

# Public Document Pack



**BARNSELEY**  
Metropolitan Borough Council

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Thursday 28 July 2022
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## SUPPLEMENTARY AGENDA

### 36. Questions by Elected Members (*Pages 3 - 12*)

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

A handwritten signature in black ink, appearing to be 'SN', followed by a horizontal line extending to the right.

Sarah Norman  
Chief Executive

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## MEMBER QUESTIONS TO CABINET MEMBERS AND COMMITTEE CHAIRS Council Meeting – 28 July 2022

**Question:** 1.  
**From:** Councillor Lodge  
**Response by:** Councillor Makinson (Cabinet Spokesperson for Public Health and Communities)

**Question:**

What enforcement action can be taken by the Council, against landowners who fail to maintain their land?

**Information for response:**

Thank you, Cllr Lodge, for your question.

There are different ways in which ‘a failure to maintain private land’ could be applied. It isn’t easy to provide a specific response without details, but I will give an overview of the areas our officers could look at.

1) If we’ve had a nuisance complaint, it may be appropriate to use our powers under anti-social behaviour legislation. To do this, we would need to establish:

- that there’s a detrimental impact on people in the surrounding area
- that the situation is persistent or continuing
- that the conduct of the landowner is unreasonable.

In these circumstances, we can issue a Community Protection Notice. Failing to comply with a Community Protection Notice can lead to a fixed penalty notice or prosecution.

2) If the land contains household waste or other items likely to provide a food source and a home for rats or other vermin, we can serve a legal notice on the landowner requiring them to clear the land. If they fail to do this, we can enter the land, remove the items, and recharge the landowner.

3) If the condition of the land is judged to be adversely affecting the surrounding area, it may be more appropriate to consider planning legislation to get the landowner to clear their land. This would also be the case where the land is being used for purposes which aren’t allowed.

Thank you.

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**Question:** 2.  
**From:** Councillor P Fielding  
**Response by:** Councillor Frost (Cabinet Spokesperson Regeneration and Culture)

Question:

Given the significantly higher cost of energy for tenants having to use prepayment meters, can the cabinet member please advise how many Berneslai Homes tenants have prepayment meters installed and what is being done to reduce that number?

**Information for response:**

Thank you, Cllr Peter Fielding, for your question.

This information is not held, as tenants make their own arrangements with their utility supplier. However, the Warm Homes Service has a fund to help families struggling with pre-payment meters, across tenure. This fund covers any costs associated with outstanding debt and the meter swap. Our colleagues at Berneslai Homes Tenancy First Team are aware of this funding and can signpost tenants to information and support.

Thank you.

**MEMBER QUESTIONS TO CABINET MEMBERS AND COMMITTEE CHAIRS**  
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**Question:** 3.  
**From:** Councillor Lodge  
**Response by:** Councillor Frost (Cabinet Spokesperson Regeneration and Culture)

Question:

Given the varying uses of communal facilities and the variation in tenancies, should a review be undertaken of service charges at 'sheltered housing' operated by Berneslai Homes, in order to take away any burdensome costs from tenants during the current cost of living crisis and beyond?

Information for response:

Thank you Cllr Lodge for your question.

There is no sheltered housing owned by the council and managed on our behalf by Berneslai Homes.

We do have a number of Independent Living Schemes where the properties are under one roof and have some shared facilities such as communal lounges.

The service charge covers costs associated with door entry, communal cleaning, and water, which are essential services for people living in these properties.

There has not been an increase in general service charge costs over the last four years. There was a review of communal heating charges during 2021/22. This resulted in a reduction in the price of heating for people.

Thank you.

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**Question:** 4.  
**From:** Councillor Hunt  
**Response by:** Councillor Gardiner (Cabinet Spokesperson Core Services)

**Question:**

At the Full Council meeting in February 2022, in response to my question, the Cabinet Support member confirmed that there had been a delay in the project to provide status updates to online requests raised by residents. The response provided stated. "I'm pleased to confirm that the rollout of this functionality is due to start by the beginning of March at the latest, initially providing updates to residents who report fly-tipping issues online. The work to obtain status updates will then be rolled out to other transactions, offering our residents status updates for their online enquiries". Please can a further update be provided as to my knowledge this functionality promised for March 2022 is still not in place?

**Information for response:**

The refreshed Fly Tipping tracking capability has been running as a pilot for approximately eight weeks. People reporting fly-tipping online can now track status updates through the updated pin on a map functionality. A review of the improved system developments will be undertaken over the coming weeks with a view to making any further revisions for the benefit of our residents and communities and informing the rollout of the approach to other relevant services and transactions.

