Declaration of pecuniary and non-pecuniary interests

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

114. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 1st November, 2017 had been called in.

115. Minutes of the previous meeting held on 1st November, 2017 (Cab.15.11.2017/3)

The minutes of the meeting held on 1st November, 2017 were taken as read and signed by the Chair as a correct record.

116. Decisions of Cabinet Spokespersons (Cab.15.11.2017/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the weeks ending 13th October and 3rd November, 2017 were noted.

117. Petitions received under Standing Order 44 (Cab.15.11.2017)

It was reported that no petitions had been received under Standing Order 44.

Place Spokesperson

118. Local Plan Examination - Modifications and Additional Sites Consultation (Cab.15.11.2017/6)

The meeting was informed that, since the agenda for this meeting had been published, representations had been received from some promoters of sites to express their disappointment with some of the proposals within the Local Plan.

RECOMMENDED TO FULL COUNCIL ON 23RD NOVEMBER, 2017:-

- (i) that the updates on the Local Plan Examination and consultation on modifications, as detailed in the report now submitted, be approved;

- (ii) that the Jobs and Business Plan and Housing Strategy are reviewed and updated to align with the Local Plan (as modified);
- (iii) that, subject to the outcome of the Sustainability Appraisal, the total number of jobs provided for during the Local Plan period be modified to approximately 28,840, including around 16,920 net additional jobs;
- (iv) that, subject to the outcome of the Sustainability Appraisal, the objectively assessed housing need figure be a maximum of 1,134 dwellings per year based on the Policy On Employment-Led CR Sens Scenario in the Barnsley Demographic Forecasts October 2017 Report by Edge Analytics;
- (v) that for the remainder of the examination, authority be delegated to the Head of Planning and Building Control, in consultation with the Cabinet Spokesperson for Place, to agree to main modifications and associated consultation, including those requested by the Inspector at stages 1 and 2 of the examination, any further main modifications arising following the stage 3 hearings and in response to the Inspector's Interim Findings. This will include additional site allocations, changes to existing site allocations if required and any further changes to the figures in recommendations 2.2 and 2.3 if requested by the Inspector;
- (vi) that, subject to the Inspector agreeing, consultation on modifications to the plan, including any additional site allocations, begins in January 2018 for a period of 6 weeks; and
- (vii) that approval be given to extend the Programme Officer Post to the end of July 2018.

119. Barnsley Local Flood Risk Management Strategy (Cab.15.11.2017/7)

RESOLVED that the Barnsley Local Flood Risk Management Strategy, as set out in the report now submitted, be approved as the framework to deliver the effective management of flood risk in Barnsley.

120. Revision to Assisted Waste and Recycling Collection Policy (Cab.15.11.2017/8)

RECOMMENDED TO FULL COUNCIL ON 23RD NOVEMBER, 2017:-

- (i) that the proposed changes to the current Assisted Waste and Recycling Collection Policy, as detailed in the report now submitted, be approved;
- (ii) that the current eligibility criteria be amended so that the age of applicants is no longer considered as a determining factor, for new applicants after 1st December, 2017;
- (iii) that approval be given to support Option 2 to introduce a single, one-off administration fee contribution of £10 (marked as C in the table at 4.3.15 of the report now submitted), which will be applied to all current service users receiving the service after 1st December, 2017. All new applicants will also be charged a single, one-off administration fee contribution of £10 for applications after 1st December, 2017;

- (iv) that a revised application process for service users be introduced to reduce the time taken to determine applications; and
- (v) that a pilot project be supported that determines whether waste and recycling technology is suitably developed to consider the implementation of an 'on-demand' assisted collection scheme.

121. Taxi Licensing Update (Cab.15.11.2017/9)

RESOLVED:-

- (i) that the Taxi Licensing update and progress made so far, as detailed in the report submitted, be noted; and
- (ii) that approval be given for the Licensing Team to put a business case together to introduce taxi cameras in all licensed vehicles.

