

MEETING:	Full Council
DATE:	Thursday, 30 March 2017
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. Minutes (*Pages 7 - 26*)

To approve as a correct record the minutes of the meeting of the Council held on the 2nd and 23rd February, 2017.

3. Communications

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

4. 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.

5. 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.

6. South Yorkshire Pensions Authority - 12th January, 2017 (*Pages 27 - 32*)

7. South Yorkshire Pensions Authority - 16th February, 2017 (*Pages 33 - 36*)

8. South Yorkshire Fire and Rescue Authority - 16th January, 2017 (*Pages 37 - 50*)

9. South Yorkshire Fire & Rescue Authority (Draft) - 13th February, 2017 (*Pages 51 - 68*)

10. Sheffield City Region Combined Authority - 30th January, 2017 (*Pages 69 - 80*)

Minutes of the Regulatory Boards

11. Planning Regulatory Board - 24th February, 2017 *(Pages 81 - 84)*
12. Planning Regulatory Board - 21st February, 2017 *(Pages 85 - 88)*
13. General Licensing Regulatory Board - 22nd February, 2017 *(Pages 89 - 92)*
14. General Licensing Panel - Various *(Pages 93 - 98)*
15. Statutory Licensing Sub-Committee - various *(Pages 99 - 102)*
16. Appeals, Awards and Standards - Various *(Pages 103 - 104)*

Minutes of the Health and Wellbeing Board

17. Health and Wellbeing Board - 31st January, 2017 *(Pages 105 - 108)*

Minutes of the Scrutiny Committees

18. Overview and Scrutiny Committee - 7th February, 2017 *(Pages 109 - 118)*
19. Overview and Scrutiny Committee - 14th March, 2017 *(To Follow)*

Minutes of the Area Councils

20. Central Area Council - 16th January, 2017 *(Pages 119 - 122)*
21. Dearne Area Council - 23rd January, 2017 *(Pages 123 - 124)*
22. North Area Council - 23rd January, 2017 *(Pages 125 - 128)*
23. North East Area Council - 2nd February, 2017 *(Pages 129 - 132)*
24. Penistone Area Council - 9th February, 2017 *(Pages 133 - 136)*
25. North Area Council - 21st February, 2017 *(Pages 137 - 138)*
26. South Area Council - 24th February, 2017 *(Pages 139 - 144)*
27. Appointment of Statutory Officers

(a) Appointment of Finance Officer - Section 151 of the Local Government Act 1972

To appoint Mr N Copley (Service Director Finance) as Section 151 Officer with effect from 1st April, 2017.

(b) Appointment of Scrutiny Officer – Section 9FB of the Local Government Act 2000 (as amended)

To appoint Mr M Potter (Service Director – Organisation and Workforce Improvement) as the designated Scrutiny Officer with effect from 1st April, 2017.

28. Community Cohesion Champion Special Responsibility Allowance (Pages 145 - 158)

To consider a report of the Director of Legal and Governance requesting Council to consider amending the Scheme of Allowances in relation to the payment of a Special Responsibility Allowance for the role of Community Cohesion Champion.

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.

29. 2017/18 Pay Policy Statement (Cab.22.2.2017/6) (Pages 159 - 176)

RECOMMENDED TO COUNCIL that the 2017/18 Pay Policy Statement contained at Appendix 1 to the report now submitted be approved for implementation with effect from 1st April, 2017.

30. Licensing Act 2003 - Statement of Licensing Policy (Cab.22.3.2017/12) (Pages 177 - 220)

RECOMMENDED TO COUNCIL that the Licensing Act Statement of Licensing Policy 2017 be approved.

Minutes of the Cabinet Meetings

31. Cabinet - 11th January, 2017 (Pages 221 - 228)

32. Cabinet - 25th January, 2017 (Pages 229 - 230)

33. Cabinet - 8th February, 2017 (Pages 231 - 242)

34. Cabinet - 22nd February, 2017 (Pages 243 - 250)

35. Cabinet - 8th March, 2017 (Pages 251 - 254)

36. Cabinet - 9th March, 2017 (Pages 255 - 256)

37. Exclusion of the Public and Press

It is likely that the public and press will be excluded from this meeting during consideration of the following item because of the likely disclosure of exempt information as defined by Paragraph 3 of Part I of Schedule 12A of the Local

Government Act 1972 as amended, subject to the public interest test.

Recommendations to Council

The report detailed below is subject to Cabinet recommendation and is available to download from the Council's website. The Cabinet Spokesperson for the Service in question will respond to any comments or amendments concerning this minute.

38. Better Barnsley Phase 2 Funding (Cab.9.3.2017/3) (Pages 257 - 360)

RECOMMENDED TO COUNCIL:-

- (i) that the robust option appraisal work that has been carried out on Phase 2 of the Better Barnsley Scheme, as detailed in the report now submitted, be noted;
- (ii) that the proposal to fund the development of Phase 2 with a total estimated cost of £70.1m be agreed, with the exact funding method to be agreed prior to awarding the main works contract at which time more concrete cost and income projections will be available;
- (iii) that approval be given to a procurement exercise for a main works contractor for Phase 2 of the Better Barnsley Scheme with contractor appointment being subject to a further Cabinet report;
- (iv) that approval be given to a procurement exercise for further development management services for Phase 2 of the Better Barnsley Scheme with contractor appointment being subject to a further Cabinet report;
- (v) that approval be given to the procurement of additional design services for Phase 2 of the Better Barnsley Scheme with contractor appointment being subject to a further Cabinet report;
- (vi) that approval be given to the use of £0.2m of the £14m earmarked for the Better Barnsley Phase 2 Development to fund the cost of the procurement exercises highlighted above together with earmarking an additional £4.2m to fund the estimated early year's annual operating costs prior to development becoming fully operational. The remaining £9.6m to be held as a contingency to ensure as far as is possible that no revenue budgetary impact arises as a result of progressing the scheme;
- (vii) that the recently approved Treasury Management Strategy and Prudential Indicators be updated to reflect the investment required within the Better Barnsley Phase 2 Scheme as highlighted in Section 7 and attached at Appendix C; and
- (viii) that a variation to the Council's Minimum Reserve Provision statement be approved in respect of the Better Barnsley Phase 2 Scheme to allow debt for that Scheme to be repaid over a 25 year repayment period.

Reason restricted:

Paragraph (3) Information relating to the financial or business affairs of any particular person (including the authority holding that information)

(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, 22 March 2017

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MEETING:	Full Council
DATE:	Thursday, 2 February 2017
TIME:	10.30 am
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

The Mayor (Councillor Burgess)

- Central Ward - Councillors D. Birkinshaw and Bruff
- Cudworth Ward - Councillors Hayward, Houghton CBE and C. Wraith MBE
- Darfield Ward - Councillors Markham and Saunders
- Darton East Ward - Councillors Charlesworth, Miller and Spence
- Darton West Ward - Councillors Howard
- Dearne North Ward - Councillors Gardiner, Gollick and Phillips
- Dearne South Ward - Councillors C. Johnson
- Dodworth Ward - Councillors P. Birkinshaw, J. Carr and Riggs
- Hoyland Milton Ward - Councillors Franklin, Shepherd and Stowe
- Kingstone Ward - Councillors D. Green, Mitchell and Williams
- Monk Bretton Ward - Councillors S. Green, Richardson and Sheard
- North East Ward - Councillors Ennis, Hampson and Higginbottom
- Old Town Ward - Councillors Grundy and Lofts
- Penistone East Ward - Councillors Barnard, Hand-Davis and Wilson
- Penistone West Ward - Councillors David Griffin, Millner and Unsworth
- Rockingham Ward - Councillors Andrews BEM, Dures and Lamb
- Royston Ward - Councillors Cheetham, Clements and Makinson
- St. Helen's Ward - Councillors Leech, Platts and Tattersall
- Stairfoot Ward - Councillors K. Dyson and Mathers
- Wombwell Ward - Councillors Frost, Daniel Griffin and R. Wraith
- Worsbrough Ward - Councillors G. Carr, Clarke and Pourali

160. Barugh Green School Choir

Prior to the meeting, the pupils from Barugh Green School Choir entertained Members and guests in the Reception Room.

The Mayor and Members of the Council asked to place on record their thanks and appreciation to the pupils and staff of the school for the most excellent entertainment.

161. Declarations of Interests

Councillors Makinson, Pourali and Unsworth declared a non-pecuniary interest in Minute No 188 'Housing Revenue Account – Draft Budget 2017 – 2018 and Housing Capital Investment Programme 2017 – 2022' as Members on the Berneslai Homes Board.

162. Minutes

The minutes of the meeting held on 1st December. 2016 were taken as read and signed by the Chair as a correct record.

163. Communications

Children's Homes Ofsted Inspection

The Chief Executive was pleased to report that all the Council's Children's Homes had achieved a 'Good' rating in their most recent full Ofsted inspections.

Spring Lane was a Children's Home which provided long term, stable care for young people in care. The fact that Ofsted inspected the home in December last year during a particularly challenging time and awarded the home a 'good' spoke volumes about the leadership and strength of the highly skilled team that worked at Spring Lane.

Newsome Avenue was a Respite Unit which provided short term care for disabled children, including those with complex needs, and their families who lived in the community. Despite providing the service to many different children throughout the year, Newsome Avenue ensured that every child had a consistently good experience that was tailored to their individual needs. For example, each child would always stay in the same room with their very own belongings and quilt cover so that the facility felt like home from home.

Newsome Avenue had received their full inspection in October 2016 and had been awarded a 'good' judgement.

Ms J Jones, Manager at Spring Lane and Ms K Simpson (Senior Residential Support Worker) and Ms V Gibbs (Residential Support Worker) both from Newsome Avenue were in the Council Chamber this morning and congratulations were extended to the staff teams of both homes who provided excellent care to the borough's children in care and children in need.

Councillor Bruff, Cabinet Spokesperson for People (Safeguarding) echoed the comments of the Chief Executive and she expressed her own thanks and appreciation to the staff at these two homes at this wonderful achievement and for their commitment, care and support for children in care and in need.

The Mayor and Members of the Council expressed their thanks to all concerned in the usual manner.

164. Questions by Elected Members

The Chief Executive reported that she had received the following question from Councillor G Carr in accordance with Standing Order No. 11.

'What happens to white goods collected by Waste Management?

Where is the disposal company located that they are sent to for disposal?

Are you confident that they are disposed of ethically?'

Councillor Miller, Cabinet Spokesperson for Place stated that all fridges were sent for recycling at SIMS Recycling Solutions, Stalybridge. All non-refrigeration white goods were dealt with as scrap metal by European Metal Recycling (EMR), Sheffield. The Council held copies of the Environmental Licences for all premises where waste was sent and stressed that the Environment Agency ensured that all materials at licensed sites were disposed of according to the law.

He commented further that the Council was currently beginning to pilot a scheme to reuse some items from household waste sites and this may include white goods in good workable condition.

Councillor G Carr, commented that she was aware of a recycling company within her ward area which was a cause of concern and she asked if the Cabinet Spokesperson could investigate this matter.

The Cabinet Spokesperson stated that an appropriate investigation would be undertaken and Councillor G Carr would be provided with a written response.

165. 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.

166. Police and Crime Panel - 28th October, 2016

RESOLVED that the minutes be noted.

167. South Yorkshire Pensions Authority - 24th November, 2016

RESOLVED that the minutes be noted.

168. South Yorkshire Fire and Rescue Authority (Draft) - 28th November, 2016

RESOLVED that the minutes be noted.

169. Sheffield City Region Combined Authority - 5th December, 2016

RESOLVED that the minutes be noted.

170. Planning Regulatory Board - 22nd November, 2016

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 the 22nd November, 2016 be received.

171. Audit Committee - 7th December, 2016

Moved by Councillor Richardson - Seconded by Councillor Barnard; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Audit Committee held on the 7th December, 2016 be received.

172. Planning Regulatory Board - 20th December, 2016

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 the 20th December, 2016 be received.

173. Audit Committee - 18th January, 2017

Moved by Councillor Richardson - Seconded by Councillor Barnard; and

RESOLVED that the minutes now submitted of the proceedings of the Audit Committee held on the 18th January, 2017 be received.

174. General Licensing Panel - Various

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

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

175. Statutory Licensing Regulatory Board Sub Committee - 8th December, 2016

Moved by Councillor C Wraith MBE - Seconded by Councillor Markham; and

RESOLVED that the details of the Statutory Licensing Regulatory Board Sub Committee meeting held on the 8th December, 2016 together with its decision be received.

176. Appeals, Awards and Standards - Various

Moved by Councillor Leech – 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.

177. Health and Wellbeing Board - 6th December, 2016

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 the 6th December, 2016 be received.

178. Overview and Scrutiny Committee - 6th December, 2016

Moved by Councillor Ennis – Seconded by Councillor Hampson; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on the 6th December, 2016 be received.

179. Overview and Scrutiny Committee - 17th January, 2017

Moved by Councillor Ennis – Seconded by Councillor Hampson; and

RESOLVED that the minutes now submitted of the proceedings of the Safeguarding Scrutiny Committee held on the 17th January, 2017 be received.

180. Central Area Council - 14th November, 2016

Moved by Councillor D Leech – Seconded by Councillor Riggs; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Central Area Council held on the 14th November, 2016 be received.

181. Dearne Area Council - 21 November 2016

Moved by Councillor Gardiner – Seconded by Councillor C Johnson; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on the 21st November, 2016 be received.

182. North East Area Council - 1st December, 2016

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 the 1st December, 2016 be received.

183. North Area Council - 1st December, 2016

Moved by Councillor Leech – Seconded by Councillor Howard; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the North Area Council held on the 1st December, 2016 be received.

184. South Area Council - 2nd December, 2016

Moved by Councillor Stowe - Seconded by Councillor Howard; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the South Area Council held on the 2nd December, 2016 be received.

185. Penistone Area Council - 8th December, 2016

Moved by Councillor Barnard – Seconded by Councillor Wilson; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on the 8th December, 2016 be received subject to the deletion from Minute 34 'Procurement and financial update' of the words 'AID UK' and the substitution of the words 'AGE UK'.

186. Appointment of External Auditor (Audit Cttee.18.01.17/4)

Moved by Councillor Richardson – Seconded by Councillor Barnard; and

RESOLVED:

- (i) that the options available for the procurement of external audit services from 2018/19 onwards be noted; and
- (ii) that the Council opt in to the sector led scheme for appointing auditors as outlined in Option 3 within the report now submitted.

187. Revocation of Planning Advisory Note (PAN30) - Sustainable Location of Housing Sites (Cab.30.11.2016/11)

Moved by Councillor Miller – Seconded by Councillor Frost; and

RESOLVED:

- (i) that approval be given to the revocation of Planning Advice Note 30: Sustainable Location of Housing Sites; and
- (ii) that approval be given to the use of a simplified and updated planning tool that will assist in the consideration of relevant planning applications.

188. Housing Revenue Account - Draft Budget 2017-18 and Housing Capital Investment Programme 2017-2022 (Cab.11.1.2017/9)

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

RESOLVED:

- (i) that the Housing Revenue Account Draft Budget for 2017/18, as detailed in the report now submitted, be approved, with any final amendments/additions being delegated to the Cabinet Spokespersons for Place and the Executive Director for Place;

- (ii) that the Service Charge Proposals for 2017/18, as set out at Appendix D and Sections 3.15 to 3.17, be approved;
- (iii) that the 2017/18 Berneslai Homes Management Fee at Section 3.26 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;
- (iv) that the use of Berneslai Homes Ltd retained surplus, as outlined in Section 3.27, be approved;
- (v) that the investment of the 2017/18 surplus as outlined in Sections 3.7 and 3.23 be approved;
- (vi) that the Council Housing Capital Investment programme for 2021-22, as detailed in the report, be approved;
- (vii) that the Housing Reserves Fund proposed spend as outlined at Section 3.22 of the report be approved;
- (viii) that a rent reduction in line with Government's rent policy be approved; and
- (ix) 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 to be carried out in agreement with the Executive Director Place in consultation with the Cabinet Spokesperson for Place.

189. Cabinet - 16th November 2016

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Andrews; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Cabinet Meeting held on the 16th November, 2016 be received.

