

**BARNSELY METROPOLITAN BOROUGH COUNCIL****COUNCIL MEETING****4<sup>th</sup> June, 2015****COUNCILLOR BRIAN MATHERS (THE MAYOR)**

At a meeting of the Barnsley Metropolitan Borough Council duly convened and held on Thursday 4<sup>th</sup> June, 2015 at The Town Hall, Barnsley.

1. **Present:** The Mayor (Councillor B. Mathers)
- Central Ward - Councillors D. Birkinshaw and Bruff
  - Cudworth Ward - Councillors Hayward, Sir Stephen Houghton CBE and C. Wraith MBE
  - Darfield Ward - Councillors Markham and Saunders
  - Darton East Ward - Councillors Duerden, Miller and Spence
  - Darton West Ward - Councillor Burgess
  - Dearne North Ward - Councillors Gardiner and Worton
  - Dearne South Ward - Councillors Brook, Noble and Sixsmith MBE
  - Dodworth Ward - Councillors P. Birkinshaw, J. Carr and Riggs
  - Hoyland Milton Ward - Councillors Franklin, Shepherd and Stowe
  - Kingstone Ward - Councillors Mitchell and Williams
  - Monk Bretton Ward - Councillors S. Green, Richardson and Sheard
  - North East Ward - Councillors Ennis and Hampson
  - Old Town Ward - Councillors Cherryholme and Grundy
  - Penistone East Ward - Councillors Hand-Davis and Wilson
  - Penistone West Ward - Councillors Griffin, Millner and Unsworth
  - Rockingham Ward - Councillor Dures
  - Royston Ward - Councillors Cheetham, Clements and Makinson
  - St. Helen's Ward - Councillors Leech, Platts and Tattersall
  - Stairfoot Ward - Councillor Johnson
  - Wombwell Ward - Councillors Frost, Morgan and R. Wraith
  - Worsbrough Ward - Councillors G. Carr, Clarke and Pourali

**2. The Rt Hon the Lord Mason of Barnsley and Councillor D Sim**

The Mayor and Members of the Council noted with great sadness the recent deaths of the Rt Hon the Lord Mason of Barnsley and Councillor D Sim.

Members of the Council stood in silence as a mark of respect.

The Leader of the Council, Sir Steve Houghton CBE, the leaders of all other political parties and several other Members paid tribute to the work of the Rt Hon the Lord Mason of Barnsley and to Councillor Sim for the hard work and dedication to the Council and to the people of Barnsley.

Members paid special tribute to the contribution made by Lord Mason to the Government and to the people of the United Kingdom whilst being an MP and, amongst other things, whilst being the Secretary of State for Northern Ireland and Secretary of State for Defence.

**3. Declarations of Pecuniary and Non Pecuniary Interest**

Councillor P Birkinshaw declared a non pecuniary interest in Minute No 85 of the Planning Regulatory Board held on the 21<sup>st</sup> April, 2015 (page 49 refers) 'Change to Staggered times at Horizon Community College' in view of the potential impact of traffic on Dodworth Road, Barnsley and the fact that he lived in close proximity to the College.

**4. Minutes**

The minutes of the meeting held on 2<sup>nd</sup> April and the minutes of the Annual Council meeting held on 22<sup>nd</sup> May, 2015 were taken as read and signed by the Chairman as a correct record.

**5. Communications**

(a) Barnsley Archives Service

The Chief Executive was delighted to inform the Council that the Barnsley Archives Service was now officially the busiest in South Yorkshire with over 30,000 visitors last year. She wanted to congratulate the Team, many of whom were in the Council Chamber this morning for their hard work and for this amazing achievement, Paul Stebbing, David Blunden, Michael Hardy, Gill Nixon and Mark Levitt and also Joan Adams who had retired recently.

Councillor Miller, Cabinet Member for Place, asked to place on record his personal thanks to the Members of staff within the Archives Service for this wonderful accolade. The Council had now had over 1m visitors to its facilities, the Cooper Art Gallery, Cannon Hall, Elsecar Heritage Centre, Worsbrough Mill and many other successful venues and events that were being provided for residents and visitors to Barnsley including, of course the Experience Barnsley Museum.

He reminded Members that there had been over 30,000 visitors to the Archives Service which was located in the new Museum. This compared to Sheffield City Archives which had had just over 3,000 users. It should be noted that Sheffield was one of the largest cities in the area and in Yorkshire. By contrast the Doncaster and Rotherham Archives Services had less than 2,000 visitors.

The creation of the new Archives Discovery Centre integrated within the Experience Barnsley Museum, together with increased marketing and promotion had helped to raise the profile of the service and connect the people of Barnsley to their heritage.