People (Achieving Potential) Spokesperson

122. Barnsley Special Educational Needs And Disability School Placement Sufficiency Strategy (2017-20) (Cab.15.11.2017/10)

RESOLVED that the Special Educational Needs and Disability (SEND) School Placement Sufficiency Statement for 2017-20 be approved and adopted.

People (Safeguarding) Spokesperson

123. Provision of a Multi-Systemic Therapy Team on behalf of Sheffield City Council (Cab.15.11.2017/11)

RESOLVED:-

- (i) that approval be given for the Barnsley Youth Justice Service to participate in providing a Multi-Systemic Therapy (MST) Standard Team on behalf of Sheffield City Council, to support the Sheffield area; and
- (ii) that, subject to approval of the proposal, a progress report on the work of the MST Standard Team, in supporting sector led improvement elsewhere in the region and of any accruing benefits which could be applied locally, be submitted for Cabinet's consideration, following the first year of the Programme.

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Chair

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Item 35



MEETING:	Cabinet
DATE:	Wednesday, 29 November 2017
TIME:	10.00 am
VENUE:	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, Frost, David Griffin, Lamb, Pourali, Saunders and Sheard

124. Declaration of pecuniary and non-pecuniary interests

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

125. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 15th November, 2017 had been called in.

126. Minutes of the previous meeting held on 15th November, 2017 (Cab.29.11.2017/3)

The minutes of the meeting held on 15th November, 2017 were taken as read and signed by the Chair as a correct record.

127. Decisions of Cabinet Spokespersons (Cab.29.11.2017/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 17th November, 2017 were noted.

128. Petitions received under Standing Order 44 (Cab.29.11.2017/5)

It was reported that no petitions had been received under Standing Order 44.

Leader

129. Responsibility For Executive Functions - Revision To Cabinet Member And Officer Delegations (Cab.29.11.2017/6)

RESOLVED:-

- (i) that the revision to the Officer Delegations in relation to the distribution of functions to Service Directors within the Core Services Directorate as set out in Appendix 1 to the report now submitted be approved;
- (ii) that the removal of the provisions set out in Appendix 2 of the report from the Delegations of Cabinet Spokespersons in respect of the invitation or

acceptance of tenders as a consequence of revisions to the Contract Procedure Rules, be noted;

- (iii) that the Chief Executive and Executive Directors be authorised to make bids for external funding for schemes within their services consistent with the Council's priorities, subject to the relevant Cabinet Spokesperson(s) and Service Director Finance having been advised of the proposed bid and, in the event that the bid is successful, the approval of any resultant scheme and/or expenditure in accordance with the respective delegated financial limits;
- (iv) that the Head of Highways, Engineering and Transportation be authorised to exercise the Council's functions in relation to ordinary watercourses consents and authorise enforcement action under Section 23 of the Land Drainage Act 1991 as amended by the Flood and Water Management Act 2010; and
- (v) that the Service Director Culture, Housing and Regulation, be authorised to enter into partnerships under Primary Authority with businesses and request nomination of partnerships by Regulatory Delivery under the provisions of Section 25 of the Regulatory Enforcement and Sanctions Act 2008.

Core Services Spokesperson

130. Corporate Plan Performance Report - Quarter 2 Ending 30th September, 2017 (Cab.29.11.2017/7)

The Chief Executive reported that the Council had won Investors in People's (IIP's) Award for Excellence in Leadership and Management (500+ Employees).

RESOLVED:-

- (i) that the Corporate Plan Performance Report for Quarter 2 (July to September 2017), as detailed in the report now submitted, be noted;
- (ii) that follow-up reports arising from the Quarter 2 report be submitted on:-
 - Areas for Improvement:
 - Response times to complaints
 - Internal foster care placements
 - Superfast broadband
 - Mental health needs (joint report between People and Public Health)
 - Areas of Achievement:
 - Housing growth; and
- (iii) that the report be shared with the Overview and Scrutiny Committee to inform and support their ongoing work programme.