190. Cabinet - 30th November 2016

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Andrews; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Cabinet Meeting held on the 30th November, 2016 be received.

191. Cabinet - 14th December 2016

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Andrews; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Cabinet Meeting held on the 14th December, 2016 be received.

192. Notice of Motion under Standing Order No. 6 - Policing of Events at Orgreave

A Notice of Motion submitted in accordance with Standing Order No 6 in relation to the Policing of Events at Orgreave was:

Moved by Councillor Stowe – Seconded by Councillor Clarke; and

RESOLVED that the Council:

- (i) is disappointed by the Home Secretary’s rejection on the 31st October, 2016 of an Inquiry into the policing of events at Orgreave;
- (ii) observes that the Independent Police Commission said in their redacted report released in June 2015 “that there was evidence of excessive violence by police officers, and a false narrative from police exaggerating violence by miners, perjury by officers giving evidence to prosecute the arrested men, and an apparent cover-up of that perjury by senior officers”.
- (iii) believes in the light of such statements that the Home Secretary needs to review her decision that there should be no enquiry into such events.
- (iv) notes that 95 miners were arrested and charged with riot offences, but were all later acquitted amid claims that police at the time had fabricated evidence.
- (v) write to the Home Secretary and ask that she takes into account the opinion of this Council and accepts that there is widespread public concern about events at Orgreave and calls for her to order an inquiry into them’.

193. Appointment Panel - Executive Director (Core Services) - 14th December, 2016

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

RESOLVED

- (i) that the minutes as printed and now submitted of the proceedings of the Appointment Panel Executive Director (Core Services) held on the 14th December, 2016 be received; and
- (ii) that the salary for the post of Executive Director (Core Services) be set at the same level as the posts of Executive Director of Communities and Executive Director of Place at £114,679 per annum.

Note: Mr A C Frosdick (Director of Legal and Governance) left the meeting during the consideration of this item in view of the fact that he was Designate Executive Director (Core Services).

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Chair

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

MINUTES

Present

	The Mayor (Councillor Burgess)
Central Ward	- Councillors D. Birkinshaw, Bruff and M. Dyson
Cudworth Ward	- Councillors Houghton CBE and C. Wraith MBE
Darfield Ward	- Councillors Coates, Markham and Saunders
Darton East Ward	- Councillors Charlesworth, Miller and Spence
Darton West Ward	- Councillors 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 D. Green, Mitchell and Williams
Monk Bretton Ward	- Councillors Richardson
North East Ward	- Councillors Ennis, Hampson and Higginbottom
Old Town Ward	- Councillors Grundy and Lofts
Penistone East Ward	- Councillors Barnard, Hand-Davis and Wilson
Penistone West Ward	- Councillors David Griffin, Millner and Unsworth
Rockingham Ward	- Councillors Andrews BEM and Lamb
Royston Ward	- Councillors Cheetham and Clements
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

194. Ms F Foster - Director of Finance, Assets and Information Services

Members of the Council were informed that this would be the last meeting to be attended by Ms Frances Foster (Director of Finance, Assets and Information Services) before her retirement from the Authority.

The Mayor, Councillor Burgess, Councillor Gardiner (Cabinet Spokesperson for Corporate Services), Councillor Sir Steve Houghton CBE (Leader of the Council), Councillor John Wilson (Leader of the Conservative Group), Councillor J Carr (representing the Leader of the Barnsley Independent Group) and several other Councillors asked to place on record their thanks and appreciation for the services of Ms Frances Foster for her hard work and dedication to the Authority and to Local Government in general both at a local level and also regionally and nationally.

The Mayor and all Members of the Council expressed their best wishes for the future in the usual manner.

195. Declarations of Interests

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

196. Suspension of Standing Orders

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Andrews BEM ; and

RESOLVED that Standing Order 13(5) of the Council be suspended in respect of the consideration of the Budget insofar as it relates to restrictions on Members speaking more than once.

197. Service and Financial Planning 2017/18 - Revenue Budget, Capital Programme and Council Tax (Cab.8.2.2017/7)

Minute 197 (A) and (B) were Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

(A) Budget Proposals 2017/18

RESOLVED

- (i) that the report of the Director of Finance, Assets and Information Services under Section 25 of the Local Government Act 2003 at Section 1 be noted and that the 2017/18 budget proposals be agreed on the basis that the Chief Executive and Senior Management Team (SMT), in consultation with Cabinet Spokespersons, submit for early consideration detailed proposals from the ongoing activity in order that the potential budget gaps in 2018/19 and the longer term be closed;
- (ii) that the Overview of Financial Planning for 2020 report and forecast budget positions for 2017/18 to 2019/20 contained in Section 2 be noted and monitored as part of the arrangements for the delivery of the Future Council 2020;

- (iii) that the budget proposals for all services for 2017/18 – 2019/20, as detailed in Sections 4 and 5 of the report submitted, be approved, subject to the submission of detailed implementation reports, as appropriate;
- (iv) that the 2020 Directorate spending plans outlined in Section 6 be noted;
- (v) that the proposed savings in 2018/19 and 2019/20 be agreed subject to further consideration in future budget processes taking account of any further Equality Impact Assessments;
- (vi) that the total additional specific funded capital investment of £23.1m as outlined at Section 7 be included within the capital programme and released subject to further detailed reports on the proposals for its use;
- (vii) that the future Council Investment requirements as outlined in Table 1 at Section 7 be agreed to progress to full business cases and be considered by Cabinet on a case by case basis. At this stage approval up to the resources currently available of £31.7m be considered;
- (viii) that the fees and charges set out in Appendix 1 of Section 8 of the report be approved from 1st April, 2017 or later in 2017/18 as applicable;
- (ix) that Section 10 (Position on Reserves, Provisions and Balances) be noted;
- (x) that the Aggregated Equality Impact Assessment at Section 11 of the proposals be noted and the proposed mitigation actions in the report be approved;
- (xi) that the cash limited budgets for each service with overall net expenditure for 2017/18 of £166.201m, as detailed at Section 4, be approved;
- (xii) that the Chief Executive and SMT, in consultation with the Cabinet Spokespersons as appropriate, be required to submit reports into Cabinet as a matter of urgency, in relation to the detailed General Fund Revenue Budget for 2017/18 including recommendations on any action further to that set out above required to achieve an appropriately balanced budget for that financial year;
- (xiii) that the Chief Executive and SMT be responsible for managing their respective budgets including ensuring the implementation of savings proposals;
- (xiv) that the Chief Executive and SMT, in consultation with the appropriate Cabinet Spokesperson, be required to submit regular reports as necessary on the implementation of proposals into Cabinet as a matter of urgency to resolve any outstanding issues in relation to their budgets and deal with any consequential effects;
- (xv) that the Authority's SMT be charged with ensuring that the budget remains in balance and report regularly into Cabinet on budget/savings monitoring including any action required;
- (xvi) that Cabinet be authorised to make any necessary technical adjustments to form the 2017/18 budget; and

(xvii) that appropriate consultation on the agreed budget proposals takes place with the Trade Unions and representatives of Non-Domestic Ratepayers and that the views of consultees be considered by Cabinet and the Council

(B) Council Tax 2017/18

RESOLVED

- (i) that the contents of Section 9 of the report (2017/18 Council Tax calculation) of the Director of Finance, Assets and Information Services now submitted, be noted;
- (ii) in respect of the Council Tax 2017/18 calculations:
 - (a) that the Council Tax Collection Fund surplus relating to Barnsley M.B.C. of £1.615M be used to reduce the Council Tax Requirement for 2017/18;
 - (b) that the Band D Council Tax for Barnsley M.B.C.'s services be set at £1,358.72 which includes the cumulative special precept earmarked specifically for Adult Social Care of £63.79; and
 - (c) that the Band D Council Tax for Barnsley M.B.C.'s area be set at £1,585.84 including the Police and Fire precepts as set out in (ii)(c).
- (iii) that, in respect of the Council Tax 2017/18 declaration:
 - (a) that it be noted that at its meeting of its Cabinet on the 11th January 2017 the Council made the following calculations for the year 2017/18 in accordance with Regulations made under Section 31(B) of the Local Government Finance Act 1992 as amended (the "Act"):-
 - (1) in accordance with Section 31B (3) of the Local Government Act 1992, as amended, the number of adjusted Band D equivalent properties calculated by the Council as its Council Tax base for the year shall be 62,346.885 (Item T in the formula in Section 31B (1) of the Act);
 - (2) that the number of adjusted Band D equivalent properties calculated by the Council, as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which one or more special items relate shall be as follows:-

Column	A	B	C	D
Parish Area	Band D equivalent chargeable properties	95% of Band D equivalent chargeable properties	Precept Issued (after Council Tax Support Grant) (£)	Band D Equivalent Charge (£)
Billingley	99.100	94.145	1,479.00	15.71
Cawthorne	613.300	582.635	20,144.00	34.57
Dunford	246.700	234.365	8,346.00	35.61
Great Houghton	653.000	620.350	21,425.00	34.54
Gunthwaite and Ingbirchworth	286.700	272.365	5,736.00	21.06
High Hoyland	70.400	66.880	0.00	0.00
Hunshelf	169.100	160.645	4,200.00	26.14

Langsett	107.400	102.030	3,327.00	32.61
Little Houghton	181.800	172.710	4,359.00	25.24
Oxspring	465.000	441.750	18,214.00	41.23
Penistone	4247.100	4,034.745	164,740.00	40.83
Shafton	959.300	911.335	35,435.50	38.88
Silkstone	1201.600	1,141.520	70,365.00	61.64
Stainborough	165.200	156.940	4,512.00	28.75
Tankersley	588.800	559.360	12,209.00	21.83
Thurgoland	750.300	712.785	10,556.00	14.81
Wortley	294.400	279.680	7,246.00	25.91
Barnsley and other Non-Parish areas	54,529.100	51,802.645		
Total	65,628.300	62,346.885		

(b) that the following amounts be now calculated by the Council for the year 2017/18 in accordance with Sections 31-36 of the “the Act”:-

- (1) £166,593,253.50 being the net aggregate amount the Council estimates for items set out in Section 31A (2) and 31A (3) of the Act taking into account all Precepts issued to it by Parish Councils;
- (2) £79,874,000 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of the Business Rate Retention Scheme and other specific grants;
- (3) £1,615,000 being the amount which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97 (3) of the Local Government Finance Act 1988 (Council Tax Surplus);
- (4) £85,104,253.50 being the amount by which the amount at (iii)(b) (1) above exceeds the aggregate of amounts at (iii)(b) (2) and (iii)(b) (3) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31B (1) of the Act);
- (5) £1,365.01 calculated by the Council as being the amount at (ii)(b) (4) above (Item R in the formula in Section 31B (3)); all divided by the Council Tax base as highlighted in (iii) (a) (1) above (Item T in the formula in Section 31B (1) of the Act);
- (6) £392,393.50 being the aggregate amount of all special amounts (Parish Precepts) referred to in Section 31A (2) of the Act; as per column C in the table in (iii)(a) (2) above
- (7) £1,358.72 calculated by the Council as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate being the amount at (iii)(b) (5) above less the result given by dividing the amount at (iii)(b) (6) above divided by the amount at (iii)(a) (1) (Item T in the formula in Section 31B (1) of the Act) above in accordance with Section 34 (2) of the Act;

- (8) the following amounts calculated by the Council as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate:-

Section 34(3) Calculation :	
Part of the Council's Area	
Parish of :-	£
Billingley	1,374.43
Cawthorne	1,393.29
Dunford	1,394.33
Great Houghton	1,393.26
Gunthwaite & Ingbirchworth	1,379.78
High Hoyland	1,358.72
Hunshelf	1,384.86
Langsett	1,391.33
Little Houghton	1,383.96
Oxspring	1,399.95
Penistone	1,399.55
Shafon	1,397.60
Silkstone	1,420.36
Stainborough	1,387.47
Tankersley	1,380.55
Thurgoland	1,373.53
Wortley	1,384.63

being the amounts given by adding to the amount at (iii)(b) (7) above the amount of the special items in (iii)(a) (2) Col D in accordance with Section 34 (3) of the Act;

- (9) the amounts calculated by the Council as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands are shown below.

Section 36(1) Calculation:	
Part of the Council's Area	
Parish of:-	Valuation Bands
Billingley	
Cawthorne	
Dunford	
Great Houghton	
Gunthwaite & Ingbirchworth	
High Hoyland	
Hunshelf	
Langsett	
Little Houghton	
Oxspring	
Penistone	
Shafon	
Silkstone	

Stainborough	
Tankersley	
Thurgoland	
Wortley	
All other parts of the Council's Area	
This shows the total council tax for Barnsley MBC and local parishes (excluding Police and Fire Precepts) .	

being the amounts given by multiplying the amount at (iii)(b) (8) above by the number which, in the proportion set out in Section 5 of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D in accordance with Section 36 (1) of the Act;

- (c) that it be noted that for the year 2017/18 the under-mentioned precepting Authorities have stated the following draft amounts in precepts issued to the Council in accordance with Section 42A of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

	Precept	Valuation Bands								
		A-	A	B	C	D	E	F	G	H
Precepting Authority	£	£	£	£	£	£	£	£	£	£
South Yorkshire Fire Authority	4,299,441	38.31	45.97	53.64	61.30	68.96	84.28	99.61	114.93	137.92
South Yorkshire Police Authority*	9,860,783	87.87	105.44	123.01	140.59	158.16	193.31	228.45	263.60	316.32

*Awaiting final confirmation of the Council Tax charge from the South Yorkshire Police Authority which is due to be set on the 24th February 2017.

- (d) that having calculated the aggregate in each case of the amounts at (iii)(b) (9) and (iii)(c) above, the Council in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts shown below as the amounts of Council Tax for the year 2017/18 for each of the categories of dwellings shown below:-

Section 30(2) Calculation :	
Part of the Council's Area	
Parish of :-	A- £
Billingley	88 9.7 5
Cawthorne	90 0.2 3
Dunford	90 0.8 0
Great Houghton	90 0.2 1
Gunthwaite & Ingbirchworth	89 2.7 2
High Hoyland	88 1.0 2
Hunshelf	89 5.5 4

Langsett	89 9.1 4
Little Houghton	89 5.0 4
Oxspring	90 3.9 3
Penistone	90 3.7 0
Shafton	90 2.6 2
Silkstone	91 5.2 6
Stainborough	89 6.9 9
Tankersley	89 3.1 5
Thurgoland	88 9.2 5
Wortley	89 5.4 1
All other parts of the Council's Area	88 1.0 2
This is the total Council Tax. It includes all the precepts.	

- (e) that the Director of Finance, Assets and Information Services be authorised to serve notices, enter into agreements, give receipts, make adjustments, initiate proceedings and take any action available to the Council to collect or enforce the collection of non-domestic rates and the Council Tax from those persons liable in accordance with the Council's agreed policy; and
- (f) that the Director of Finance, Assets and Information Services determines in accordance with the principles determined by the Secretary of State and set out in the Referendums Relating to Council Tax Increases (Principles) (England) Report 2017/18, that Barnsley Metropolitan Borough Council's relevant basic amount of Council Tax for the year 2017/18 as defined by Section 41 of the Local Audit and Accountability Act 2014 is not excessive.
- (g) that the Director of Legal and Governance be authorised to publish the Council Tax Notice in accordance with the provisions of Section 38 of the Local Government Finance Act 1992.

In accordance with the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken on the above items (Minute 197 (A) and (B) refers).

In favour of the motion

The Mayor (Councillor Burgess) and Councillors Andrews, Barnard, D Birkinshaw Bruff, G Carr, J Carr, Cave, Cheetham, Clarke, Clements, Coates, K Dyson, M

Dyson, Ennis, Franklin, Frost, Gardiner, Gollick, D Green, Daniel Griffin, David Griffin, Grundy, Hampson, Hand-Davis, Higginbottom, Sir Steve Houghton CBE, Howard, C Johnson, W Johnson, Lamb, Leech, Lofts, Markham, Miller, Millner, Mitchell, Noble, Phillips, Platts, Pourali, Richardson, Riggs, Saunders, Shepherd, Spence, Stowe, Tattersall, Unsworth, Williams, Wilson, C Wraith MBE and R Wraith.

No Councillors voted against the motion or abstained

All Councillors present at the time of the vote actually voted.