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**Question:** 5.  
**From:** Councillor Lodge  
**Response by:** Councillor Frost (Cabinet Spokesperson Regeneration and Culture)

Question:

A number of tenants in 'sheltered housing' have described feeling unsafe and feel this should be a priority of the Council and Berneslai Homes, as such should a review of additional safety measures e.g. CCTV be undertaken?

Information for response:

Thank you Cllr Lodge for your question.

Our officers are unaware of tenants in the independent living schemes expressing feelings of being unsafe in their properties. If any tenants do feel unsafe, we encourage them to contact their Scheme Manager or Housing Management Officer so we can help them.

We have had one person who expressed concerns about wider anti-social behaviour in the area that they live in.

In this community, we've been working closely with local elected members, Berneslai Homes and South Yorkshire Police to take action and tackle issues which has included installing CCTV.

Thank you.

**MEMBER QUESTIONS TO CABINET MEMBERS AND COMMITTEE CHAIRS**  
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**Question:** 6.  
**From:** Councillor W Fielding  
**Response by:** Councillor Houghton (Leader)

**Question:**

Why does this Council insist on appointing a member of the ruling group to be chair of Overview and Scrutiny contrary to the LGA guidance on best practice?

**Information for response:**

Thank you to Cllr Will Fielding for his question.

This Council is committed to and prides itself on, good governance.

When you adopt a Cabinet model, as the Council has, part of that good governance is to ensure we have an effective Overview and Scrutiny Committee.

I can assure you that this Council does have an effective Overview and Scrutiny Committee.

In fact, the LGA Corporate Peer Challenge in March 2019 commented that ‘The council’s scrutiny function appears to work well. Members are knowledgeable about the areas they scrutinise, and they’re appropriately inquisitive about the subject matter, with good working relationships with officers.’

It works well because it’s inclusive and non-partisan. Obviously, the Committee needs to be politically proportionate, which it is, but we go above and beyond that.

All committee members have the opportunity to input into the work programme. All committee members can attend and contribute to each and every meeting, not just the workstream they’re on, and we have opposition members leading a significant proportion of the work of the Committee, by chairing 2 of the 3 task and finish groups.

The statutory guidance for Overview and Scrutiny in Local and Combined Authorities states that ‘The method for selecting a Chair is for each authority to decide for itself’. It also states that ‘the Chair should also possess the ability to lead and build a sense of teamwork and consensus among committee members.’ In his view Councillor Ennis OBE had done an outstanding job in relation to that



As you'll be aware, it's our Annual Council that decides the Chair of the Committee. Again, this year members voted Cllr Ennis OBE as the Chair. An appointment which was unopposed.

Thank you.

**MEMBER QUESTIONS TO CABINET MEMBERS AND COMMITTEE CHAIRS**  
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**Question:** 7.  
**From:** Councillor P Fielding  
**Response by:** Councillor Frost (Cabinet Spokesperson Regeneration and Culture)

**Question:**

What has the Council done to date to prepare for the 5-year revision of the Local Plan in 2024 and what is the target date for the revised local plan to be adopted?

**Information for response:**

Thank you, Cllr Peter Fielding, for your question.

Officers within our Planning Service have produced monitoring reports and carried out general research relating to Local Plan Reviews.

The Planning Advisory Service has a toolkit which we have populated and will be published alongside the relevant cabinet report along with a note from the Planning Officer's Society, who we have appointed as a critical friend.

We intend to update the Forward Plan shortly to confirm timescales for a report to Cabinet relating to the Local Plan Review.

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**Question:** 8.  
**From:** Councillor Greenhough  
**Response by:** Councillor Higginbottom – Cabinet Spokesperson  
Environment and Highways

**Question:**

Back in 2018 residents of Fullshaw Cross, between Millhouse Green and Langsett in Penistone West, were promised that a significant chunk of the £1.4m A628 Road Safety Grant would be spent on remodelling that junction. There have been numerous accidents and near misses over the years and myself and my Penistone West colleagues get frequent reports from residents about yet another vehicle ending up in their garden. Initial plans were drawn up which remodelled the junction to clearly define turning priorities on and off the main road to reduce accidents. Since then we have heard nothing, despite frequent emails to the Highways Team to ask for updates. The other planned improvements connected to this grant are moving forward slowly but surely.

Could the cabinet member please let us know what is happening with the plans for the Fulshaw Cross junction? This project is already funded, so why the hold up?

**Information for response:**

Thank you, Cllr Greenhough, for your question.

The construction of the revised layout for the junction at Fulshaw Cross has been delayed due to difficulties in securing the land purchase necessary to deliver the proposed scheme, which extends beyond the current boundaries of the adopted highway.

Regarding the comment about “*frequent emails to the Highways Team to ask for updates*”, please can you forward copies of these emails to the member enquiries email address, as the service would like to understand why these have not been responded to. Upon receipt of these, the service will endeavour to answer any questions raised.

Thank you

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