**131. Corporate Financial Performance, Quarter 2 ending 30th September, 2017
(Cab.29.11.2017/8)**

RESOLVED:-

- (i) that the Corporate Financial Performance Report for the quarter ending 30th September 2017, as detailed in the report now submitted, be noted;
- (ii) that Executive Directors (where appropriate) provide detailed plans on how their forecast overspends will be brought back into line with existing budgets on a recurrent basis;
- (iii) that approval be given to the write off of £0.547m of historical debt as shown at paragraph 6.3 of the report;
- (iv) that the budget virement detailed in Appendix 1 of the report be approved;
- (v) that the potential impact of the Quarter 2 monitoring position on the Council's Medium Term Financial Strategy at paragraph 7 of the report be noted; and
- (vi) that an update be given on the Council Reserves Strategy as part of the 2018/19 Budget Process.

**132. Capital Programme Performance, Quarter 2 ending 30th September, 2017
(Cab.29.11.2017/9)**

RESOLVED:-

- (i) that the Capital Programme Performance Report for the quarter ending 30th September 2017, as detailed in the report now submitted, be noted;
- (ii) that both the 2017/18 and overall 5 year Capital Programme positions be noted;
- (iii) that approval be given to the 2017/18 scheme slippage totalling -£0.524m and scheme re-phasing totalling £0.018m (as detailed in paragraphs 4.4, 4.5 and Appendix B of the report);
- (iv) that the total net increases in scheme costs in 2017/18 of £1.055m (as set out in paragraph 4.6 and Appendix B of the report) be approved; and
- (v) that approval be given to the net increase in scheme costs in future years totalling £0.182m (as noted in paragraph 4.7 and Appendix B of the report).

133. Treasury Management Activities and Investment Performance, Quarter 2 ending 30th September, 2017 (Cab.29.11.2017/10)

RESOLVED:-

- (i) that the Treasury Management Activities and Investment Performance Report for the quarter ended 30th September 2017, as detailed in the report now submitted, be noted;

- (ii) that the Treasury Management activities undertaken during the quarter and compliance with the Prudential Indicators be noted;
- (iii) that the Authority's latest borrowing position as set out in Section 5 of the report be noted;
- (iv) that the Authority's latest investment portfolio and performance for the quarter as detailed in Section 6 of the report be noted; and
- (v) that the Authority's latest outturn position against the approved Treasury Management budget, referred to in Section 8 of the report, be noted.

134. 6 Month Analysis Of Selective Voluntary Early Retirement And Voluntary Severance - April 2017 To September 2017 (Cab.29.11.2017/11)

RESOLVED that the Selective Voluntary Early Retirement and Voluntary Severances that have taken place in the period 1st April to 30th September 2017, as detailed in the report now submitted, be noted.

135. Superfast Broadband Phase II Proposal (Cab.29.11.2017/12)

RESOLVED:-

- (i) that the proposal to further extend Superfast Broadband across South Yorkshire, as set out in the report now submitted, be supported;
- (ii) that agreement be given to the release of £610,000 as part of the Council's reserves strategy in order to support the proposals; the release of reserves to be contingent on the other South Yorkshire Districts also receiving approval to contribute their share of the total match funding requirement; and
- (iii) that approval be given to the Passenger Transport Executive levy saving being used to support the Council's Medium Term Financial Strategy going forward.

Place Spokesperson

136. Better Barnsley Public Realm - Developed Design (Cab.29.11.2017/13)

RESOLVED:-

- (i) that the Better Barnsley Public Realm detailed design, as set out in the report now submitted, be approved;
- (ii) that approval be given to the expenditure of £8,128,000 for the phased delivery of the public realm improvements to be completed by Spring 2020, in line with the allocation previously agreed by Cabinet on 6th September 2017 (Minute No. 73 refers); and
- (iii) that the public consultation on the proposed designs and the submission of a full planning application be approved.