198. 2017/18 Treasury Management Policy and Strategy Statement (Cab.8.2.2017/8)

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

RESOLVED

- (i) that the main Treasury Management Policies, as outlined in the Treasury Policy Statement at Annex A of the report now submitted, be noted; and
- (ii) that the Treasury Management Strategy Statement for 2017/18, as detailed at Annex B of the report, be approved, including:-
 - The revised Minimum Revenue Position (MRP) Statement at Appendix E; and
 - The Annual Investment Strategy for 2017/18 at Section 4 of the Treasury Management Strategy Statement.

199. Prudential Indicators 2017/18 (Cab.8.2.2017/9)

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

RESOLVED

- (i) that the Prudential Indicators for the financial year 2017/18 to 2019/20, as set out at Appendix B of the report now submitted, be approved; and
- (ii) that further monitoring reports be submitted on the indicators during the year as necessary.

200. Redundancy Compensation and Procedures 2017/18 (Cab.8.2.2017/10)

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

RESOLVED

- (i) that for the purpose of the 2017/18 budget procedures, payments in accordance with the Discretionary Compensation Regulations 2006 be up to a maximum of 30 weeks actual pay based on the Statutory Redundancy Scheme; and

- (ii) that any employee (excluding Teachers) declared redundant be afforded the maximum of 12 weeks' notice of termination of employment

.....
Chair

Item 6

SOUTH YORKSHIRE PENSIONS AUTHORITY

12 JANUARY 2017

PRESENT: Councillor S Ellis (Chair)
Councillor M Stowe (Vice-Chair)
Councillors: H Mirfin-Boukouris, A Sangar, Z Sykes, J Wood,
R Wraith and K Wyatt

Trade Unions: N Doolan-Hamer (Unison), G Warwick (GMB)
and F Tyas (UCATT)

Officers: S Barrett (Interim Fund Director), G Chapman
(Head of Pensions Administration), B Clarkson (Head of
Finance), A Frosdick (Monitoring Officer), F Foster
(Treasurer), M McCarthy (Deputy Clerk), M McCoolle (Senior
Democratic Services Officer) and N Copley (Finance Service
Director)

Apologies for absence were received from Councillor E Butler,
Councillor J McHale, Councillor M Iqbal and Councillor P Wood

1 APOLOGIES

Apologies for absence were noted as above.

2 ANNOUNCEMENTS

Councillor Ellis informed Members that Maureen Oades, the former solicitor to the South Yorkshire Joint Authorities, had recently died having contracted Meningitis. Councillor Ellis wished to send condolences on behalf of the Authority to her friends and family at this sad time.

Councillor Wraith commented that he had known Maureen Oades for a long time, she had been an excellent officer and she had provided very good support to the Authority Members and at other places.

3 URGENT ITEMS

None.

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

Councillor Ellis requested that Item 11 'Government Consultation on LGPS Pooling' would be taken in both the public and private sections of the meeting to provide Members with a steer on forthcoming discussions.

Members' attention was drawn to the potential for a special meeting to be held on 16 February (following the Corporate Planning and Governance Board), to enable decisions to be made on formal pooling matters.

5 DECLARATIONS OF INTEREST

None.

6 MINUTES OF THE AUTHORITY MEETING HELD ON 24 NOVEMBER 2016

Councillor Sykes requested that the minutes be amended to reflect her apologies for absence.

RESOLVED – That the minutes of the Authority meeting held on 24 November 2016 be signed by the Chair as a correct record.

7 MINUTES OF THE CORPORATE PLANNING AND GOVERNANCE BOARD HELD ON 20 OCTOBER 2016

Councillor Wraith referred to the review of pensions administration. He queried the slight downturn in priority performance and how the Fund's members living overseas received their benefits.

G Chapman commented that there had been a slight downturn in priority performance during the period, as attention had been focused upon the completion of the annual returns. Members living overseas received their benefits via the Western Union into their foreign bank accounts or direct into bank accounts in the UK. Western Union was also involved in partnership with the Fund to trial the new existence process for pensioners living in the West Indies. It was the intention to roll the process out to the Fund's pensioners across the world in due course.

RESOLVED – That the minutes of the Corporate Planning and Governance Board held on 20 October 2016 be noted.

8 UPDATE ON MATTERS ARISING SINCE THE LAST MEETING

Councillor Ellis commented that all matters arising since the last meeting were covered on today's agenda.

9 WORK PROGRAMME

The Board considered its Work Programme to 8 June 2017 to provide Members with an early indication of the issues to be discussed at future meetings, together with any additional issues that Members wished to be covered in the agenda.

(Members had already noted a possible special meeting at the conclusion of the Corporate Planning and Governance Board on 16 February).

RESOLVED – That the Work Programme be noted.

10 SECTION 41 FEEDBACK FROM DISTRICT COUNCILS

Councillor Ellis commented that the district councils continued to observe the pooling developments; an update would be provided to the Leaders Meeting on 20 January.

11 REVENUE ESTIMATES 2017/18

A report of the Treasurer was submitted to formally confirm the draft budget proposals for the 2017/18 financial year that was considered by the Authority on 24 November 2016. Consultations on the key elements of those proposals had been undertaken with various interested parties and no changes had been suggested.

S Barrett thanked F Foster and other colleagues for the work undertaken and contributing to effective dialogue with our major customers.

Councillor Wraith thanked F Foster for all of her work provided to Members, and to himself in his former capacity of Vice Chairman to the Authority. He wished her well in her impending retirement.

RESOLVED – That the Authority formally confirmed the budget proposals and approved the budget of £7,042,600 for 2017/18.

12 SCHEME MEMBERS' ANNUAL FUND MEETING

A report of the Communications Manager was presented to report on the Scheme Members' Annual Fund Meeting held on 20 October 2016 at The Holiday Inn Barnsley. A total of 62 members had attended the meeting consisting of:-

- Pensioners – 47 (including 1 LPB member)
- Contributors – 9 (including 1 LPB member)
- Deferred members - 2
- Councillors – 3 (excluding Chair & Vice)
- Employer Representative - 1

Councillor Wyatt commented that he had attended the meeting which had been a successful event. He had been impressed with the amount of Fund members in attendance which had provided for a good natured discussion at a pleasing venue.

Councillor Wraith commented that The Holiday Inn, Barnsley had been a first class venue for the meeting in comparison to a previous meeting held at The Civic, Barnsley.

Councillor Sangar suggested that a venue with equal standards to The Holiday Inn should be sought for the next Annual Fund Meeting to be held in Sheffield in 2017. He highlighted that this had been the first Annual Fund Meeting following the retirement of J Hattersley. A number of questions had been asked by Fund members to which the Chair, Vice Chair and officers had provided good answers.

Councillor Ellis commented that the meeting had ran very smoothly, and she thanked the officers involved for all of the preparatory work undertaken.

Members noted that a full recording of the meeting was available to view at: <http://www.youtube.com/user/SYPensions>

Councillor Ellis thanked Members, on behalf of the Vice Chair and herself, for their attendance at the meeting.

Members would be notified of the date and location of the next Annual Fund Meeting in due course.

RESOLVED – That Members noted the contents of the report.

13 COMPLIANCE WITH THE PRINCIPLES FOR INVESTMENT GOVERNANCE: SELF-ASSESSMENT

A report of the Clerk was submitted to update Members on the CIPFA Code of Practice on public sector pensions finance knowledge and skills and the requirements for the self-assessment against the Principles for Investment Governance (formerly Myners' Principles).

In October 2011, Members had adopted a system of self-assessment and had agreed to use a template to gauge compliance. Upon Members' confirmation to the self-assessment process, assessment forms would be despatched to Members, to be completed and returned before the end of March 2017.

RESOLVED – That:-

- i) The Authority noted the content of the report.
- ii) Members confirmed their commitment to the self-assessment process until the new Regulations for the Scheme come in to place and to review and update the process at this time.
- iii) Members agreed to any development needs arising from the results.

14 GOVERNMENT CONSULTATION ON LGPS POOLING

Councillor Ellis referred to a recent short meeting with Marcus Jones, Minister for Local Government, together with representatives from the Border to Coast Pool.

The Government had indicated that they were pleased with how the Pool was progressing, and that it was one of the leading pools. The Government had not relented on the tight timescales which had been slipped by Government officers. The Government had referred to achievement of aspirations including increased infrastructure investment. The Pool had been very clear in highlighting its fiduciary duties first and foremost. The Government had not yet determined whether there would be one national vehicle to undertake infrastructure investment.

S Barrett referred to the Pool's work streams which were ongoing with both an officer operation group and member steering group. The member steering group would next meet on 31 January. Members would be provided with a report to either a Special Authority Meeting on 16 February or at the Authority Meeting on 16 March. This would address the formal approval to Pooling through multi-partner agreements in order to progress towards an operational 'go-live' on 1 April 2018, or as soon as practicable thereafter.

A Frosdick referred to the intention to put together a common pack of presentation slides to present the key principles around governance. He commented that this was a very complicated legal transaction in terms of the investment vehicle being

established. He was comfortable in the way that officers and external lawyers that the Authority was engaging with were dealing with matters both properly and effectively.

G Warwick queried whether a position had been reached on the role of trades unions and boards in the pools.

Councillor Ellis commented that it was likely that trades unions would not be included onto the Board. However work was ongoing to determine how trade unions could be involved without giving them membership of the Board or full voting rights. It was anticipated that voting rights would remain with each of the authorities.

G Warwick commented that he understood the Government had given discretion to individual pensions authorities as to whether to involve trades unions. He understood this was consistent with the principle of a scrutiny and monitoring role. He suggested that trades unions and board members should be involved in some type of forum.

Councillor Wraith welcomed G Warwick's suggestion. He added that the Authority had always had an excellent working relationship with the trades unions and representatives, to which he did not want the liaison to fade away.

Councillor Stowe suggested that briefing papers from the trades unions should be provided to the Pool whilst those discussions were taking place to highlight the importance of trade unions.

RESOLVED – That Members noted the update.

15 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.

16 GOVERNMENT CONSULTATION ON LGPS POOLING

Members were provided with a verbal update on discussions taking place within the Border to Coast Pool relating to elements of the draft terms and conditions of service for the senior executives to be employed by this body.

RESOLVED – That Members noted the update.

CHAIR

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Item 7

SOUTH YORKSHIRE PENSIONS AUTHORITY

16 FEBRUARY 2017

PRESENT: Councillor S Ellis (Chair)
Councillor M Stowe (Vice-Chair)
Councillors: J McHale, H Mirfin-Boukouris, P Wood and
R Wraith

Trade Unions: N Doolan-Hamer (Unison), G Warwick (GMB)
and F Tyas (UCATT)

Officers: S Barrett (Interim Fund Director), G Chapman (Head
of Pensions Administration), A Frosdick (Monitoring Officer),
F Foster (Treasurer) and G Richards (Democratic Services
Officer)

Observers: G Boyington and S Ross

Apologies for absence were received from Councillor E Butler,
Councillor B Curran, Councillor A Sangar and M McCarthy

1 APOLOGIES

The Chair welcomed everyone to the meeting.

Apologies were noted as above.

2 DECLARATIONS OF INTEREST.

None.

3 LOCAL GOVERNMENT PENSION SCHEME: REQUIREMENTS FOR ASSET POOLING

S Barrett gave a presentation to inform the Authority of the current position with regard
to agreeing to join the Border to Coast Pension Partnership.

The Authority then considered a report to seek authority for the South Yorkshire
Pensions Authority to pool its LGPS assets with 11 other Funds in a newly created,
wholly owned, local government regulated asset management company – Border to
Coast Pension Partnership Ltd as its chosen means of achieving regulatory
compliance.

The report contained the following recommendations:

That the Authority meets the regulatory requirements to pool Pension fund assets by:

1. Agreeing to be a member of the Border to Coast Pensions Partnership (BCPP)
and to adopt its arrangements, by authorising the Clerk and the S151 officer in
consultation with the Interim Fund Director to finalise the approval and

execution, where required, of all legal documents necessary to give effect to the decision below:

- i. entering into the Inter-Authority Agreement between the Authority and the administering authorities of the other Pool funds
 - ii. entering into the Shareholders' Agreement between the Authority and the administering authorities of the other Pool funds and Border to Coast Pensions Partnership Limited
 - iii. agreeing the Articles of Association to be adopted by the Border to Coast Pensions Partnership Ltd.
2. Approving the establishment of the Border to Coast Pensions Partnership Joint Committee as a formal Joint Committee under section 102 of the Local Government Act 1972 in accordance with and to carry out the functions as set out in the Inter-Authority Agreement.
 3. Approving the subscription by the South Yorkshire Pension Fund of one Class A voting share in the asset management company, Border to Coast Pensions Partnership Limited.
 4. Appointing the Chair of the Authority as the shareholder for BCPP Ltd.
 5. Approving the subscription by the South Yorkshire Pension Fund for such number of Calls B non-voting shares in the Border to Coats Pensions Partnership Limited as shall be necessary to ensure that the Authority contributes by way of equity one twelfth of the minimum regulatory capital requirements of the Financial Conduct Authority.
 6. Appointing the Chair to represent the Authority on behalf of the Fund at the Border to Coast Pensions Partnership Joint committee meetings.
 7. Authorising the Clerk to make the consequential changes required to the Constitution to reflect these new arrangements.

The Authority discussed the report in detail highlighting issues around 'one share, one vote' and infrastructure investment. Members expressed concern that the report did not contain any information on the role of Trade Union representatives or Local Pension Boards in the new structure.

After a lengthy discussion on the matter, Cllr P Wood proposed an amendment that the decision on the recommendations within the report be deferred to allow the Chair to contact the Chairs of the other Authorities proposing to join the pool to ascertain their position on Trade Union representation in the pool governance structure.

The amendment was seconded by Cllr R Wraith.

After further discussion around Trade Union representation and how they could be involved in governance arrangements the amendment was carried.

It was noted that the Chair would contact the other Chairs by email or telephone.

A report would be brought for a decision at the next Authority meeting on 16 March 2017.

CHAIR

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Item 8

SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

16 JANUARY 2017

PRESENT: Councillor A Cave (Chair)
Councillor A Atkin (Vice-Chair)
Councillors: S Ayris, A Buckley, P Haith, S Howard,
E Hughes, C Ransome, J Satur and G Weatherall

CFO J Courtney, T/DCFO M Blunden, AM S Helps,
WM S Brookes and M Wright (South Yorkshire Fire & Rescue
Service)

F Foster, A Brown, M McCarthy, L Noble, M McCoole,
D Cutting and A Hunt (Barnsley MBC)

Apologies for absence were received from Councillor N Akther,
Councillor B Johnson, A Frosdick, D Terris, DCFO J Roberts,
S Howe and M Topham

1 APOLOGIES

Apologies for absence were noted as above.

2 ANNOUNCEMENTS

Councillor Cave informed Members that DCFO Roberts would be leaving the Service on the 20 January to become the Chief Fire Officer in West Yorkshire. She expressed her thanks to DCFO Roberts and wished him every success in West Yorkshire, on behalf of the Authority, for all his hard work and commitment, particularly around partnerships and industrial relations. DCFO Roberts' calm approach had been an asset to the Authority and to the Service. He had been held in high esteem by colleagues and peers and would be sadly missed.

3 URGENT ITEMS

None.

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

Councillor Ayris requested that agenda Items 12 and 21 not be considered in the private section of the meeting as a great deal of information contained within Item 12 was already in the public domain. There had also been discussions at previous Authority meetings in relation to Item 21.

L Noble commented that part of Item 12 'Appointment of Independent Member – Audit & Governance Committee: Progress Update' would be considered in the private section of the meeting as it concerned details of the applicant who had not been notified as to whether he/she had been successful until approval of the

Authority had been given. Therefore their name should not be identified within the public section of the meeting.

Councillor Ayris moved that Item 21 should be considered within the public section of the meeting.

Councillor Ransome seconded Councillor Ayris' motion that Item 21 be considered in the public section of the meeting.

M McCarthy explained that the report was justified within the Access to Information Act and exemption of information.

Councillor Ayris commented that it was difficult to talk about the matter as the individual concerned was still in the employment of the Authority, to which there was a duty to demonstrate to the public how public tax payers' money was spent, which justified the reasoning for the item to be taken in the open session of the meeting.

