

BARNSELEY METROPOLITAN BOROUGH COUNCIL

CABINET

23rd September, 2015

Present: Councillors Houghton (Chairman), Andrews BEM, Bruff, Cheetham, Franklin (for Gardiner), Howard, Miller and Platts.

In Attendance: Councillors Mitchell and Morgan were also in attendance.

80. **Declarations of Pecuniary and Non-Pecuniary Interests**

Councillor Houghton declared a non-pecuniary interest in the M1 Junction 36 – A6196 Dearne Valley Economic Growth Corridor (Phase 1 Hoyland) item (Minute No. 92) in his capacity as Chair of the Sheffield City Region Combined Authority.

Councillor Franklin declared a non-pecuniary interest in the Children's Centres: Developing a Model of Early Help for Families item (Minute No. 85) in his capacity as Director of Forge Community Partnership.

Councillor Miller declared a non-pecuniary interest in the Children's Centres: Developing a Model of Early Help for Families item (Minute No. 85) as his daughter is employed in a Children's Centre.

Councillor Platts declared a non-pecuniary interest in the Children's Centres: Developing a Model of Early Help for Families item (Minute No. 85) in her capacity as a member of the Secret Garden Children's Centre Advisory Board.

81. **Leader of the Council - Call-In of Cabinet Decisions**

The Leader reported that no decisions from the previous meeting held on 9th September, 2015 had been called-in.

82. **Minutes of the Meeting held on 9th September, 2015 (Cab.23.9.2015/3)**

The minutes of the meeting held on 9th September, 2015 were taken as read and signed by the Chairman as a correct record.

83. **Decisions of Cabinet Spokespersons (Cab.23.9.2015/4)**

There were no Records of Decisions by Cabinet Spokespersons under delegated powers to report.

84. **Petitions Received Under Standing Order 44 (Cab.23.9.2015/5)**

It was noted that the Leader of the Council had received a petition that morning containing 6170 signatures in respect of the Children's Services proposals and that this, along with the other petitions received on this matter, would be considered as part of the following item on the Children's Centres proposal.

CABINET

23rd September, 2015

85. **People (Achieving Potential) Spokesperson – Children's Centres: Developing a Model of Early Help for Families (Cab.23.9.2015/6)**

The People (Achieving Potential) Spokesperson presented a report setting out the results of the statutory consultation in relation to children's centres and developing a model of early help for families. He stated that it was proposed to implement a new service delivery model based on family centre main, linked and outreach sites, which will fulfil statutory requirements to support the delivery of early help to families.

It was noted that the full statutory consultation had been undertaken with the public, partners, current commissioned providers, stakeholders and staff in two distinct phases. Phase 1 had focused on the broad principles and the feedback from this had formed the basis of more detailed proposals set out in Phase 2. It was confirmed that the issues raised as part of the consultation had been recognised and that a second option for the service delivery model had been developed following further analysis of data and to mitigate the issues raised in such consultation.

It was confirmed that the statutory consultation had been in accordance with the statutory duty to consult on changes to Children's Centre services contained within the Childcare Act 2006 and related statutory guidance April 2016.

It was emphasised that in making its final decision the Cabinet needed to have regard to and give appropriate consideration to the issues raised in the response to the consultation.

The outcomes of both stages of the consultation had been carefully considered and these were addressed in the report. The responses indicated broad support for the proposed model with the exception of the proposal to cease direct provision of child care at a number of centres.

Recognising that the majority of respondents to the consultation did not support the proposals for the Council to cease direct delivery of childcare provision it was however explained to members in the report that appropriate provision can be made to address this need in partnership with the private, voluntary and maintained sector within the range of providers and at a high quality. In addition, all parents directly affected will be offered appropriate one to one support.

Having regard to the statutory duty to ensure sufficient child care provision and the consultation there had been further consideration given to the number of child care places across the Borough. This had concluded that there were sufficient child care places; there was a current vacancy rate of 38%. The Council provides only 3% of places across the Borough and if necessary would act as a provider of last resort.

Overall it was considered that the recommended approach in the report would address satisfactorily the concerns which has had been identified through the consultation process.

CABINET

23rd September, 2015

The importance of monitoring the impact of the proposals was recognised and it was agreed that a further report on such matter should be submitted to Cabinet reviewing the first six months of implementation of the new model (October 2016).