People (Achieving Potential) Spokesperson

137. Penistone Grammar School Enlargement: Outcome Of Statutory Consultation (Cab.29.11.2017/14)

RESOLVED:-

- (i) that approval be given to the proposed enlargement of Penistone Grammar School from 1400 to 1650 places with effect from September 2018, as detailed in the report now submitted;
- (ii) that the approval be subject to the granting of planning permission under Part 3 of the Town and Country Planning Act 1990(a) by 31st August, 2018; and
- (iii) that a further report be submitted to Cabinet on the final proposed works and costs.

138. Exclusion of Public and Press

RESOLVED that the public and press be excluded from the meeting during consideration of the following items, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, as follows:-

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
139	Paragraph 3
140	Paragraph 3

Core Services Spokesperson

139. Treasury Management - Forward Borrowing Option (Cab.29.11.2017/16)

RESOLVED:-

- (i) that the Treasury Management forward borrowing options and deal, as outlined in Section 5 of the report now submitted, be approved;
- (ii) that the Executive Director Core Services and the Service Director Finance, or their authorised representatives, be authorised to finalise the terms of the Project Documents and any ancillary documents to ensure that financial close is reached on behalf of the Council;
- (iii) that the holding of legal documents in escrow be noted and approved; and
- (iv) that further updates be received where necessary.

140. Energise Barnsley - Distributed Energy Proposal (Cab.29.11.2017/17)

The Core Services Spokesperson reported that the Council had received a Highly Commended Award at the Community Energy England and Community Energy Wales Community Energy Awards 2017 for its work with Energise Barnsley.

RESOLVED:-

- (i) that the Energise Barnsley – Distributed Energy Proposal, as detailed in Section 4 of the report now submitted, be approved;
- (ii) that the Executive Director Core Services be authorised to enter into legal agreements to deliver the distributed energy proposal;
- (iii) that approval be given for the Council to make the following financial commitments in support of the proposal:
 - To pay one-off legal fees capped at £15,000; and
 - Underwrite site survey fees totalling £60,000 comprising Stairfoot (£35,000) and Beevor Court (£25,000); and
- (iv) that the Council makes an annual donation (up to a maximum of 10%) from 15 year fixed income stream receivable for the proposal to the Energise Barnsley Community Fund – the contribution to be used to create a funding ‘pot’ to be used for the benefit of Community Groups in Barnsley.

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Chair

Item 36



MEETING:	Cabinet
DATE:	Wednesday, 13 December 2017
TIME:	10.00 am
VENUE:	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, Frost, David Griffin, Pourali and Saunders and Sheard

141. Declaration of pecuniary and non-pecuniary interests

Councillor Roya Pourali declared a non-pecuniary interest in Item 147 in her capacity as a Berneslai Homes Board Member.

142. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 29th November, 2017 had been called in.

143. Minutes of the previous meeting held on 29th November, 2017 (Cab.13.12.2017/3)

The minutes of the meeting held on 29th November, 2017 were taken as read and signed by the Chair as a correct record.

144. Decisions of Cabinet Spokespersons (Cab.13.12.2017/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the weeks ending 1st and 8th December, 2017 were noted.

145. Petitions received under Standing Order 44 (Cab.13.12.2017/5)

It was reported that no petitions had been received under Standing Order 44.

Communities Spokesperson

146. Private Sector Housing Enforcement Policy (Cab.13.12.2017/6)

RESOLVED that approval be given to the implementation of the addendum referring to Houses in Multiple Occupation to the Private Sector Housing Enforcement Policy 2017 – 2020 as set out in the report now submitted.

Place Spokesperson

147. Homes and Communities Agency Empty Homes Programme 2018/21 (Cab.13.12.2017/7)

The Place Spokesperson explained that there was a discrepancy in the financial data presented within the body of the report and Appendix A to the report. He confirmed that Appendix A provided the correct financial information.