The number of Archive documents produced each year by Barnsley Archives had rocketed since the integration with the museum from 245 in a 12 month period to over 3,385 – an increase of nearly 1,400%.

Members of the Archive Team who were present were asked to stand and the Mayor and Members of the Council expressed, in the usual manner, their congratulations at this excellent achievement.

(b) Geoplace Exemplar Awards

The Chief Executive was pleased to inform the Council of the receipt of a 2015 Gold Achievement. The Council was responsible for creating and maintaining a Local Land and Property Gazetteer and that was working alongside Geoplace who were the national provider who collated that information into a national data set.

Each year Geoplace organised a conference and this year the team within Information Services had been awarded the Gold Award for the third time. This meant that the data set met the highest standard in order to achieve this award and the service continued to go from strength to strength.

In addition to that the Council also submitted a Local Street Gazetteer which was maintained by the Highways Department and as well as achieving the Gold Award the Street Gazetteer was also awarded the Best in Region Award for Yorkshire and Humber.

The maintenance of these Gazetteers was extremely time consuming and took many hours of hard work to reflect changes and to keep them up to date.

Congratulations were extended to the custodians of the Gazetteers who were present in the Council Chamber this morning: Steve Snell (Information Services), and Eleanor Carratt (Highways) for maintaining such high quality levels in the face of increasing resource constraints and for the benefits this gave to the Council in having such evidence based data.

The Mayor and Members of the Council expressed, in the usual manner, their congratulations at this excellent achievement.

**6. Questions by Elected Members**

The Chief Executive reported that she had received no questions from Elected Members in accordance with Standing Order No.11.

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

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

The Council then received the following Minutes:-

- (a) Police and Crime Panel – 19<sup>th</sup> March, 2015
- (b) South Yorkshire Pensions Authority – 19<sup>th</sup> March, 2015
- (c) Sheffield City Region Combined Authority – 30<sup>th</sup> March, 2015

**RESOLVED** that the minutes be noted.

**8. Audit Committee – Minutes**

Moved by Councillor K. Richardson - Seconded by Councillor P. Birkinshaw; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Audit Committee held on 25<sup>th</sup> March, 2015 be received.

**9. Planning Regulatory Board – Minutes**

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 21<sup>st</sup> April, 2015 be received.

**10. Audit Committee – Minutes**

Moved by Councillor K. Richardson - Seconded by Councillor P. Birkinshaw; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Audit Committee held on 22<sup>nd</sup> April, 2015 be received.

**11. General Licensing Regulatory Board - Minutes**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the General Licensing Regulatory Board Panel meeting held on the 6<sup>th</sup> May, 2015 be received.

**12. General Licensing Panels**

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

**RESOLVED** that the details of the various General Licensing Panels held in the last cycle of meetings together with their decisions be received.

**13. Appeals, Awards and Standards Regulatory Board**

Moved by Councillor Leech – Seconded by Councillor Shepherd; and

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

**14. Health and Well Being Board – Minutes**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Health and Well Being Board held on 14<sup>th</sup> April, 2015 be received.

**15. Overview and Scrutiny Committee – Minutes**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on 7<sup>th</sup> April, 2015 be received.

**16. Children's Services Scrutiny Committee – Minutes**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Children's Services Scrutiny Committee held on 5<sup>th</sup> May, 2015 be received.

**17. Dearne Area Council - Minutes**

Moved by Councillor Noble – Seconded by Councillor Gardiner; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on 30<sup>th</sup> March, 2015 be received.

**18. North Area Council - Minutes**

Moved by Councillor Burgess – Seconded by Councillor Leech; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the North Area Council held on 30<sup>th</sup> March, 2015 be received.

**19. North East Area Council - Minutes**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the North East Area Council held on 9<sup>th</sup> April, 2015 be received.

**20. Penistone Area Council - Minutes**

Moved by Councillor Wilson – Seconded by Councillor Unsworth; and

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

**21. South Area Council - Minutes**

Moved by Councillor Stowe - Seconded by Councillor Franklin; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the South Area Council held on 24<sup>th</sup> April, 2015 be received.

**22. Central Area Council - Minutes**

Moved by Councillor Bruff - Seconded by Councillor Johnson; and

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

**23. Penistone Area Council - Minutes**

Moved by Councillor Wilson – Seconded by Councillor Millner; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Special Penistone Area Council held on 21<sup>st</sup> May, 2015 be received.

**24. Appointment to the Overview and Scrutiny Committee**

Moved by Councillor Cllr Griffin – Seconded by Councillor Leech; and

**RESOLVED** that Councillor Unsworth be appointed to the Overview and Scrutiny Committee to replace Councillor Mitchell.