RESOLVED:-

- (i) that a new service delivery model based on Family Centre main, linked and outreach sites in line with the recommended Option 2, as set out in the report now submitted, be approved;
- (ii) that an extended age range of pre-birth to 19 years old (25 years old if the young person has a disability) be agreed;
- (iii) that Family Centre main sites be designated as 'Children's Centres' in order to meet the statutory duty to ensure sufficient Children's Centres and as a result they be regulated and inspected by Ofsted under the current inspection framework for Children's Centres. This relates to services for children pre-birth to 5 years old;
- (iv) that services for families continue to be offered on a borough wide basis including on site and outreach in communities and within the home;
- (v) that the Council ceases to directly deliver childcare in areas where demand is and/or can be met by the private, voluntary and maintained sector, in line with statutory guidance that the council should be the provider of last resort;
- (vi) that the Council directly delivers early education and care for two, three and four years olds on a sessional, term time only basis in areas where there is a need to do so due to sufficiency;
- (vii) that the Council de-commissions the current (two) external providers in order to ensure compliance with legal requirements and achieve required savings and review the agreements with the two providers from the maintained sector; and
- (viii) that a further report monitoring the impact of the proposals be submitted to Cabinet in October 2016 to review the first six months of operation of the service delivery model.

86. **People (Achieving Potential) Spokesperson – Outcomes of the Peer Review of Barnsley Youth Offending Team (Cab.23.9.2015/7)**

RESOLVED that the outcomes of the Youth Offending Team Peer Review and the steps to be taken to instigate further improvement, as set out in the report now submitted, be noted.

CABINET

23rd September, 2015

87. **Cabinet Spokesperson without Portfolio– Appointment to Leeds City Region Partnership Committee Sub-Panels and Boards (Cab.23.9.2015/8)**

RESOLVED that approval be given to the nomination of the Place Spokesperson to the Leeds City Region Business Innovation and Growth Panel and the Planning Portfolios Board.

88. **Corporate Services Spokesperson – Contracting Authority for a Framework of Development Brokers/Advisors (Cab.23.9.2015/9)**

RESOLVED that approval be given for Barnsley Metropolitan Borough Council to become the 'Contracting Authority' as defined in the Public Contracts Regulations 2015 (a body governed by public law) for a Framework of Development Brokers/Land Advisors, to be procured and managed by NPS Barnsley, as detailed in the report now submitted.

89. **Place Spokesperson – Barnsley MBC Energy Strategy 2015-25 (Cab.23.9.2015/10)**

RESOLVED:-

- (i) that approval be given for the Barnsley MBC Energy Strategy 2015-25, as set out in the report now submitted; and
- (ii) that approval be given for Barnsley MBC to join the European Union Covenant of Mayors.

90. **Place Spokesperson – Dodworth Road Speed Limit and Waiting/Loading Restrictions – Objections to Traffic Regulations Order (Cab.23.9.2015/11)**

RESOLVED:-

- (i) that the objection received to the proposed Traffic Regulation Order in respect of an amendment of the speed limit and waiting/loading restrictions on Dodworth Road, as indicated on the plans at Appendix 1 and 2 of the report submitted, be overruled and the objector informed accordingly; and
- (ii) that the Head of Highways, Engineering and Transport be authorised to implement the order as shown in Appendix 1 and 2, and the Director of Legal and Governance be authorised to make and implement the order.

91. **Exclusion of the 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:-

CABINET

23rd September, 2015

Item Number Type of Information Likely to be Disclosed

92 Paragraph 3

92. **Place Spokesperson – M1 Junction 36 – A6196 Dearne Valley Economic Growth Corridor (Phase 1 Hoyland) (Cab.23.9.2015/13)**

RESOLVED:-

- (i) that £17.1m of Sheffield City Region Investment Fund (SCRIF) finance for the delivery of the infrastructure improvements set out in the report now submitted be accepted;
- (ii) that agreement be given to the principles of the Combined Authority SCRIF Grant funding agreement, and delegate final approval to the Executive Director of Place in consultation with the Director of Legal and Governance and the Director of Finance, Assets and Information Services;
- (iii) that the revised clawback implications as set out in Appendix B to the report be noted;
- (iv) that agreement be given to the principle of entering into development agreements with relevant private developers in relation to work packages 2, 3 and 4, as set out in the report, and delegate final approval of the terms of these agreements to the Executive Director of Place in consultation with the Director of Legal and Governance and the Director of Finance, Assets and Information Services;
- (v) that authority be given to conclude the approval and funding process with Sheffield City Region (SCR), accept tenders, appoint a contractor and implement Work Package 1, subject to the costs being contained within the SCR funding agreement and the contribution from Highways England for the additional slip road works;
- (vi) that the Director of Legal and Governance be authorised to complete any necessary contract documentation relating to the requirements of each work package and enter into any necessary contracts with the successful tenderer;
- (viii) that the Executive Director of Place be authorised to apply for any necessary consents, licence arrangements, footpath diversions, traffic regulation orders and closure orders arising from the four work packages; and
- (ix) that in accordance with paragraph 2.3 (b)(i) of the Council's Contract Procedure Rules (In-House Providers), the *Business Park service* contract be awarded to NPS Barnsley, under the Joint Venture Service Level Agreement to check and challenge on the private sector work packages 2, 3 and 4.

(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 relevant Overview and Scrutiny Committee had given approval for

CABINET

23rd September, 2015

the above item to be considered at a private meeting of Cabinet where it had not been possible to give 28 days' notice).

.....
Chair