RESOLVED:-

- (i) that approval be granted for the acceptance of empty homes grant funding of £995,000 from the Homes and Communities Agency (HCA), as detailed in the report submitted;
- (ii) that the Executive Director, Core Services be authorised to enter into contract with the Homes and Communities Agency for the delivery of a new HCA Empty Homes Programme covering the period 2018/21; and
- (iii) that the Council's capital programme be amended to include the HCA Empty Homes Programme 2018/21 with a total value, including match-funding, of £3.591 million.

People (Safeguarding) Spokesperson

148. Social Worker Caseloads in Children's Social Care and Safeguarding Services (Cab.13.12.2017/8)

RESOLVED that approval be given to the funding and recruitment of 14 FTE additional social workers with a view to reducing caseloads in Children's Social Care front line social work teams; assessment; child protection; disability; children in care and care leavers (excluding adoption and fostering teams) from an average of 21.7 cases per social worker to an average of 18 cases per social worker, as set out in paragraphs 4.3 and 4.3.1 of the report now submitted.

149. Exclusion of Public and Press

RESOLVED that the public and press be excluded from the meeting during consideration of the following items, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, as follows:-

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
150	Paragraph 3

Core Services Spokesperson

150. Building Schools for the Future - Refinancing Proposal & Change in Law (Cab.13.12.2017/10)

The Core Services Spokesperson noted that the report stated that written confirmation from the Education Funding Agency (EFA) had not yet been received regarding the refinancing proposal. However, he informed the meeting that the EFA did not typically provide written confirmation of such agreements and therefore it was not intended to await such confirmation before implementing the proposals set out in the report.

RESOLVED:-

- (i) that the terms for refinancing the Phase 1 PFI Project Agreement in respect of the Building Schools for the Future Programme, as outlined in paragraph 3.3 of the report now submitted, be noted and approved;
- (ii) that the Change in Law terms as outlined at paragraphs 3.7 - 3.16 of the report submitted be noted and approved;
- (iii) that these proposals be agreed in the absence of written confirmation from EFA of the matter outlined in paragraph 3.6.
- (iv) that the Executive Director of Core Services and Solicitor to the Council and the Service Director Finance, or their authorised representatives, be authorised to finalise the Project Documents and any ancillary documents to ensure that financial close on the refinancing and the amendment to the Change in Law risk be reached on behalf of the Council;
- (v) that the Executive Director of Core Services and Solicitor to the Council or his representative be authorised to execute the Project Documents and any ancillary documents to which the Council is a party for the purposes set out at (iv) above;
- (vi) that Cabinet receive further updates on the refinancing/amendment to the Change in Law risk, where necessary; and
- (vii) that Cabinet receive reports on the Phase 3 PFI project agreement refinancings in due course.

(Note: In accordance with Part 2, Paragraph 5(6) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Chair of the Overview and Scrutiny Committee had given approval for the above item to be considered at a private meeting of Cabinet where it had not been possible to give 28 days' notice)

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Chair

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Item 37



MEETING:	Cabinet
DATE:	Wednesday, 10 January 2018
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Andrews BEM, Bruff, Cheetham, Franklin, Howard, Miller, Platts and Sheard

Members in Attendance: Councillors David Griffin, Pourali and Saunders

151. Declaration of pecuniary and non-pecuniary interests

Councillor Roya Pourali declared a non-pecuniary interest in Item 160 in her capacity as a Berneslai Homes Board Member.

152. Leader - Call-in of Cabinet decisions

The Deputy Leader reported that no decisions from the previous meeting held on 13th December, 2017 had been called in.

153. Minutes of the previous meeting held on 13th December, 2017 (Cab.10.01.2018/3)

The minutes of the meeting held on 13th December, 2017 were taken as read and signed by the Chair as a correct record.