**25. Cabinet Recommendations to Council**

25<sup>th</sup> March, 2015

(a) Revised 2015/16 Pay Policy Statement

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

**RESOLVED** that approval be given to the revision of paragraph 10 of the 2015/16 Pay Policy Statement, as set out in the report and as detailed in at Appendix B, now submitted.

22<sup>nd</sup> April, 2015

(b) Appointment to the Parks for People Project Steering Group

Moved by Councillor Griffin – Seconded by Councillor Leech; and

**RESOLVED** that approval be given to the appointment of Councillor Wilson as a representative to the Parks for People Project Steering Group.

20<sup>th</sup> May, 2015

(c) Procedure for Calling in Cabinet Decisions

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

**RESOLVED** that the revised Procedure for the Call-in of Cabinet Decisions, as set out at Appendix 1 of the report now submitted, be approved and the Constitution be amended accordingly.

(d) Future Council Vision, Values and Behaviours – Incorporation into Members' Code of Conduct

The joint report of the Director of HR, Performance and Communications and Director of Legal and Governance was:

Moved by Councillor Sir Stephen Houghton CBE – Seconded by Councillor Miller

In moving the report Councillor Sir Stephen Houghton commented that for the first time since becoming Leader of the Council allegations had been made by another Councillor against himself and against other Councillors in relation to the operation and governance of the Council. These particularly related to an alleged culture of systematic bullying within the Council amongst Members and Staff. It had also been suggested that there was a lack of truthfulness amongst Councillors and Senior Officers.

He had attempted to deal with these matters via the confines of the party political processes and with the assistance of professional officers of the Council. These attempts had, however, been unsuccessful and these allegations had now been made public in the local media.

He stated that this culture was not one which he recognised and he totally refuted these allegations as he did not believe them to be true. He reminded Members that the provisions contained within the report now submitted together with the Members and Officers Codes of Conduct clearly outlined how allegations should be addressed. If Members had any concerns whatsoever, they should raise them with the Chief Executive and the Director of Legal and Governance (the Monitoring Officer) who were responsible for ensuring appropriate compliance with such codes. He stated that any recommendations coming out such investigations would be implemented appropriately.

Members of all political parties then expressed their support for the Leader of the Council, Councillor Sir Stephen Houghton and all Members present stood as a gesture of support.

**RESOLVED:-**

- (i) that the Future Council vision, values and behaviours in relation to elected members, as set out in Appendix 2 of the report now submitted, be approved; and
- (ii) that the revised Members Code of Conduct incorporating the vision, values and behaviours, as set out at Appendix 3, be approved and elected members be asked to acknowledge their commitment to them when they complete their Registration of Interest form for the new Municipal Year 2015/16.

3<sup>rd</sup> June, 2015

- (e) Scheme of Allowances 2015/16 – Report of Independent Remuneration Panel

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

**RESOLVED:-**

- (i) that the report of the Independent Remuneration Panel on their review of the Council's Scheme of Allowances, attached to the report now submitted, be noted;
  - (ii) that the indexation formula within the Scheme of Allowances, linked to changes in officer remuneration, be retained and applied with effect from 1<sup>st</sup> April, 2015; and
  - (iii) that the Member Development Working Party be requested to give consideration to the potential to create a link between remuneration, in particular in respect of the Basic Allowance, and participation in the Member Development Programme.
- (f) Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

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

**RESOLVED:-**

- (i) that the Council make the appropriate amendments to its mandatory Standing Orders for Staffing to reflect the requirements of the Local Authorities (Standing Orders) (England) Regulations 2015;



- (ii) that appropriate amendments be made to the Council's Constitution to establish an Advisory Committee to make recommendations to any Disciplinary Panel convened in accordance with the Constitution to consider disciplinary action against the Head of Paid Service, Section 151 Officer and Monitoring Officer; and
- (iii) that applications be sought from suitably qualified persons to be appointed as additional "Independent Persons" under the Localism Act 2011 to sit on the relevant Advisory Committee.

**26. Cabinet Minutes**

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

**RESOLVED** that the minutes as printed and now submitted of the following Cabinet Meetings be received:-

- (a) 25<sup>th</sup> March, 2015.
- (b) 22<sup>nd</sup> April, 2015.
- (c) 20<sup>th</sup> May, 2015 (with the exception of Minute 291 Proposed Changes to the Children's Scrutiny Committee to Establish a Safeguarding Scrutiny Committee which was considered at the Annual Council meeting held on 22<sup>nd</sup> May, 2015).

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Chairman