Those in support of the motion:- Councillors Ayris and Ransome.

Those against the motion:- Councillors Cave, Atkin, Buckley, Haith, Howard, Hughes, Satur and Weatherall.

The motion failed.

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

Item 19 Disposal of Site of Former Darnall Fire Station.

Item 20 Lease of Office Accommodation.

Item 21 Outstanding Financial Commitments.

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

None.

6 REPORTS BY MEMBERS

Councillor Satur commented that she had attended a Crisis event held on 20 December with Group Manager T Bernard, which had been an enlightening, fulfilling and humbling experience; she encouraged Members to attend a future event. She had also attended the Sprinkler Launch event held on 11 January which had been very well attended, with excellent speakers. Councillor Satur gave thanks to AM Helps and R Bywater for organising the event.

Councillor Weatherall had also attended the Sprinkler Launch on 11 January which had been very enlightening. He had represented Gleadless Valley as a Ward

Member a few years ago, during which time a fire had broken out on the eighth or ninth floor of Callow Mount, Sheffield. Following the fire, the Authority and Sheffield City Council had installed sprinklers into the whole block of flats, which had saved lives during the first 3 months of installation following a fire starting at the entrance to the only door. He highlighted the importance to continue to convey the sprinkler message. He requested the Authority impress upon the Government the importance of sprinklers being installed into all new houses; a housing application in Wales could not be submitted without the inclusion of sprinklers into the application.

Councillor Ransome and Councillor Cave had attended the recent Safe and Well training which had been very informative.

Councillor Haith had visited the Doncaster Watches as part of the IRMP Consultation and had found the firefighters' views to be very welcoming and constructive; the views would help to inform her future decisions on the IRMP.

Councillor Atkin commented that he had also attended the Sprinkler Launch and that he represented the Authority on the LGA Fire Commission which continued to press the Government on introducing sprinkler systems. He agreed that the event had been very well organised by AM Helps. He requested that thanks be sent on behalf of the Authority to everyone involved in organising the event together with the speakers.

Councillor Cave commented that she had also attended the Sprinkler Launch and commented on the excellent presentations.

Councillor Hughes commented that she had attended the Safe and Well training on 9 January. She suggested that it would be beneficial to roll the training out to all elected Members within South Yorkshire. She gave thanks for her invitation to the Carol Service held in Handsworth before Christmas; it had been a lovely evening with informative presentations and a wonderful start to the Christmas period. She had presented certificates to Crisis Skylight in Doncaster on 21 December, on behalf of the Service, to previously homeless people who had undertaken a great deal of training and had improved their lives.

7 RECEIPT OF PETITIONS

None.

8 TO RECEIVE ANY QUESTIONS OR COMMUNICATIONS FROM THE PUBLIC

None.

9 MINUTES OF THE AUTHORITY MEETING HELD ON 28 NOVEMBER 2016

Councillor Ayris requested a correction to the minutes at Item 13 'September 2016 Projected Outturn Report'. He commented that he had asked two questions which had been omitted from the minutes, in relation to the £600,000 paid per annum to BMBC for secretarial audit services. He had asked whether there was any requirement within the Contract Standing Orders that this should be subject to

competitive tendering. He recalled that he had been given an answer that the matter would be looked into and reported back to himself regarding the level of spend required. He had also asked why there had been no reference to Safety Solutions within the report, or reference to any profits being made. He had been informed that the matter would be looked into and that Safety Solutions would be included into future reports.

M McCarthy commented that the minutes would be amended to reflect the issues raised by Councillor Ayris.

RESOLVED – That the minutes of the meeting held on 28 November 2016 be agreed and signed by the Chair as a correct record, subject to the above amendments.

10 ARC COURSE - ACHIEVING RESPECT AND CONFIDENCE REPORT AND PRESENTATION

A report of the Chief Fire Officer and Chief Executive was submitted which provided Members with an overview of the Achieving Respect and Confidence (ARC) Course.

S Brookes, Community Safety Watch Manager highlighted that ARC addressed fire safety and instilled discipline and life skills to young people attending the course. Approximately 20 ARC courses had been delivered since its inception in 2010. There was a minimum of four fire service instructors per course, including one lead instructor and at least one support officer from South Yorkshire Police; there was the potential to include the health service, substance misuse agencies, the ambulance service and prison service representatives.

Councillor Buckley referred to the potential to include other services into ARC, and he queried whether in-roads were being made to get those services involved.

WM Brookes commented that the Service was looking to include other services into ARC, in particular the health service, and that substance misuse was a considerable issue; it was difficult for an organisation to release an employee for a whole week to attend the course.

Members noted that ARC was available for students between the ages of 10 and 14 years, who would be referred from schools and had either been involved in anti-social or criminal behaviour, excluded from/disruptive in school or on a low level Court order. Each student would be allocated an instructor as a mentor. A yellow and red card system was used in terms of behaviour etc.

Councillor Ransome referred to the dangers of drugs and gang culture, and she queried whether alcohol issues were also focused upon. WM Brookes commented that ARC largely focused upon drug and alcohol issues.

Members noted that ARC activities included hose and water drills, the breathing apparatus pod, ladder drills, cutting equipment, extrication drills together with the consequence of actions. Family members and school representatives were invited to the passing out parade on the final afternoon of the course, where students

would march onto the drill ground and perform a display. All students completing the course received certificates. The short term evaluation had indicated that students had benefited immensely from taking part in the activities and had learnt the importance of good communication.

WM Brookes recommended Members to attend the passing out parades in the future. L Noble would circulate details when received.

WM Brookes referred to the long term evaluation. Work was ongoing to prepare an evaluation toolkit for all of the Service's education programmes, including the ARC course. Each ARC course totalled £5,000 which included direct costs i.e. instructor wages, buffet, refreshments, portfolios and scrap cars. Contribution costs included the repair and replacement of equipment and uniforms, the use of spare appliances, facilities and venue costs. Members noted that there was no longer a designated youth watch engagement officer within the Service, but that there was a watch manager with reference for youth engagement.

Councillor Ransome referred to the £5,000 cost per ARC course which had not risen in approximately the last 9 years.

WM Brookes commented that if the course fees had continued to rise, that there would be less chance of receiving funding. The Service facilitated the courses, but did not directly fund the courses. The Barnsley MBC South Area Council had funded the last two ARC courses in 2016. The Service could tailor each specific course to meet the individual's and/or organisational needs. The Youth Engagement Handbook was available on the Service's website.

Councillor Ayris queried whether WM Brookes signposted people to the South Area Council and other organisations.

WM Brookes commented that he worked with local businesses, councils, Safer Neighbourhood Teams and policing teams; a partnership officer dealt with the larger organisations. He requested Members to inform him of any organisations that might benefit from individuals attending a future ARC course.

Councillor Atkin referred to a number of contacts he had with Wath Comprehensive School, which was close to Dearne Fire Station. He commented that he would contact the school to ascertain whether they had a pupil referral unit. He queried whether the Service had a lot of secondary school contacts. Members noted that the Service had contacts for all schools to which full education programmes were offered.

Councillor Atkin considered that the Authority should be an advocate for school participants onto the ARC course. He had attended four/five ARC passing out parades over the years, which had been interesting to learn how the youths had changed as a result of attending the course. He queried how many youths had progressed onto becoming fire cadets. WM Brookes commented that he would ascertain the position and provide feedback to Members.

AM Helps thanked WM Brookes for an informative presentation. He added that ARC was an important programme which complemented the Schools Education

Package and Prince's Trust Cadets and opportunities to go into volunteering. He commented that this also presented an opportunity for Members to consider, with SSCR funding, becoming advocates to look into getting further programmes into local authorities.

Councillor Weatherall commented that he had visited both ARC passing out parades in Barnsley, which had been great events to observe the students with an opportunity to talk to them afterwards. The students when having initially started the ARC course had faced school rivalry, but the course had resulted in them working together. He referred to one ARC course where an individual had left the course due to family reasons. He queried whether the ARC course could be rolled out further, and he suggested that further funding could also be sought from other areas, and he looked forward to attending more of the events.

RESOLVED – That Members noted the contents of the report.

11 REVIEW OF THE FRA CONSTITUTION: PART 5E - CONTRACT STANDING ORDERS (CSOS), PART 6A - ANTI-FRAUD & CORRUPTION STRATEGY

A report of the Clerk to the Fire and Rescue Authority was presented providing Members with the revised Part 5e – Contract Standing Orders (CSOs) and Part 6a – Anti-Fraud & Corruption and Anti-Bribery and Prosecution Policy.

Members noted that they had been provided with an update on Part 5e – Contract Standing Orders at the Authority meeting held on 19 October 2015 and at the Audit and Governance Committee held on 25 July 2016. The Chief Fire Officer had requested, following the Internal Audit review into contract procurement and compliance, that the Contract Standing Orders be further reviewed.

Councillor Ayris referred to paragraph 11.1 under Item 11 'Contracts above EU Thresholds' within the report, which related to the questions he had raised at the last Authority meeting, and which he had asked to be included in the minutes, regarding the services that BMBC supplied to the Authority. He queried that the report indicated that the contract with BMBC was above the EU threshold and should therefore be advertised in the open competition in the LG Magazine.

Councillor Ayris commented that his understanding was that any contract with BMBC was that over £600,000 should be open to competition. M McCarthy said it was a decision taken by the Leaders/Mayor of the four local authorities in supporting the Joint Authorities in South Yorkshire, and this had been in place since 1986.

Councillor Ransome queried how the Authority knew it was receiving value for money. She suggested that if the arrangement had been in place since 1986 that it should be looked at. M McCarthy commented that the arrangement had been in place since 1986 and had been independently evaluated on a number of occasions since then.

Councillor Ayris referred to section 6.2 at Item 6 'Investigating Allegations of Fraud, Bribery and Corruption' within the report. He queried how the reporting and liaison

protocol that was in place with South Yorkshire Police worked, how often it was used, and he requested a copy of the protocol.

D Cutting commented that the protocol was very rarely used. He was only aware of one incidence of an attempt of fraud in the Service some years ago. Following investigation, if there was sufficient evidence of a criminal act, there was a national fraud hotline and website for use by anyone whether a public body or member of the public, which would be cascaded down to the local fraud offices in South Yorkshire Police. He would make available a copy of the protocol to Councillor Ayris.

Councillor Ransome queried whether the Authority would prosecute or pursue an employee who had left the Authority in relation to a criminal act.

D Cutting commented that it would depend upon the significance of the issue, and on a case by case basis. If the employee had left employment and been dismissed, then the matter would be passed onto South Yorkshire Police who would determine whether there was sufficient evidence to pursue. South Yorkshire Police would need to be clear before they could prosecute due to the magnitude of fraud. He had previously passed matters, not relating to the Service, onto South Yorkshire Police, who had not actioned the matter further as it had not been deemed sufficient to do so. He commented that fine tuning and sense checking would be applied to the report.

RESOLVED – That Members:-

- i) Approved the revised Part 5e – Contract Standing Orders (CSOs).
- ii) Approved the revised Part 6a – Anti-Fraud and Corruption Policy (and associated documents).
- iii) Received Parts 5c and 5d when complete.
- iv) Be provided (Councillor Ayris) with a copy of the South Yorkshire Police Protocol.

12 APPOINTMENT OF INDEPENDENT MEMBER - AUDIT & GOVERNANCE COMMITTEE: PROGRESS UPDATE

A report of the Deputy Clerk was submitted providing Members with an update on the process to recruit an Independent Member to sit on the Audit and Governance Committee.

Members noted that from the six application forms circulated, four completed applications had been received; only one application had been received by the specified deadline of 16 December. The Evaluation Panel, consisting of the Chair of Audit and Governance Committee, Councillor P Haith and A Bingham, Independent Member had met on 20 December 2016, where it had been agreed to progress the application for interview on 11 January 2017. The two late applications had been placed on hold until the outcome of the interview; all candidates had been notified of the outcome of the Panel.

Councillor Ransome queried how long Independent Members had sat on the interview panel. She also questioned why there had only been two Members on the interview panel, as it was thought good practice to have three Members.

L Noble commented that no guidance had been laid down for Independent Member interviews; the matter had previously been discussed, to which no issues had been raised.

Councillor Ayris referred to the two late applications that had been received on the 19 and 20 December, and he queried whether the Christmas rush on post had been taken into account.

L Noble commented that applicants had been given several opportunities to complete the applications including online and hand delivery with a deadline of 2½ weeks for submission. The interviews had been delayed into the New Year to allow the applications to be received and considered.

Councillor Ayris referred to the fundamental review of the role profile for an Independent Member to coincide with the review of the new governance arrangements in April/May 2017. He commented that it was incumbent on the Authority to look at the best practice for interviewing candidates. He reiterated that it should be part of the policy to ensure that an Independent Member was not a member of a political party and not related to anyone who was contracted to work with the Service.

L Noble commented that checks had been made to ensure that the applicants were not employed by the Service or related to any Member or employee of the Authority, to which this had been satisfied by the applicants. Members noted that in relation to the interview panel, best practice from elsewhere would be considered for the future.

M McCarthy added that the matter had been raised at the last Authority meeting where it had been said that best practice from elsewhere would be considered and incorporated into future exercises.

Councillor Ransome referred to the political party of an applicant.

M McCarthy commented that if the Authority considered that if an Independent Member was not upholding the same standards as Authority Members in their public role, then the Authority would intervene and take action.

Councillor Hughes challenged the comment made by Councillor Ransome. She stated that whatever an individual's political view when they applied for a job was a matter for them providing it did not undermine their role.

Councillor Ransome stated that she had made the comment following correspondence from the Chief Executive to the Authority's last Independent Member, which stated that she should not meet with Councillor Ayris or herself. She queried how another Independent Member could sit on a panel, considering that such a comment had been made to an Independent Member, and that an

independent route should be kept independent. She added that she was not privy to the pre-meetings.

Councillor Howard commented that the same rules would apply to the new Independent Member for them not to meet with any political group.

Councillor Buckley referred to Recommendation B within the report. He commented that in the private section of meeting the Chair of the Audit and Governance Committee would present her recommendations and that it would be the decision of Authority Members to determine whether the applicant would be appointed as an Independent Member.

RESOLVED – That Members:-

- i) Noted the action to date to recruit an Independent Member of the Audit and Governance Committee.
- ii) Agreed the recommendation of the Evaluation Panel as outlined at the meeting.
- iii) Noted the proposal to review the Terms of Reference for the Audit and Governance Committee, the role profile and remuneration for an Independent Member and requested officers to provide further reports as necessary to align with the review of the governance structure in April 2017.

13 SSCR SUPPORT POST

A report of the Chief Fire Officer and Chief Executive was presented to provide Members with the costs associated with the introduction of a dedicated coordination post in support of the Stronger and Safer Community Reserve (SSCR) fund.

AM Helps commented that the Authority had previously allocated £2 million of funding for SSCR, following which 44 community based projects had been funded, 14 of which would run throughout 2017. The Authority had agreed at its meeting in July 2016 to allocate an additional £2 million of funding to SSCR together with the provision of a post to support the coordination of future SSCR funding projects.

Members noted that the post would support the BMBC internal audit requirement for a dedicated post, which was anticipated to be advertised early in 2017. The post holder would work closely with officers from the South Yorkshire Fire Authority Governance Unit, at a cost of £110,000 over a three year period.

RESOLVED – That Members noted the contents of the report.

14 FUNDING REQUEST FOR LIFE TEAM EXTENSION

A report of the Chief Fire Officer was presented to provide an update on the Local Interventions and Falls Episodes (LIFE) team which was being piloted within Sheffield, along with a request for further funding from the Stronger and Safer Community Reserve (SSCR) to extend the pilot for a further 6 months.

AM Helps commented that the LIFE team had been introduced as a joint emergency services pilot in Sheffield in August 2016 with SSCR funding for a 6 month period, consisting of four members of staff, two staff members from South Yorkshire Police and two staff members from the Service. Since the introduction of the pilot a total of 268 home safety checks had been delivered together with over 190 crime prevention activities. The LIFE team had been mobilised on 49 occasions to assist people who had fallen in their properties. It was the intention to ascertain long term funding through a bid to the National Police/Fire Transformational Fund or local commissioned funding; the Police National transitional funding would not be available until March/April 2017. South Yorkshire Police would contribute two PCSO posts until the end of August.

