

MEETING:	Full Council
DATE:	Thursday, 26 May 2022
TIME:	10.00 am
VENUE:	Council Chamber, Barnsley Town Hall

AGENDA

31. Questions by Elected Members (*Pages 3 - 6*)

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

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Item 31

MEMBER QUESTIONS TO CABINET MEMBERS AND COMMITTEE CHAIRS Council Meeting – 26th May, 2022

Question: 1.
From: Councillor Fielding
Response by: Councillor Frost

Question:

In February I learned that the Council was seeking advice from legal counsel to resolve a dispute with the contractor at the Penny Pie Park gyratory over the submitted costs of the works. What was the specific nature of the dispute and has it been resolved to both parties' satisfaction?

Information for response:

The contract uses industry-standard clauses that allow "compensation events" to be payable to the contractor for unforeseen events that occur, or result in changes to works instructions that impact on their costings.

The council sought legal advice on a submission by the contractor for a compensation event to ensure that the council pays only what is due under the contract. This is still in the process of being resolved.

As the contract is still live it would be inappropriate to comment on this particular issue further."

MEMBER QUESTIONS TO CABINET MEMBERS AND COMMITTEE CHAIRS
Council Meeting – 26th May, 2022

Question: 2.
From: Councillor Fielding
Response by: Councillor Frost

Question:

What steps are taken by Berneslai Homes to ensure that tenants have sufficient information about asbestos in their homes to ensure their safety?

Information for response:

Berneslai Homes' Asbestos Policy was updated in September 2021 and will be reviewed every 2 years to ensure it remains fully compliant with the Control of Asbestos Regulations 2012 and fulfils duties under other legislation, including the Health and Safety at Work Act 1974.

As per the Policy, Berneslai Homes will:

- Share information clearly and transparently, and will ensure that information is available to tenants through leaflets and information on its website. All new tenants are issued with a hard copy of the leaflet.
- Provide leaseholders and tenants with an asbestos survey report for the property when requested. Tenants and Leaseholders may also request a copy of the survey for communal areas of their block of residence.
- Provide advice about asbestos, including what to do if tenants wish to carry out DIY or employ a contractor to undertake work, including who to contact if asbestos-containing materials are accidentally disturbed. This is done when tenants request permission to carry out works and when tenants enquire directly.

Berneslai Homes are in the process of transferring the Asbestos Register (currently PIMSS) over to another provider (C365). The new provider has a "Tenants Portal", which will allow tenants access to the Asbestos Register for their property online.

MEMBER QUESTIONS TO CABINET MEMBERS AND COMMITTEE CHAIRS
Council Meeting – 26th May, 2022

Question: 3.
From: Councillor Fielding
Response by: Councillor Higginbottom

Question:
What is the Council doing to prepare for mandatory food waste collections in 2023?

Information for response:

Thank you to Cllr Fielding for his question, and I would like to assure him that this is an issue that is very close to my heart.

Indeed, as the Deputy Leader will attest, this is a matter I have personally raised with him during my time on the Council and something I will be taking a keen interest in as Cabinet Member.

Turning to the response, we have been responding to a series of government consultations on prospective amendments to the Environment Bill including clarification on which elements are in fact mandatory.

While this intent of the legislation is clear, we are not yet clear whether our current technological solutions (procured through the Barnsley, Doncaster and Rotherham Waste Partnership) qualify as an exemption.

To clarify, our current waste disposal solution delivers the outcomes sought by mandatory food waste collections i.e. it is not sent to Landfill and therefore does not contribute in a negative way to greenhouse gas emissions, but instead is processed in a way which creates a gas that powers the waste treatment facility. In short, a win-win solution.

We believe that having to collect food waste separately at the kerbside and then take it to a dedicated Anaerobic Digestion facility could be a retrograde step and would in fact increase carbon emissions. For example more vehicles and travel throughout the process – without making any tangible improvements to the end product.

We have been having these discussions with DEFRA and have fed this view into the consultation responses. No response has yet been received but we will continue to engage fully with Ministers and officials on this matter and, it goes without saying, that we will fulfil our obligations as required by legislation and guidance.

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