154. Decisions of Cabinet Spokespersons (Cab.10.01.2018/4)

There were no Records of Decisions by Cabinet Spokespersons under delegated powers to report.

155. Action Taken under Paragraph B6 of the Responsibility for Executive Functions - Officer Delegations Contained in the Council Constitution (Cab.10.01.2018/5)

RESOLVED that the action taken by Executive Director Core Services under Paragraph B6 of the Responsibility for Executive Functions – Officer Delegations, as contained within the Appendix attached to the report now submitted and detailed below, be noted:-

Approved the acquisition of land between Elsecar Heritage Centre and Elsecar Canal Basin.

156. Petitions received under Standing Order 44 (Cab.10.01.2018/6)

It was reported that no petitions had been received under Standing Order 44.

Leader

157. Yorkshire Devolution - Community Poll - Results (Cab.10.01.2018/7)

RESOLVED that the results of Barnsley Council's Yorkshire Devolution Community Poll be noted.

Core Services Spokesperson

158. Calculation Of Council Tax Base 2018/19 (Cab.10.01.2018/8)

RESOLVED:-

- (i) that the calculation of the Council's Tax Base for the year 2018/19 be approved;
- (ii) that the Council Tax Base for the year 2018/19 shall be £62,907.10. This figure has been calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012;
- (iii) that, calculated in accordance with the above regulations, the Council Tax Base for the year 2018/19 in respect of each Parish being listed in the table below:-

Parish Area (by Area Code)	Band D equivalent chargeable properties	95% of Band D equivalent chargeable properties
Penistone	4,391.40	4,171.83
Billingley	98.50	93.57
Great Houghton	669.50	636.02
Little Houghton	187.70	178.32
Shafton	956.60	908.77
High Hoyland	69.70	66.22
Hunshelf	164.10	155.89
Langsett	110.00	104.50
Cawthorne	615.70	584.92
Dunford	250.90	238.36
Gunthwaite and Ingbirchworth	296.30	281.48
Thurgoland	757.00	719.15
Tankersley	628.50	597.07
Wortley	315.80	300.01
Oxspring	464.10	440.90
Silkstone	1,209.90	1,149.40
Stainborough	165.50	157.23
Barnsley and other Non-Parish areas	54,866.80	52,123.46
Total	66,218.00	62,907.10

- (iv) that the above position will change if the Council implements the Empty Premises concession as outlined in paragraph 4 of the report now submitted. This will be subject to a further report into Cabinet.

159. 2018/19 Business Rates - Calculation Of The Authority's Local Share (Cab.10.01.2018/9)

RESOLVED:-

- (i) that the process for estimating the retained Business Rate Local Share for 2018/19, as set out in the report now submitted, be noted that the 'local share' for Barnsley of £22.314m (excluding Section 31 Grants) be approved in line with the Council's Medium Term Financial Strategy (MTFS); and
- (ii) that the final submission be approved by the Service Director (Section 151) Finance in consultation with the Cabinet Spokesperson for Core Services.

160. Housing Revenue Account - Draft Budget 2018/19 and Housing Capital Investment Programme 2018-2023 (Cab.10.01.2018/10)

RECOMMENDATION TO FULL COUNCIL ON 1ST FEBRUARY 2018:-

- (i) that the Housing Revenue Account Draft Budget for 2018/19 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 in consultation with Cabinet Spokesperson for Core Services and Service Director Finance (Section 151);
- (ii) that the Development Proposals for 2018/19 as set out in Appendix C and Section 3.10 - 3.21 of the report be agreed;
- (iii) that the Service Charge Proposals for 2018/19 as set out at Appendix E and Sections 3.33 and 3.35 of the report be approved;
- (iv) that the 2018/19 Berneslai Homes Management Fee at Section 3.45 of the report 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;
- (v) that the use of Unallocated Working Balances as outlined in Section 3.30 – 3.31 of the report be approved;
- (vi) that the Council Housing Capital Investment programme for 2022/23 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 core 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.