The LIFE team had won an award for the best National Health Service (NHS) Collaboration initiative at the 2016 Health Business Awards Event in London.

Councillor Weatherall commented that he had attended the Safe and Well Training, and he referred to the roll out of the self-referrals for Councillors and other organisations. He recommended that Members supported the funding request.

Councillor Ransome commented that she was a great advocate of the LIFE Team and that she had no problems in supporting the funding request. She queried the Authority's stance financially to extend the funding.

M McCarthy commented that it was the Authority's decision to extend the funding. The Authority had set aside £2m on two occasions in the last 3 years to support SSCR. If the Authority considered it a worthwhile initiative, and wished to see an extension to the funding, then it had the authority to support the initiative.

Councillor Haith queried when the Huddersfield University's independent evaluation of the LIFE team would come back to the Authority.

AM Helps commented that the Service had recently received an interim evaluation which was currently being worked through. A full evaluation would be undertaken after 6 months and was expected to be received within the next 3 months. The full evaluation would be submitted to the Stakeholder Planning Board for discussion and then progressed onto the Authority.

Councillor Hughes queried whether the evaluation from Huddersfield University would be included in the funding request of £22,816.

AM Helps commented that the funding request was for extension of two LIFE team staff members to continue for an additional 6 month period to August 2017. The full approved sum covered the evaluation previously.

RESOLVED – That Members agreed to extend the LIFE Team within Sheffield for a further 6 months from 31 January 2017 at a cost of £22,816 from the Stronger and Safer Community Reserve Fund.

15 INDEPENDENT REVIEW OF CONDITIONS OF SERVICE FOR FIRE AND RESCUE STAFF IN ENGLAND

A report of the Deputy Chief Fire Officer/Director of Service Development was presented to provide a broad précis of the Independent Review with a recommendation that the matter of progressing the recommendations detailed within the Review were monitored within an appropriate sub-committee of the Authority.

Members noted that in 2014 a government-commissioned review had been initiated and was led by Adrian Thomas with the following objective:-

‘To review of the conditions of service of Chief Fire Officers and Firefighters, and the processes by which they are determined to consider whether they present barriers to the reform, improvement and efficiency of the fire and rescue services’.

ACFO Blunden commented that Members had received by email on 11 January the full report of the Independent Review, to enable them to consider the 43 recommendations in full. There was an expectation from the Government that fire and rescue services should have made swifter progress and the Government at the time had said they wanted to understand what was preventing positive change from occurring within the fire and rescue service. He considered that there was an expectation at some stage in the not too distant future that both the Fire Authority, the Service and representative bodies would be subject to some formal scrutiny relating to the Independent Review and the progress being made across the country. Due to the detailed analysis undertaken with the 43 recommendations, the report had recommended that the full gap analysis was placed within the Performance and Scrutiny Board, to enable the Authority to support and challenge the decisions required to be made regarding the Thomas Review, and to be brought back to the Authority for discussion.

Councillor Ransome requested an explanation at item 7 under the key findings section of the Thomas Review which stated ‘Unconscious bias training should be rolled out across the fire and rescue service’.

CFO Courtney commented that having attended a presentation given by Adrian Thomas, it was clear that he had a view within the fire and rescue service, that there were certain pre-conceptions which influenced the management style and relationships without people necessarily recognising where they originated from. He added that without knowing it, there was a preference towards certain types of people, character and personality traits. He added that it would only be by explaining to people that the preconceptions existed within everyone’s minds, and for them to be aware of them in relation to decisions around performance, selection and personal development, that ultimately a position would be reached that was in its best interests of the Service.

Councillor Howard commented that she worked for DWP and had undertaken the unconscious bias training, which was normal practice.

Councillor Buckley commented that he had read the Thomas Review a number of times, and he felt very strongly that it should be taken to the next meeting of the

Performance and Scrutiny Board to look at in-depth, with a view to bringing something back to the Authority following initial consideration by the Board.

Councillor Ransome queried whether other fire and rescue services had received a similar report as the Service with a similar amount of recommendations.

ACFO Blunden commented that the 43 recommendations were for consideration by all fire and rescue services.

RESOLVED – That Members:-

- i) Considered the content of the Independent Review.
- ii) Referred the Independent Review to the Performance and Scrutiny Board to ensure appropriate monitoring of the Service's and Authority's progress in relation to the recommendations detailed within the Independent Review.

16 DRAFT FINANCE SETTLEMENT AND 2017/18 BUDGET UPDATE

A report of the Clerk and Treasurer and Chief Fire Officer and Chief Executive was submitted to set out the implications of the provisional finance settlement and provided the latest draft budget for 2017/18.

On 15 December 2016 the provisional settlement had been announced, and the current indications were that the Authority would lose over £2m in settlement funding in 2017/18 compared to 2016/17.

The Government had announced that the Council Tax referendum limit would remain at 2% for 2017/18.

Members noted that notifications of any Section 31 Grants due to the Authority had not yet been received.

Councillor Ayris referred to paragraphs 25 and 26 of the report in relation to the reserves. He commented that it would be incumbent for the Authority, upon receipt of the report to the February Authority Meeting, to ensure that any proposed use of the reserves was both appropriate and timely.

RESOLVED – That Members received the report and considered the issues raised.

17 FRA BUSINESS PLAN - PERFORMANCE MEASURES: JULY 2016 - DECEMBER 2016

A report of the Clerk to the Fire and Rescue Authority was submitted to provide Members with the eighth update on the progress against the agreed FRA Business Plan Performance Measures for July 2016 – December 2016, and to invite comments on the content and reporting format.

Councillor Cave reminded Members to read and adhere to the FRA Business Plan 2016/17 at Appendix A to the report.

RESOLVED – That Members:-

- i) Noted the six-monthly update.
- ii) Provided feedback on the reporting format.

18 CONTINGENCY ARRANGEMENTS UPDATE

A report of the Chief Fire Officer and Chief Executive was submitted to update Members on the current arrangements with regards to contingency in the event of Industrial Action.

Members noted that it had been approved at the Authority meeting held on 27 June 2016 for Service Managers to commence negotiations with Securitas. On 21 December 2016 the Service had entered into a contract with Securitas for a 12 month period to run to January 2018, to guarantee the availability of officers-in-charge for 8 appliances during future periods of industrial action.

Councillor Haith queried when further details would be known on the FBU and pensions dispute.

ACFO Blunden commented that the pensions dispute had been taken to the High Court on 9 January 2017 and was currently being worked through. It was envisaged that an outcome would shortly be known, and a report would be provided to the Authority as soon as possible to keep Members appraised.

RESOLVED – That Members noted the contents of the report.

19 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.

20 DISPOSAL OF SITE OF FORMER DARNALL FIRE STATION

A report of the Chief Fire Officer and Chief Executive was submitted to provide Members with an update on the planned disposal of the former fire station at Darnall, Sheffield.

M Wright also provided Members with an update on the development of the land of the former Mosborough Fire Station.

RESOLVED – That Members confirmed the acceptance of the revised offer received for the Darnall Fire station site, subject to the conditions set out in the report.

21 LEASE OF OFFICE ACCOMMODATION

A report of the Chief Fire Officer and Chief Executive was presented to advise Members of the planned lease of office accommodation to Age (UK) Ltd.

RESOLVED – That Members confirmed agreement to the term outlined.

22 OUTSTANDING FINANCIAL COMMITMENTS (RESTRICTED CIRCULATION TO FRA MEMBERS ONLY)

RESOLVED – That Members approved the reimbursement in respect of the outstanding time off in lieu to the officer concerned.

23 APPOINTMENT OF INDEPENDENT MEMBER - AUDIT & GOVERNANCE COMMITTEE: PROGRESS UPDATE

RESOLVED – That Members approved the immediate appointment of the candidate interviewed on 11 January 2017 as Independent Member to sit on the Audit and Governance Committee, for one year pending a review of the role profile for Independent Members to align with the review of the new governance arrangements prior to the Annual Meeting in June 2017.

CHAIR

Item 9

SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

13 FEBRUARY 2017

PRESENT: Councillor A Atkin (Chair)

Councillors: S Ayris, A Buckley, P Haith, E Hughes,
C Ransome, M Rooney, J Satur and G Weatherall

CFO J Courtney, T/DCFO M Blunden, T/ACO M Mason,
S Booth, S Howe, A Mills and M Topham (South Yorkshire Fire
& Rescue Service)

D Terris, A Frosdick, A Brown, F Foster, L Noble, R Bywater
and M McCoolle (Barnsley MBC)

Dr A Billings (OPCC) and M Buttery (Office of the South
Yorkshire Police and Crime Commissioner)

Apologies for absence were received from Councillor A Cave,
Councillor S Howard, Councillor B Johnson and M McCarthy

1 APOLOGIES

Apologies for absence were noted as above.

2 ANNOUNCEMENTS

Councillor Atkin informed Members that Councillor Nasima Akther had resigned from the Fire and Rescue Authority for personal reasons. He commented that Councillor Akther had brought an energy to the meetings, and he expressed his thanks to her on behalf of Members for her contribution to the work of the Authority. He added that he knew she would continue to work passionately in her community.

Councillor Atkin welcomed Councillor Mick Rooney to his first Authority meeting, and that Members looked forward to working with him.

Councillor Atkin also welcomed Stuart Booth, the new Director of Support Services, to his first Authority meeting.

Councillor Atkin informed Members that Frances Foster, Director of Finance, would leave Barnsley MBC on 31 March 2017. Councillor Atkin thanked Frances Foster, on behalf of Members, for her support during the transition of the South Yorkshire Joint Secretariat to Barnsley MBC and for her advice and guidance as Treasurer to the Authority. He wished her the very best for the future.

3 URGENT ITEMS - 'POLICING AND CRIME ACT 2017 - REPRESENTATION ON THE FIRE AND RESCUE AUTHORITY'

A report of the Clerk to the Authority was submitted following the Royal Assent of the Policing and Crime Act 2017 on 31 January 2017, which allowed for Police and

Crime Commissioners to seek representation on Fire and Rescue Authorities, with voting rights where agreed by the Authority.

Councillor Ransome welcomed Dr Billings to the meeting, and she queried whether he would also attend the Authority's board and committee meetings.

Dr Billings commented that, at present, it was his intention to attend full Authority meetings only and that M Buttery, Chief Executive and Solicitor to the Office of the Police and Crime Commissioner (OPCC), would attend in his absence.

A Frosdick commented that Dr Billings would have full voting rights in supporting the Authority's business. Further discussions would be held with Dr Billings to determine his attendance at other meetings.

RESOLVED – Members agreed to the Police and Crime Commissioner or his nominee becoming a Member of the Fire and Rescue Authority with full voting rights.

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

RESOLVED – That agenda item 21 'Establishing a MTFA Team within South Yorkshire Fire and Rescue' be considered in the absence of the public and press.

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 represented the Authority at the Lifewise Governance Board on 30 January. South Yorkshire Fire and Rescue had agreed to increase the annual contribution towards the running cost of the Lifewise Centre, to match that of the South Yorkshire Police contribution for 2017-18. A two stage review of the Lifewise Centre was underway to consider the future location for a safety centre, to identify future partners and the types of activities which would be delivered through a safety centre. The Audit and Governance Board had discussed the future contribution from South Yorkshire Fire and Rescue in relation to the maintenance and dilapidation costs associated with the Lifewise Centre. It was noted that once the Strategic Collaboration Group, between South Yorkshire Fire and Rescue and South Yorkshire Police was in place, that consideration would be given towards the Authority overseeing the governance of the Lifewise Centre.

Councillor Ransome referred to the invitation made by R Winter in November 2016 to view the documentation for Wirral Cladding and Roofing Ltd. She commented that this had not happened, and that Members had been informed that the documentation could not be viewed as it was commercially sensitive. She queried the reasons for this.

A Frosdick informed Members that a complaint had been made to the Information Commissioner regarding access to this information, and what may or may not be

appropriate to be disclosed. The Authority was in dialogue with the Information Commissioner on the matter and the disclosure of the information in its entirety. Once a decision has been made by the Information Commissioner, A Frosdick would clarify the position in writing to Councillor Ransome. In the short term, the Authority was unable to disclose the documentation.

Given that the offer had been made in November 2016, Councillor Ransome queried when it was anticipated that Members would be able to have sight of the documentation.

A Frosdick expected to receive clarification from the Information Commissioner's office during the course of the week, and he would notify Councillor Ransome of the outcome.

D Terris added that the demands on the Information Commissioner were heavy, and the Authority was subject to their workloads and timescales. Councillor Ransome would be updated on the position as soon as possible.

Councillor Ayris reiterated Councillor Ransome's point. He considered that the issue regarding Wirral Cladding and Roofing Ltd had not yet been resolved.

7 RECEIPT OF PETITIONS

None.

8 TO RECEIVE ANY QUESTIONS OR COMMUNICATIONS FROM THE PUBLIC

None.

9 MINUTES OF THE AUTHORITY MEETING HELD ON 16 JANUARY 2017

Councillor Ayris referred to the 'Items to be Considered in the Absence of the Public and Press' item. He felt the minute did not reflect the context of the comments he had made. He added that it had been difficult to talk about the previous cases that he had referred to, to demonstrate his opinion that the decision to take the item in the private section of the meeting was challengeable if an individual had taken this to the Information Commissioner, and he requested that this be recorded in the accuracy of the minutes.

A Frosdick commented that he had not been present at the last Authority meeting, but if the draft minute did not reflect the point he had tried to make, the minutes would be amended accordingly to reflect that. Councillor Ayris did not feel the item should have been taken in the private section of the meeting, and he was trying to explain the reasoning with reference to previous cases.

Councillor Ayris suggested that it may be helpful to review the webcast of the meeting, as he had talked at length on the role of the Information Commissioner.

Councillor Ayris referred to the 'Review of the FRA Constitution: Part 5E – Contract Standing Orders (CSOS), Part 6A – Anti-Fraud and Corruption Strategy' item. He requested that the minutes should reflect that, D Cutting had undertaken at the

meeting to provide him with a written response which he had received, together with a subsequent response from A Frosdick for which he was very grateful. He had not asked for the information for his personal use, but for the benefit of all Members of the Authority. He requested that the responses from D Cutting and A Frosdick be circulated to all Members of the Authority.

Councillor Ransome referred to the 'Appointment of Independent Member – Audit and Governance Committee: Progress Update' item. She had queried the composition of the interview panel, and what guidance was in existence.

L Noble said she had contacted other Metropolitan Fire and Rescue Authorities, and every FRA had a different composition for their interview panel. The next time interviews were held for independent members, best practice from other Met FRAs would be taken into consideration when determining the composition of the interview panel.

Councillor Ransome referred to the 'Outstanding Financial Commitments' item. She queried the short recorded minute, as the item had involved a long discussion on which a vote had been taken, and she had requested that the vote be recorded.

A Frosdick commented that, in terms of legislation, if a Member wished a vote to be recorded, then they should indicate so at the time, and he had no recollection of a request being made. The minute reflected the legislation as the item had been taken in the absence of the public and press, and the legislation required that, where items are taken in private the minute must be produced as a summary to avoid disclosing the exempt information.

Councillor Ayris commented that Councillor Ransome was making the point that two Members of the Authority had voted against the recommendation. He acknowledged the fact that the request for that to be recorded should have been made at the time; however he wished to make it clear that Councillor Ransome and himself had voted against the recommendation.

Councillor Hughes commented that the agenda item had been taken in the absence of the public and press, and was an exempt item. She queried why the item had made headline news in the Yorkshire Post. She added that all Members had signed a Code of Conduct to adhere to confidentiality.

D Terris agreed that this was a very serious point and, as Clerk to the Authority, she took a dim view of any breach of confidentiality.

RESOLVED – That subject to the above amendments, the minutes of the Authority meeting held on 16 January 2017 be agreed and signed by the Chair as a correct record.

10 COMMUNITY SAFETY CAMPAIGNS PRESENTATION

The Authority received a presentation from T/Corporate Communications Manager A Mills, in relation to community safety campaigns. Work was undertaken with the Community Safety Teams, to devise a calendar of events for the year which was

based on historical incident data that the Service considered to have the most influence over i.e. electrical fires, cooking fires and older people.