161. Strategic Risk Register - Full Review (Cab.10.01.2018/11)

The Executive Director, Place reported that, since the report had been drafted, the Waste PFI Insurance Risk had reduced, due to the positive outcome of an adjudication process in relation to this issue.

RESOLVED:-

- (i) that the high level strategic risks articulated within the Strategic Risk Register, as detailed in the report submitted, fully reflects the current position of the Council; and
- (ii) that the content of the report be noted and commitment be given to continue to support the Corporate Risk Management process and the embedding of a Risk Management culture within the organisation.

162. Community Asset Transfer; The Pavilion, Brierley Park, Brierley Grant Of A 25 Year Lease By The Council As Trustee Of The Miners Welfare Recreation Ground, Brierley, To Brierley Playmates (Cab.10.01.2018/12)

RECOMMENDED TO FULL COUNCIL ON 1ST FEBRUARY, 2018:-

- (i) that, subject to the statutory procedures under the Charities Act 2011 being complied with, the Council, in its capacity as Trustee of the Brierley Miners Welfare Scheme, approves the grant of a 25 year lease to Brierley Playmates, as detailed in the report submitted;
- (ii) that the Service Director Assets be authorised to finalise the Heads of Terms for the proposed 25 year lease, in accordance with charity legislation; and
- (iii) that the Executive Director Core Services be authorised to complete the lease to Brierley Playmates.

Communities Spokesperson

163. Principal Towns Investment Programme (Cab.10.01.2018/13)

RESOLVED:-

- (i) that the proposed changes to the Principal Towns Programme approval process, as detailed in Section 4 of the report now submitted, be approved;
- (ii) that the release of £0.258m from the £5m total allocation be approved, to fund the project management costs identified with the scheme (Section 5 of the report refers); and
- (iii) that approval be given to the proposed shop front improvement scheme at a net cost of £0.8m, to cover all areas across the Principal Towns Programme, as set out in Section 6 of the report.

Place Spokesperson

164. Home to School Travel Assistance Policy 2018 - 2020 (Cab.10.01.2018/14)

RECOMMENDATION TO FULL COUNCIL ON 1ST FEBRUARY, 2018:-

- (i) that the consultations and findings set out in the updated Home to School/College Travel Assistance Policy 2018 – 2020 be noted;
- (ii) that support be given to the strategic drive of alternative transport provisions such as travel training, the use of personal budgets and mileage payments, where appropriate, to be used as a way of developing independence in children, providing them with life skills and preparing them for further education, apprenticeships or further employment;
- (iii) that the continued engagement with parents, carers and key professional stakeholders to produce operational guidelines to support the Travel Assistance Policy be supported; and
- (iv) that support be given to the recommendation that Full Council approves the Home to School/College Travel Assistance Policy 2018 – 2020.

People (Achieving Potential) Spokesperson

165. Barnsley Childcare Sufficiency Assessment 2017/18 (Cab.10.01.2018/15)

RESOLVED that the contents of the Barnsley Childcare Sufficiency Assessment 2017/18, as detailed in Appendix 1 of the report now submitted, be noted.

166. Exclusion of Public and Press

RESOLVED that the public and press be excluded from the meeting during consideration of the following items, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, as follows:-

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
167	Paragraph 3

Place Spokesperson

167. Barnsley Property Investment Fund 2 - Schemes Approval (Cab.10.01.2018/17)

RESOLVED:-

- (i) that the progress made on the second Property Investment Fund (PIF2) and the economic need and demand for commercial development, as set out in the report submitted, be noted; and
- (ii) that the recommendations on how to proceed with the proposal to support the two schemes set out in Section 7 of the report be approved.