Members were referred to a campaign that ran in May, June and July 2016 with the aim to reduce electrical fires in South Yorkshire by 5% versus the three year average for this type of incident. The objectives of the campaign had been:-

- To launch a high visibility campaign to reach at least 100,000 people via local media and advertising.
- DAX radio advertising to reach at least 50,000 people.
- To make direct engagement with at least 15,000 people via SMS, email or post.
- At least 10% of South Yorkshire's population to receive online engagement.

The following outputs had been achieved at the conclusion of the campaign:-

- 11 items of media coverage had reached 275,000 people.
- Social media had reached 120,000 people.
- DAX radio advertising had reached 101,000 people.
- SMS, email and post had reached 30,000 people.
- There had been a 27% reduction in electrical related house fires versus the three year average.

Members were referred to the #CHIPPAN campaign which ran in December 2016, which had attracted a considerable amount of media coverage including two national TV appearances. Following the campaign, it had been established that there had been 10 fewer accidental house fires in December 2016 in comparison to December 2015.

A campaign had recently been launched to target the reduction of house fires involving elderly people aged 65 and over. Members noted that it was harder to reach older people who did not respond to traditional communication methods, social media or online material. Therefore the campaign was targeted at the next generation i.e. their children or grandchildren, via an online video.

Nationally, the 'Fire Kills' campaign was one of the most notable fire campaigns run, by the Government for 18 years, although it had been scaled back due to austerity. There are now two 'Fire Kills' campaigns per year, which the Authority adapt for local use. The Chief Fire Officers' Association also ran campaigns and safety weeks, which the Service supported where appropriate. Road Safety campaigns were delivered in South Yorkshire by the Safer Roads Partnership and by the Office of the Police and Crime Commissioner, both supported by the Service.

A Mills requested Members assistance in distributing campaign materials at Ward surgeries, community groups or online, and within their respective local authorities.

Councillor Atkin commented that himself, and others, re-Tweeted information put out by the Service. During the Sprinkler campaign, Councillor Atkin had suggested

that sprinklers be installed during the upgrade of the central heating system at the Beeverleigh high rise building in Rotherham.

Councillor Haith had observed a number of Fire Safety campaigns advertised on the TV screens in the Reception of the Civic building in Doncaster, which has many visitors each day.

Councillor Ayris added that it was important to obtain feedback to establish the effectiveness of each campaign. In relation to the #CHIPPAN campaign, he was pleased to observe that the campaign had resulted in fewer chip pan fires compared to the previous year.

A Mills commented that campaign feedback was provided to Members via presentations at Authority meetings and through the Stakeholder Planning Board. The annual report included a section on each campaign and results.

Councillor Hughes queried whether the #CHIPPAN campaign song had reached number one in the charts at Christmas.

A Mills commented that the campaign song had not reached number one in the charts, but it had achieved much more than anticipated in terms of media coverage and the boost to staff morale.

Councillor Ransome thanked A Mills for his presentation. She considered that the 'Lend a Hand' campaign had been exceptional and had targeted the right audience. Councillor Ransome referred to the average cost to society of a house fire in Yorkshire and Humber which totalled £46,000, and she queried whether that was a cost to the Authority or the cost to the individual who had encountered the fire.

A Mills commented that this referred to Government data, which was 8 years old. It was the cost to society i.e. the cost of the Service responding, the increase in insurance premiums, house repairs and other contributory costs. This was similar to the Government calculations around the cost of accidental death to society of £1.8m; he would provide Members with the full report to indicate how the figure had been determined.

Councillor Atkin thanked A Mills for an interesting and informative presentation.

11 CHANGE OF AUTHORITY MEMBERSHIP

A report of the Clerk to the Authority was presented to inform Members that at the Sheffield City Council meeting held on 1 February 2017, it had been resolved that Councillor M Rooney would replace Councillor N Akther as its representative on the South Yorkshire Fire and Rescue Authority.

L Noble suggested that consideration be given to Councillor Rooney filling the positions left vacant following the resignation of Councillor Akther, with the exception of becoming Lead Member for Learning and Development due to the Learning and Development Schedule for 2016/17 being almost complete; she recommended that this position remain vacant until the AGM in June 2017.

Councillor Ransome welcomed Councillor Rooney to the Authority. She sought clarification as to how replacement Members were appointed when someone resigned mid-year.

L Noble confirmed that individual local authorities dealt with their own Member nominations and replacements on the Authority; in this instance Sheffield City Council's Full Council had agreed to appoint Councillor Rooney on to the Authority.

RESOLVED – That Members:-

- i) Noted that Councillor Akther's membership of the Authority ceased on 30 January 2017.
- ii) Noted the appointment of Councillor Rooney to the Authority by Sheffield City Council at its meeting held on 1 February 2017.
- iii) Considered appointing Councillor Rooney to the positions left vacant by the resignation of Councillor Akther.

12 SECTION 73 LOCAL GOVERNMENT ACT 1985 APPOINTMENT OF STATUTORY OFFICER (CHIEF FINANCE OFFICER)

A report of the Clerk to the Fire and Rescue Authority was submitted advising the Authority of the requirement to appoint a statutory officer responsible for the proper administration of the financial affairs of the Authority as required by Section 73 of the Local Government Act 1985 and to reflect revised arrangements for the organisation of Core functions within Barnsley MBC with effect from 31 March 2017.

Members noted that Barnsley MBC had reconfigured its Core Services and F Foster, Director of Finance, would retire on 31 March 2017. As a result of the reconfiguration, A Frosdick would assume the role of Director of Core Services for Barnsley MBC with effect from 1 April 2017.

RESOLVED – That Members noted the report and approved the appointment of Mr Neil Copley, Service Director for Finance from Barnsley MBC as Section 73 officer to the Authority with effect from 1 April 2017.

13 SYFR TRAINING AND DEVELOPMENT CENTRE REFURBISHMENT

A report of the Chief Fire Officer and Chief Executive was submitted providing Members with an update in relation to the refurbishment of the Training and Development Centre (TDC) at Beaver Hill, Sheffield.

Members noted that the Service, through the provisions of the SCAPE Group Framework Agreement, were now able to utilise specialist project management and construction services. The Service had become a member of the NHS Shared Business Services Framework Agreement for National Minor Works in June 2016.

Councillor Hughes commented that at the stage when a plan was submitted to the Authority, if the tendering process were not complete then this might put the

Authority in the position of agreeing a figure for capital works which ultimately did not reflect the true cost of the projected works. Where this were the case the Authority would need to be informed of any change in costs.

T/DCFO Blunden commented that the procurement process did present issues of this nature but that over the last 18 months this had been acknowledged and the Authority duly informed. He assured Members, on behalf of the Chief Fire Officer, that the £1.204m figure would be the total spend on the Training and Development Centre. The industry standard approaches to costing out any design provided some greater degree of surety.

The Service would provide a very detailed costing to SCAPE, which would result in a fixed price for the Phase II works, to which the Service would enter into a 'pain or gain' agreement with Kier. If there was any variation on the £759,000, the increase would be shared between the Service and Kier; subsequently, if a saving was made, then this would also be shared between the Service and Kier. The works were envisaged to commence in March 2017 and be completed by June 2017. The Service was confident that the figures included within the Capital Programme were accurate for the next 3 years, and would be presented for Authority approval at its next meeting.

Councillor Buckley referred to the Phase II works for the bedrooms and showers, and he queried whether the recruits' course would be a residential course.

T/DCFO Blunden commented that the course would be wholly residential to enable the individuals to be introduced to the life of a firefighter.

Councillor Ayris thanked T/DCFO Blunden for his explanation. He commented that the report appeared to him to suggest the total cost proposal had doubled, and had given him concern that this had perhaps happened with similar projects. T/DCFO Blunden had, to some extent, provided him with the reassurance that the final cost would not change.

Councillor Ransome gave thanks to T/DCFO Blunden for his explanation, and she queried who would oversee the works.

T/DCFO Blunden commented that S Booth, Director of Support Services would oversee the works. The project management arrangements within the Service ensure that any projects or capital expenditure is reviewed on a 4 weekly basis to flag up any variants at an early stage and enable steps to be implemented to mitigate those. It was noted that arrangements were already in place for the new Maltby Fire Station to ensure the works were delivered on time, on budget and within scope.

S Howe referred to Members' questions in relation to the capital programme and the Service's ability to judge the prices and costings. Members noted that the Service produces a rolling 3 year Capital Programme, but it was necessary to consider the scoping of certain elements 1 to 2 years in advance of commencement of works. Any potential cost increases would be brought back to the Authority.

Councillor Haith queried whether officers considered SCAPE to be timely and of cost benefit.

T/DCFO Blunden referred to a 16% premium for the use of SCAPE, although in terms of a number of projects and the CPC bills, it was considered that SCAPE could be managed without using the 16% premium. Various options were being considered to reduce the expenditure on the capital scheme. Members had been provided with a report at the November 2016 Authority meeting, to provide an update on the success of using SCAPE with Maltby Fire Station, which had been a worthwhile investment. The Service was looking to reduce the 16% premium on other building works undertaken.

Councillor Satur commented that it was good to see that the Service had learnt lessons from the Parkway and Birley Fire Stations, both of which had involved significant price increases.

A Frosdick commented that Members were rightly concerned to establish cost certainty. The Service was moving to a situation where cost certainty could be ascertained contractually. It was noted that building contracts were subject to a number of variables beyond price certainty dependant on climate conditions etc. and there was scope for movement for reasons that were different to the pricing structure. He considered that for a relatively brief period of time, the scope around issues of claims and delays from inclement weather were likely to be limited.

Dr Billings queried the basis of T/DCFO Blunden's reference to the Brexit Referendum voting having an 11% effect on costs.

T/DCFO Blunden commented that he would request the Head of Property Services to share the information with Dr Billings. It was noted that the building market had changed over the last 12 months, and the Brexit vote had impacted on the pricing structure for all builders across the country. This was worrying when considering the wider context of house building in South Yorkshire and the impact it could have on house prices.

Councillor Atkin requested that the information be provided to all Members.

RESOLVED – That Members:-

- i) Noted the contents of the report and approved the TDC Delivery Agreement sign-off.
- ii) Be provided with more detailed information on the increase in costs post-Brexit.

14 2017/18 COUNCIL TAX SETTING

A report of the Clerk, Treasurer and Chief Fire Officer and Chief Executive was presented to inform the Authority that it was required to approve the 2017/18 budget and set the council tax and precept by 28 February 2017.

Councillor Satur queried the 2018/19 premises cost within the 2016/17 to 2020/21 Capital Programme.

S Howe informed her that this figure related to the rebuild of Barnsley Fire Station.

Councillor Ayris commented that he felt a proper Reserves Strategy was required before agreeing the budget. He expressed concern that the number of Control staff would be cut as part of the budget proposals, and he queried the risk assessment undertaken in relation to reductions to Retained Duty Staff and Control staff.

T/DCFO Blunden informed Members that the reduction of staff in Control equal to 24, had been made in July 2016. The budget reduction reflected the existing staffing arrangements as opposed to a reduction in the coming year.

Councillor Ayris referred to the capital receipts as a result of the sale of Mansfield Road, Darnall and Mosborough Fire Stations. He queried whether it was possible to quantify the capital receipts which came into the Authority from the sale of assets i.e. disused fire stations over the current financial year.

S Howe commented that the sale of Mansfield Road had been the only fire station that had been finalised, at a price of £300,000. The sale of Darnall and Mosborough fire stations had been planned and projected, with £1,000,000 of capital receipts for the sale of all 3 fire stations. The sale of Maltby fire station had not been included in the projections, as further consideration was being given to its potential use going forward. In the event that it was agreed to sell Maltby fire station, this would increase the total of capital receipts and reduce the requirement to use reserves by that value.

Councillor Ayris referred to the main pretext for the use of reserves. He expressed concern that the risk of using reserves to prop up the capital programme would not be a wise decision when Service reductions were being made to front line staff; he could not support the proposal on that basis. He referred to the information provided following a presentation to the Corporate Advisory Group, which had outlined the risks of transferring reserves to the capital programme. He commented that he was very wary to support something that did not have a proper Strategy, and he requested that this be brought before a decision was made.

Councillor Ayris referred to the fact that council tax payers that were facing an increase of 1.97% over 3 years on top of the adult social care levy, and the cost of living which had increased by 3 points since December and had increased since Brexit. He referred to the report on the failings in previous years over the capital programme and the estimates which were inaccurate. On that basis, he could not support the proposal until a proper Reserves Strategy was presented to the Authority.

CFO Courtney referred to the previous capital projects, and challenged the comment about an inaccuracy in terms of predicting the cost of those projects. He suggested that there had been no waste of tax payers' money as the Service had not overpaid for the projects which had been delivered, and had been of good quality. Lessons had been learned in predicting costs when the project would extend over a 2 to 3 year period. It was noted that systems and processes had put

in place to anticipate costs and reporting to the Authority. Members noted that this had been an investment that was required in order to facilitate an IRMP, to enable the Service to deliver a service within a significantly reduced budget.

F Foster said the Reserves Strategy had been presented at previous Authority meetings where there had been discussions in relation to the level and appropriate use of the reserves, which were one off in nature. It was proposed that those reserves be used to fund one off expenditure in support of the investment priorities within the IRMP. The associated risks would be dealt with through the process in terms of monitoring and managing the capital programme. Members would be provided with information and there was an opportunity to revise the use of reserves. Her professional opinion was that the FRA had an adequate general level of reserves. Members would be provided with regular reports to determine whether this would be appropriate in 12 months' time.

Councillor Rooney disagreed with the comments made by Councillor Ayris', and asked if there was an alternative suggestion to fund the capital programme.

Councillor Haith reminded Members that the Authority's Reserves Strategy formed part of the Efficiency Plan which had been approved by the Government.

Councillor Ayris proposed a different use of the reserves to mitigate the impact on the council tax payers and until the Reserves Strategy was submitted to the Authority, he considered that an informed decision could not be made as to what the council tax levy should be.

Councillor Atkin considered that the Authority did have a Strategy and that this had been considered by Members on numerous occasions.

Dr Billings thanked officers for the report presented, which he considered to be extremely clear and very well set out with good narrative. He queried the prudential level of the reserves.

F Foster commented that there was no rule in terms of what an Authority's general reserves should be, but they were in line with the 5% revenue budget generally used. The amount of money earmarked for the capital programme was over 3 years, which the Authority may wish to revisit if issues or other priorities arose; the Authority would continue to consider the situation.

Councillor Ransome commented that she was unhappy that the surplus would go to general reserves. She queried the reasoning why the reserves should be bolstered leaving council tax payers to take the 'hit'. She was unhappy that the number of support staff would increase against a decrease in the number of Control and Retained Duty staff, and that she would prefer the extra income be utilised keeping frontline firefighters safe. Councillor Ransome considered the Authority would be asking a lot from council tax payers in light of the proposed council tax increase of 1.97% each year for the next 3 years, together with the social care increase on council tax.

Councillor Atkin commented that the Authority was reacting to permission from the Government to increase council tax by 2%. He had sympathy for the council tax

payers, but noted the requirement for the Authority to set a balanced budget. An Efficiency Plan was in place and he noted that the number of the Service's staff would be reduced over the next 3 years, in line with retirement, with recruitment undertaken at the same time. He considered, that if approved today, the council tax for Band D would total just less than £69. Approximately 90% of South Yorkshire properties were either Band A or B, which would equate to an annual increase of approximately £50, which he suggested for £1 per week, provided the best insurance policy against fire.

Councillor Ransome queried how realistic the pay award was for all staff at 1%.

A Brown commented that the figure was realistic, there would only be a 1% pay rise nationally up to the next 2 to 3 years.

Councillor Ayris also queried why the report did not reference the contribution to SSUK Ltd.

S Howe stated that there were no contributions to SSUK Ltd, as no costs were incurred to the Service. The Service paid for the Business Development Manager's staff salary which was recharged; the costs were shown within the employee line, and the recharge income was shown within the income line, which offset each other.

Councillor Ayris queried whether it included costs 'in kind' for labour.

S Howe commented that there were no costs 'in kind'. The Service recharged SSUK Ltd for the costs of support staff through a Service Level Agreement.