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Chair

Declarations of Interest contained within the Minute Book

The following Members declared an interest in the minutes indicated:-

<u>Councillor</u>	<u>Minute No.</u>	<u>Subject</u>	<u>Interest</u>
<u>Planning Regulatory Board</u>			
Cllrs Makinson and Unsworth	75	Planning Application 2017/1203 – Erection of 7 no. bungalows with provision of associated access road and landscaping. Land between 24 and 20 Meadstead Drive, Royston	Non-Pecuniary – Members of Berneslai Homes Board
Cllr Noble	75	Planning Application 2017/1203 – Erection of 7 no. bungalows with provision of associated access road and landscaping. Land between 24 and 20 Meadstead Drive, Royston	Non-Pecuniary – Tenant of Berneslai Homes
Cllrs Makinson and Unsworth	90	Planning Application 2017/1400 – Erection of 2 pairs of semi-detached bungalows with associated access works at Manor Grove and West End Avenue, Royston	Non-Pecuniary - Berneslai Homes Board Members
Cllr Riggs	86	Planning Application 2017/1218 – Erection of detached bungalow (outline with all matters reserved). Land to the rear of 309 Dodworth Road, Barnsley	Non-Pecuniary – Referred the application to the Board
Cllr G. Carr	86	Planning Application 2017/1218 – Erection of detached bungalow (outline with all matters reserved). Land to the rear of 309 Dodworth Road, Barnsley	Non-Pecuniary – Lives close to the site
<u>Overview and Scrutiny Committee</u>			
Cllrs G. Carr, Charlesworth and Tattersall	44	Barnsley Provisional Education Outcomes 2017	Non-Pecuniary – insofar as the discussion related to their positions on the Corporate Parenting Panel
Cllrs G. Carr, Charlesworth, Tattersall and Wilson	48	Children’s Social Care and Safeguarding Quality Assurance Framework	Non-Pecuniary – Members of the Corporate Parenting Panel

<u>Councillor</u>	<u>Minute No.</u>	<u>Subject</u>	<u>Interest</u>
<u>Overview and Scrutiny Committee (continued)</u>			
Cllr Lofts	48	Children's Social Care and Safeguarding Quality Assurance Framework	Non-Pecuniary – Member of the Adoption Panel
Cllrs G. Carr, Charlesworth, Tattersall and Wilson	49	Barnsley Provisional Education Outcomes for Looked After Children 2017	Non-Pecuniary - Members of the Corporate Parenting Panel
Cllr Lofts	49	Barnsley Provisional Education Outcomes for Looked After Children 2017	Non-Pecuniary – Member of the Adoption Panel
<u>Central Area Council</u>			
Cllr Williams	18	Quarter 2 Performance Management Report	Non-Pecuniary – insofar as the discussion related to the YMCA of which he was a member
<u>North Area Council</u>			
Cllr Howard	24	Energy Efficiency – Woolley Colliery Pilot and Larger Cross-Area Project for 2018	Non-Pecuniary – insofar as the discussion related to Woolley Colliery village area where her mother resided
<u>South Area Council</u>			
Cllrs Franklin, Lamb and Shepherd	31	Performance Report	Non-Pecuniary – insofar as the discussion related to the Clean and Tidy Team and their positions as Directors of the Forge Community Partnership

<u>Councillor</u>	<u>Minute No.</u>	<u>Subject</u>	<u>Interest</u>
<u>South Area Council</u> (continued)			
Cllrs Franklin, Lamb and Shepherd	33	Procurement and Financial Update	Non-Pecuniary – insofar as the discussion related to the Clean and Tidy Team and their positions as Directors of the Forge Community Partnership
<u>Cabinet</u>			
Cllr Pourali	147	Homes and Communities Agency Empty Homes Programme 2018/21	Non-Pecuniary – Berneslai Homes Board Member
Cllr Pourali	160	Housing Revenue Account – Draft Budget 2018/19 and Housing Capital Investment Programme 2018-23	Non-Pecuniary – Berneslai Homes Board Member

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