Councillor Ayris referred to the 'Contribution to Service Priorities' section of the report. He queried why only the finance and resources box had been selected to maximise efficiency. It was agreed that at all boxes within the section should be ticked.

Councillor Ayris and Councillor Ransome requested that their vote against the Revenue Budget be recorded.

RESOLVED – That Members:-

i) Approved the Authority's 2017/18 Revenue Budget at Appendix A.

All Members, including Dr Billings, voted in favour of the Revenue Budget for 2017/18, with the exception of Councillors Ayris and Ransome, who voted against the decision.

ii) Approved the 2017/18 Capital Programme as set out in Appendix B.

iii) Approved the Treasury Management and Investment Strategy at Appendix C.

iv) Approved a Council Tax Increase of 1.97% for 2017/18.

- v) Approved the creation of an Earmark Reserve of £14.891m to fund the capital programme as set out in paragraph 60.

15 DRAFT INTEGRATED RISK MANAGEMENT PLAN

A report of the T/Corporate Communication Manager was submitted to present Members with the draft Integrated Risk Management Plan (IRMP) for 2017-20 and described the steps which would be undertaken to consult on the proposals with the public and other stakeholders.

Councillor Ayris referred to the action plan, and he queried whether any projections had been undertaken on the effect on response times for the second pump attendance.

T/DCFO Blunden confirmed that projections on the effect on response times for second pump attendance had been undertaken when the Authority had employed the current IRMP, which had removed the second pump at Barnsley Fire Station and had changed day time staffing to night time retained. It was noted that within the current IRMP, the same arrangements would be made at Rotherham Fire Station on 20 March and at Doncaster Fire Station in 2018/19. Analysis had been undertaken to ensure that, whilst there would be an impact on attendance times, it was minimised as far as possible to ensure that other appliances available on the other stations would attend as quickly as possible.

Councillor Ayris requested that Members be provided with the data. T/DCFO Blunden would provide this information.

Councillor Haith queried when the Integrated Risk Management Plan would be brought back to the Authority for approval.

T/DCFO Blunden said this would be presented to the Authority meeting on 3 April.

Councillor Ransome referred to the Community Risk Model, and she queried the Doncaster high risk areas.

T/DCFO Blunden commented that the high risk areas related to deprivation and density of environment, which indicated the risk in terms of floods and fires to a particular area.

RESOLVED – That Members:-

- i) Approved the contents of the draft IRMP 2017-20.
- ii) Approved a six week consultation period on the proposals in the draft plan.

16 STRONGER SAFER COMMUNITIES RESERVE EVALUATION

A report of the Clerk to the Fire and Rescue Authority was presented seeking approval to commission Rocket Science to carry out a social return on investment analysis of the use of Stronger Safer Communities Reserve (SSCR) funds to date.

Members noted that a report had been presented to the Authority meeting in July 2016, which had outlined a revised delivery model for the use of the remaining funds and recommended that a small-scale research project be undertaken to evaluate the impact of £1.4m spent or committed to projects in Rounds 1 and 2 undertaken in 2013/14 and 2015/16.

RESOLVED – That Members approved £9,800 from the SSCR fund for the Social Return on Investment (SROI) evaluation contained in Appendix A to the report.

17 PAY POLICY STATEMENT

A report of the Clerk to the Fire and Rescue Authority was presented to provide the revised Pay Policy Statement for the Authority for 2017/18 for consideration of the full Authority, as required under the Localism Act 2011.

Councillor Ayris referred to a requirement under the Localism Act 2011 for the Authority to have a policy on pay multiples for senior staff. He queried whether the pay multiples took into account the overtime or time off in lieu awarded to senior officers.

A Brown commented that overtime or time off in lieu awarded to senior officers would not be included within the pay multiples, as it was the base grade that was taken into account.

Councillor Haith suggested that it would be helpful for year on year comparisons to be provided within future reports. For this year, Councillor Haith had obtained the information which indicated the ratio was similar to last year.

Councillor Ransome referred to other Fire and Rescue Services in the region, and queried whether the management pay structure was based on the size of the area and the number of staff, as South Yorkshire appeared to be one of the highest in the region for pay. She referred to the Thomas Review which had been discussed at the last Authority meeting, and had highlighted this issue.

Councillor Aktin specified that the Chief Fire Officer's salary was set against the national pay scales, and other salaries were set in comparisons based on an agreed ratio.

M Topham referred to a joint review undertaken in relation to the pay of the Chief Fire Officer with Tyne and Wear Fire and Rescue Service many years ago, using an external provider. The Chief Fire Officer's salary had been developed outside of the national pay spines and had moved forward on an Authority approved basis. Any changes made since the initial deviation from the national pay spines had been undertaken in partnership with Tyne and Wear Fire and Rescue Service. He referred to the Thomas Review which suggests a model for assessing principal officer pay, acknowledging the different pay scales across the fire sector and links between some authorities in the terms of resources and sizes.

RESOLVED – That Members approved the Pay Policy Statement.

18 SERVICE LEVEL AGREEMENT (SLA) WITH BARNESLEY MBC: 1ST APRIL 2017 - 31ST MARCH 2018

A report of the Clerk to the Fire and Rescue Authority was presented to provide Members with an updated Service Level Agreement (SLA) for consideration, and sought Authority approval to implement the revised SLA with effect from 1 April 2017.

Councillor Ayris queried whether it was the intention to undertake a whole scale review of BMBC services over the coming year, to establish a revised position for Members' consideration as part of the 2018/19 budget setting.

A Frosdick anticipated that fees would remain the same. However, work would be undertaken during 2017/18 to enable more transparency around the services provided and the costs incurred. This work would be undertaken in collaboration with the 'new Director of Support Services and Barnsley MBC Finance. A more detailed SLA would be presented to Members in February 2018.

RESOLVED – That Members:-

- i) Considered the revised Service Level Agreement (SLA).
- ii) Agreed its implementation with effect from 1 April 2017.
- iii) Reviewed the SLA on an annual basis.

19 QUARTER 3 2016/17 BUDGET MONITORING REPORT

A report of the Chief Fire Officer and Chief Executive and Clerk and Treasurer was submitted informing Members of the projected revenue and capital spend for 2016/17 based on actual and committed expenditure to December 2016 and a projection of spend in the final quarter of the year.

Members were referred to the November Authority meeting, where the projected outturn report as at September 2016 had been presented, which projected an under spend of £103,000. Following a reduction of approximately £15,000 to the under spend there was a new projected value of £88,000. A number of variances within the third quarter had offset each other in the main.

Councillor Ayris referred to SSUK Ltd. He understood that Members had been assured that they would be provided with regular updates as shareholders. He queried whether the SSUK Board had met at the end of January and the reasoning why the SSUK Special General Meeting scheduled for today had been cancelled.

L Noble confirmed that the SSUK Board had met on 27 January. The SSUK Special General Meeting had been scheduled for today, but due to timing issues, that meeting would now take place on 3 April, and the Annual Shareholders meeting would be held on the 26 June, at the conclusion of the Fire Authority AGM. The SSUK Board would also meet again between the SSUK Special General Meeting and the Annual Shareholders meeting on 26 June.

Councillor Ayriss commented that it had been agreed at the last Special General meeting that the meeting would be held within 6 months, and that this time period would lapse if the next meeting was not held until 3 April.

L Noble informed Councillor Ayriss that she would raise the matter with D Cutting as Company Secretary.

Councillor Haith queried the excess of £48,000 from the budget of £900,000 for rates, and she also queried the total of £50,000 from the interest receivable that was budgeted at £85,000. She welcomed that expenses had totalled almost £8,000 less than budgeted.

S Howe commented that at the time the rates had been set, the rates for Birley and Parkway fire stations had been unknown, and an assumption had been made on similar builders and building works previously undertaken at Dearne Fire Station; for the rates had been higher than budgeted for which had been built into the 2017/18 budget. The interest income was due to the reduction in income rates.

RESOLVED – That Members noted the content of the report.

20 MINUTES OF THE YORKSHIRE & HUMBER EMPLOYERS' ASSOCIATION HELD ON 19 JANUARY 2017

Members were presented with the minutes of the meeting of the Yorkshire & Humber Employers' Association held on 19 January 2017, on which Councillor Haith was the Fire Authority representative.

Councillor Haith commented that she could raise any issues provided by Members at future meetings.

RESOLVED – That Members noted the minutes of the meeting of the Yorkshire & Humber Employers' Association held on 19 January 2017.

21 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.

22 ESTABLISHING A MTFA TEAM WITHIN SOUTH YORKSHIRE FIRE AND RESCUE

A report of the Chief Fire Officer and Chief Executive was submitted in relation to the establishment of an MTFA team within South Yorkshire Fire and Rescue.

RESOLVED – That Members:-

- i) Considered the initial MTFA Business Case.

- ii) Approved the initial MTFA Business Case.
- iii) Considered the implications for South Yorkshire Fire and Rescue Authority.

CHAIR

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SHEFFIELD CITY REGION COMBINED AUTHORITY

AMP TECHNOLOGY CENTRE, WAVERLEY, ROTHERHAM, S60 5WG

MINUTES OF THE MEETING HELD ON 30 JANUARY 2017

PRESENT:

Councillor Sir Steve Houghton CBE, Barnsley MBC (Chair)
Councillor John Burrows, Chesterfield BC (Vice Chair)

Councillor Ann Syrett, Bolsover DC
Councillor Graham Baxter MBE, North East Derbyshire DC
Councillor Chris Read, Rotherham MBC
Councillor Julie Dore, Sheffield CC
Councillor Tricia Gilby, Chesterfield BC
Councillor Simon Greaves, Bassetlaw DC
Mayor Ros Jones, Doncaster MBC

Ruth Adams, SCR Exec Team
David Armiger, Bassetlaw District Council
Fiona Boden, SCR Exec Team
Huw Bowen, Chesterfield BC
Philip Cooper, SCR Exec Team
Steve Edwards, SYPTE
Andrew Gates, SCR Exec Team
Sharon Kemp, Rotherham MBC
Mark Lynam, SCR Exec TEam
Martin McCarthy, Deputy Monitoring Officer
John Mothersole, Sheffield CC
Joanne Neville, SCR Exec Team
Mel Dei Rossi, SCR Exec Team
Dave Smith, SCR Exec Team
Gareth Sutton, Sheffield CC / SCR
Daniel Swaine, Bolsover DC / NE Derbyshire DC
Diana Terris, Clerk / Barnsley MBC
Craig Tyler, Joint Authorities Governance Unit
Eugene Walker, S.151 Officer

Apologies for absence were received from Councillor A Rhodes, Councillor L Rose, D Bunton, S Fowler, A Frosdick, J Miller and N Taylor

1 VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS

It was confirmed that voting rights could not be conferred in respect of agenda item 16 – South Yorkshire Transport Revenue Budget and Capital Programme 2017/18, item 17 – SYPTE Directors Appointments and item 18 – South Yorkshire Passenger Transport Pension Fund as these matters regard the South Yorkshire Local Authorities only.

It was agreed that there were no further items where non-Constituent Members should not have voting rights.

2 APOLOGIES

Members' apologies were noted as above.

3 ANNOUNCEMENTS

None.

4 URGENT ITEMS

None.

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

None.

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

None.

7 REPORTS FROM AND QUESTIONS BY MEMBERS

None received.

8 RECEIPT OF PETITIONS

None received.

9 PUBLIC QUESTIONS

A series of questions were received from the Sheffield for Democracy organisation pertaining to devolution matters.

Questions were as follows:

Q1 Is the delay in public consultation a practical choice or a political choice, aiming to avoid the internal disagreements impacting on the election campaigns?

Q2 How will this delay square with Andrew Percy's comments?

Q3 Why is further public consultation restricted to Chesterfield & Bassetlaw?

Q4 What will happen to the City Region if Barnsley & Doncaster jump ship?

Q5 With a group of Councils divided on things as fundamental as the geography of the devolution agreement, never mind HS2, is the agreement still feasible?

Q6 What is the impact on the City Region's plans of losing the 2016/17 £30M tranche of new funding?

The Chair instructed officers to provide full responses to each question in writing.

10 MINUTES OF THE MEETING HELD ON 5 DECEMBER 2016

RESOLVED: that the minutes of the meeting of the SCR Combined Authority held on 5th December 2016 are agreed to be a true and accurate record.

11 DEVOLUTION UPDATE

Item deferred.

12 LGF CAPITAL PROGRAMME APPROVALS

A paper was presented requesting Members approval of a series of financial recommendations supported by the Central Appraisal Team and endorsed by appropriate Executive Boards.

RESOLVED, that the Combined Authority:

1. Approves the 23 change requests submitted as part of the SCRIF review and business case approvals process, noting these predominantly reprofile funds into future years and also the request to transfer funds between the Doncaster Urban Centre Waterside project and the Doncaster Urban Centre Markets Project.
2. Approves progression of the Centre for High Level Skills to Full Approval and Award of Contract at a cost of £3,513,134 to SCR CA, subject to the conditions set out in the Project Approval Summary Table attached at Appendix B of the covering report.
3. Approves progression of Sustainable Transport Exemplar Programme (STEP) to Full Approval and Award of Contract at a cost of up to £11.88m, subject to the conditions set out in the Project Approval Summary Table attached at Appendix C of the covering report.
4. Approves formalising arrangements with Sheffield City Council via a revised Agency Agreement for the management of the BIF fund which is done on behalf of SCR by Sheffield City Council

5. Approves progression of Doncaster Urban Centre: Enterprise Marketplace to Full Approval and Award of Contract at a cost of £3.189m to SCR CA subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix D of the covering report.
6. Approves progression of Sheffield Central Retail and Business District: Enabling works phase 2 to Full Approval and Award of Contract at a cost £3.514m to SCR CA subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix E of the covering report.
7. Approves progression of St Sepulchre Gate West Phases 1 and 2 to Full Approval and Award of Contract at a cost £7.5m to SCR CA subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix F of the covering report.
8. Approves progression of SCR Property Fund to Full Approval and Award of Contract at a cost £10m to SCR CA subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix G of the covering report.
9. Approves progression of Better Barnsley Town Centre Retail and Leisure Development to Full Approval and Award of Bridging Finance Facility at a cost £2.14m to SCR CA subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix H of the covering report.
10. Approves progression of Junction 36 Strategic Site Acquisition to Full Approval and Award of Contract at a cost £1.309m (£1.2m grant with contingent repayment/ £109,000 grant) to SCR CA subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix I of the covering report.
11. Approves progression of A618 Growth Corridor to Full Approval and Award of Contract at a cost £0.759m to SCR CA subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix J of the covering report.
12. Approves progression of Retford Employment Sites Phase 2 to Full Approval and Award of Contract at a cost £0.725m to SCR CA subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix K of the covering report.
13. Approves progression of AMRC Lightweighting Centre at a cost of £10m to the SCR CA subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix L of the covering report.
14. Approves delegated Authority to the Head of Paid of Service, in conjunction with the Chairman of the CA and in consultation with the S73 Officer to agree future investment / re-investment opportunities in the Advanced Manufacturing Park.

15. Approves progression of a bridging finance facility for Forge Island at a cost £1.5m to SCR CA subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix M of the covering report.
16. Approves delegated Authority to the Head of Paid of Service, in conjunction with the Chairman of the CA, to enter into the contractual arrangements required as a result of the above approvals.
17. Approves the use of written procedures to seek approval from the CA between meeting cycles for the two remaining early commission schemes (purchase of the AMP and Housing Investment Fund) subject to satisfactory completion of appraisal of the appraisal process ahead of the next cycle of meetings.

13 BUSINESS INVESTMENT FUND - ANCILLARY ISSUES

A report was received requesting the Combined Authority's consideration of 2 practical issues that have arisen since the launch of the BIF Programme c12months ago.

Members were reminded that on 22 June 2015, the CA approved the investment strategy for BIF and agreed that two sub-funds would be established: (a) a fund to support investment in indigenous companies (similar to the previous RGF programme) and; (b) a fund to support significant inward investment within the SCR.

Members were also reminded it was agreed the CA would be the Accountable Body for the BIF fund but the BIF Programme Board would continue to lead this initiative, reporting to the Business Growth Board and/or CA as appropriate;

The report summarised a number of additional previous agreements.

Members were advised that since the launch of the fund, £16.54m of grant support has been allocated to 15 companies (including one significant inward investment). This £16.54m is forecast to lead to £79m of total investment and create 782 jobs. To date 73% of the funding has been allocated to the inward investment strand of the programme, and there are a number of other significant projects in development.

However, it was noted the CA decisions of June 2015 limits the discretion of the BIF Programme Board to the provision of grant support only and Members were asked to consider whether, whilst this is appropriate in the vast majority of cases, restricting the BIF Programme to the provision of grant support prevents the BIF Programme Board from providing more innovative and less costly support through a loan instrument (or other mechanism) where there is a compelling case to do so. It was therefore recommended that the remit of the BIF programme be broadened to include grant support and, by exception, the provision of loans and/or repayable grants.

Members were assured such loans would be offered only by exception, be subject to the approval of the CA's S.73 officer (or his delegate) and subject to the usual due diligence and State Aid checks.

Regarding Inward Investment, Members were asked to consider the suggestion there are anomalies with the BIF Programme in regard of how this accords with empty premises in Enterprise Zones (EZs). It was suggested that the BIF Programme Board be given the delegated authority (exercised through the S.73 Officer or his delegate) to vary the repayment requirement if other analogous circumstances occur in the future or to require repayment where it is appropriate to do so (e.g. where a property was previously occupied by a charity that enjoyed business rate relief).

RESOLVED, that the Combined Authority:

1. Approves the BIF Programme Board being given the discretion to provide loans, repayable grants or other non-grant support by exception.
2. Agrees a modification to the rules in relation to the inward investment part of the BIF Programme.

14 Q3 FINANCIAL MONITORING

Members were presented with a report of the Director of Finance detailing the position of the revenue budgets and capital programme as at the end of Quarter 3.

Members were asked to recognise that the volatile nature of income streams presents challenges in making financial forecasts.

RESOLVED, that the Combined Authority

1. Notes the forecast revenue budget underspend of £700k on CA/LEP activity, despite contingency being taken for devolution legal challenges
2. Notes the forecast revenue budget break-even on South Yorkshire transport activity
3. Notes the forecast CA/LEP capital programme underspend of £20.5m against approved budget
4. Notes the forecast CA/LEP capital programme requirement to defray a further £39.6m to avoid claw back
5. Notes the forecast revenue budget underspend of £1.2m on SYPTE activity
6. Notes the forecast profit after tax of £400k for SYITA Properties Limited.
7. Agrees the budget variation recommendations summarised at section 2 of the covering report.

15 CA LEP DRAFT BUDGET REPORT

A report was received to provide Members with a first draft overview of the resources available to the CA/LEP for the forthcoming financial year.

It was noted the report has been prepared on the basis that no devolution monies will be received, curtailing the proposed growth in the SCR Executive's structure. Accordingly, planned revenue activity will be scaled back to meet existing resource.

It was noted capital programme forecasts are at this stage indicative, based upon partner returns from December but also including the LGF3 grant allocations announced on the 23rd January. Forecasts show that the Authority continues to remain materially over-programmed, restricting opportunities for new commissioning.

Members were asked to note the likelihood that the figures contained within the report will change before March as options are reviewed / refined.

It was noted that local authority subscriptions have been frozen for 2017/18.

Cllr Burrows noted that 14% of the Capital Budget is forecast to be spent in Chesterfield.

Cllr Dore asked what progress has been made with the Combined Authority's direction to officers to maximise the amount of sponsorship contributions to the costs of conferences. It was noted c£30k has been attracted for MIPIM so far.

RESOLVED, that the Combined Authority:

1. Notes that local authority subscriptions will be frozen for the forthcoming financial year.
2. Notes the on-going difficulty in preparing medium-term revenue budgets on un-committed and volatile income streams.
3. Notes the significant potential growth in revenue programme activity in the skills and employment area in future years, and the concerns around the Authority's ability to adequately resource the activity without Gainshare resource.
4. Notes that despite the LGF3 award, the Authority is still over-programmed on its LGF capital programme. This will require management in the next financial year.

16 SOUTH YORKSHIRE TRANSPORT REVENUE BUDGET & CAPITAL PROGRAMME 2017/18

A report was received to present Members with the final proposals for the South Yorkshire Transport Revenue Budget for financial year 2017/18.

It was noted the Capital Programme would now be presented to the next meeting.

Members were reminded the Combined Authority's revenue budgets and capital programmes are split between region wide activity in support of the CA/LEP Strategic Economic Plan and South Yorkshire activity in support of the South Yorkshire Transport Plan. Though the two plans are complementary, they are differentiated by geography and how they are funded.

It was noted the revenue budget principally resources the South Yorkshire Passenger Transport Executive to deliver the South Yorkshire Transport Plan, and is resourced itself through a levy on the South Yorkshire partners.

It was noted that for financial year 2017/18 partners asked for levy reductions of 5%, to be followed by further reductions of 2.5% for three concurrent years to 2020/21. Subsequently the CA and SYPTE have identified net cost savings and mitigations that will allow the levy to be reduced by 5% (£3.025m) in 2017/18. This has been achieved through efficiencies, demand reductions, and use of reserves. It is therefore been determined that policy-led savings are not required to meet this reduction.

It was noted that for 2017/18, the transport levy is proposed at £57,483k.

Members were reminded the CA has committed to reviewing a number of further technical accounting measures that could slow down debt further and asked to consider a recommendation to slow down provisions made to debt incurred before 2007 (when regulations changed) in a manner similar to that undertaken by partner authorities. It was noted this would save £2.2m by 2030/31, but cost more in the longer-term. To achieve this change the CA will be required to approve a change to its MRP policy statement which will be presented to Leaders as part of the CA's Treasury Management Strategy in March.

RESOLVED, that the Combined Authority:

1. Approves a transport levy for financial year 2017/18 of £57,483k noting that this represents a 5% reduction on the prior year.
2. Notes that proposed savings have arisen from demand-led reductions and operational efficiencies, rather than policy-led changes to services.
3. Agree to the change in Minimum Revenue Provision policy to enable proposed budget savings.

17 SYPTE DIRECTORS APPOINTMENT

Members were reminded that at the 24th October 2016 meeting, the SCR Combined Authority delegated authority to recruit to the positions of Director of Public Transport and Director of Customer Services to SYPTE's Executive Board.

A paper was presented to summarise the recruitment process undertaken and recommend the appointment of Tim Taylor as the new SYPTE Director of Customer Services.

RESOLVED, that the Combined Authority approves the appointment of Tim Taylor as the new SYPTE Director of Customer Services.

18 SOUTH YORKSHIRE PASSENGER TRANSPORT PENSION FUND

A report was received requesting the delegation to the Passenger Transport Pension Fund Committee of the approval of the final arrangements and relevant legal agreements for participation of the Fund within the proposed pension pooling arrangements of the Border to Coast Pool; and permission to enter into an appropriate agreement with the South Yorkshire Pensions Authority for the delegation of the functions of the Combined Authority as administering authority of the South Yorkshire Passenger Transport Pension Fund to facilitate participation of the Fund in the Border to Coast pooling arrangements.

It was noted that periodic reports will still be presented to the CA in respect of how the fund is performing.

RESOLVED, that the Combined Authority:

1. Approves the Passenger Transport Pension Fund Committee be given delegated authority to approve the final arrangements and relevant legal agreements for participation of the Combined Authority as administering authority of the South Yorkshire Passenger Transport Pension Fund in the proposed pensions pooling arrangements of the Border to Coast Pool
2. Agrees to enter into an agreement with South Yorkshire Pensions Authority for the delegation of the functions of the Combined Authority as administering authority of the South Yorkshire Passenger Transport Pension Fund to facilitate participation of the Fund in the Border to Coast pooling arrangements

19 ARRANGEMENTS FOR THE APPOINTMENT OF EXTERNAL AUDITORS

A report was received setting out the proposals for appointing the external auditor to the Authority for the 2018/19 accounts and beyond, as the current arrangements only cover up to and including 2017/18 audits.

It was noted the auditors are currently working under a contract originally let by the Audit Commission and the contract was novated to Public Sector Audit Appointments (PSAA) following the closure of the Audit Commission.

Members were asked to consider that rather than undertaking a local appointments process, a sector-wide procurement conducted by PSAA will produce better outcomes and will be less burdensome for the Authority, given that the audit costs are likely to be lower than if the Authority sought to appoint locally, as national large-scale contracts are expected to drive keener prices from the audit firms; without the national appointment, the Authority would need to establish a separate independent auditor panel, which could be difficult, costly and time-consuming; the PSAA can ensure the appointed auditor meets and maintains the required quality standards and can manage any potential conflicts of interest much more easily than the Authority; and supporting the sector-led body will help to ensure there is a

vibrant public audit market for the benefit of the whole sector and this Authority going forward into the medium and long term.

It was noted that if the Authority is to take advantage of the national scheme for appointing auditors to be operated by PSAA for the subsequent years, it needs to take the decision at this meeting to enable it accept the invitation by early March 2017.

RESOLVED, that the Authority accepts Public Sector Audit Appointments' (PSAA) invitation to 'opt in' to the sector led option for the appointment of external auditors for five financial years commencing 1 April 2018.

20 SCR TRANSPORT STRATEGY REFRESH

A report was received to present the rationale, scope, programme and budget associated with refresh of the Sheffield City Region (SCR) Transport Strategy.

It was noted the refresh is considered necessary to ensure transport provision continues to be aligned with the economic objectives of the soon to be refreshed Strategic Economic Plan (SEP) and the Conditional Outcomes it will seek to achieve; to promote more effective interaction with national and sub-national programmes and enable the proactive representation of the SCR's interests; to respond to changes to policy context, governance arrangements and devolved powers; to reflect the evolving landscape of transport in the North, which has been accelerated by the creation of TfN and other delivery organisations; to deliver an Investment Plan to yield a programme of activity that contributes toward delivery of both the SEP and the SCR Transport Strategy; and to ensure the Combined Authority, as the Local Transport Authority for South Yorkshire, is compliant with the Transport Act 2000 (as amended by the Local Transport Act 2008).

Members were advised the draft Transport Strategy will be subject to statutory public consultation over the summer.

It was agreed the consultants assisting with the refresh (ARUP) should invited to present to the LEP Board once the draft modal position statements (a key component of the refreshed strategy) have been prepared.

RESOLVED, that the Combined Authority:

1. Approves the proposed refresh of the SCR Transport Strategy in line with the approach presented in the main body of the covering report.
2. Approves the Transport Executive Board taking ownership of the production and delivery of both the refreshed Strategy and the Investment Plan.

21 MIDLAND MAINLINE CONSULTATION

A report was presented to provide an update on the Midland Mainline (MML) upgrade project and to seek approval in principle for the SCR to provide £5m in funding towards a line speed improvement scheme at Market Harborough.

It was noted the £5m allocation will be subject to the single Assurance Framework.

Members were advised a meeting has been arranged with the Rail Minister to express the CA's insistence the allocation must be conditional on assurances regarding the delivery of MML electrification (phase 2).

RESOLVED, that the Combined Authority:

1. Accepts the Market Harborough line speed improvement scheme into the SCR Transport Programme and agrees in principal to contribute the £5m SCR funding contribution subject to available budgets and a satisfactory SCR review of the Network Rail business case and LLEP project assurance recommendations.
2. Agrees a letter be sent from the CA to the Secretary of State for Transport asking him to reaffirm the Government's commitment to phase 2 of the MML electrification to Sheffield by 2023.

22 SUMMARY REPORT - HOUSING EXECUTIVE BOARD

RESOLVED – that the matters addressed in the summary report be noted and the recommendations of the Housing Executive Board be endorsed.

23 SUMMARY REPORT - TRANSPORT EXECUTIVE BOARD

RESOLVED – that the matters addressed in the summary report be noted and the recommendations of the Transport Executive Board be endorsed.

24 SUMMARY REPORT - SKILLS, EMPLOYMENT & EDUCATION EXECUTIVE BOARD

RESOLVED – that the matters addressed in the summary report be noted and the recommendations of the Skills Executive Board be endorsed.

25 SUMMARY REPORT - BUSINESS GROWTH EXECUTIVE BOARD

RESOLVED – that the matters addressed in the summary report be noted and the recommendations of the Business Growth Executive Board be endorsed.

26 SUMMARY REPORT - INFRASTRUCTURE EXECUTIVE BOARD

RESOLVED – that the matters addressed in the summary report be noted and the recommendations of the Infrastructure Executive Board be endorsed.

CHAIR

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MEETING:	Planning Regulatory Board
DATE:	Tuesday, 24 January 2017
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

Councillors D. Birkinshaw (Chair), G. Carr, M. Dyson, Franklin, Gollick, David Griffin, Hampson, Hayward, Higginbottom, Leech, Makinson, Markham, Mathers, Mitchell, Noble, Richardson, Riggs, Spence, Stowe, Tattersall, Wilson and R. Wraith

In attendance at site visit

Councillors D. Birkinshaw (Chair), Hayward, Makinson, Mathers, Mitchell, Spence, Tattersall and R. Wraith.

65. Declarations of Interest

Councillor Franklin declared a Non-Pecuniary interest in Minute no. 68 - **Planning Application No 2016/1414** – [change of use of existing function room on first floor to 3 no. B & B guest rooms at 24 The Market Inn, Wentworth Road, Elsecar, Barnsley S74 8EP] due to his involvement with Milton Hall.

Councillor Tattersall declared a Non-Pecuniary interest in Minute no. 69 - **Planning Application No 2016/1039** – [erection of an extension to current warehouse/processing facility with car parking at 418 Carlton Road, Carlton, Barnsley, S71 3HX] as she lives in the vicinity.

66. Minutes

The minutes of the meeting held on 20th December 2016 were taken as read and signed by the Chair as a correct record.

67. Land off Park Avenue, Royston - 2016/0738 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/0738** – demolition of existing semi-detached bungalow and erection of 10 no. dwellings with garages and car parking at land off Park Avenue, Royston, Barnsley S71 4AD

Ms P Jones and Mr R Walker addressed the Board and spoke against the officer recommendation to approve the application

Mr C Noble addressed the Board and spoke in favour of the officer recommendation to approve the application.

RESOLVED that the application be granted in accordance with the Officer recommendation subject to a S106 agreement and with an additional condition to retain boundary hedge on boundary with park.

68. 24 The Market Inn, Wentworth Road, Elsecar - 2016/1414 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1414** – change of use of existing function room on first floor to 3 no. B & B guest rooms at 24 The Market Inn, Wentworth Road, Elsecar, Barnsley S74 8EP

RESOLVED that the application be granted in accordance with the Officer recommendation subject to additional condition relating to length of stays.

69. 418 Carlton Road, Carlton, Barnsley, S71 3HX - 2016/1039 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1039** – erection of an extension to current warehouse/processing facility with car parking at 418 Carlton Road, Carlton, Barnsley S71 3HX.

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

70. 22 Windmill Avenue, (between houses twenty and thirty), Grimethorpe, Barnsley, S72 7AN - 2016/1305 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1305** – development of one pair of semi-detached dwellings (2 no. houses) and one detached dwelling including driveways and private gardens at 22 Windmill Avenue (between houses twenty and thirty), Grimethorpe, Barnsley, S72 7AN

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

71. Milefield Primary School, Milefield Lane, Grimethorpe, S72 7BH - 2016/1436 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1436** – erection of single storey classroom extensions to school and additional parking, bin store and siting of container and alterations to access road and footpaths at Milefield Primary School, Milefield Lane, Grimethorpe, S72 7BH.

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

72. Willowgarth High School, Brierley Road, Grimethorpe - 2015/1134 - For Approval

The Head of Planning and Building Control submitted a report to seek approval for a minor modification to the site layout, and an additional S106 contribution, in connection with **Planning Application 2015/1134** – application for approval of reserved matters of outline planning permission 2012/0537 – proposed development of 97 dwellings with associated access, parking and landscaping at Willowgarth High School, Brierley Road, Grimethorpe.

RESOLVED that approval is granted for the minor modification and additional S106 contribution in accordance with the Officer recommendation.

73. Planning Appeals - 1st to 31st December 2016

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2016/17.

The report indicated that one appeal was received in December 2016:-

- **Planning Application 2016/1234:** Raising of roof level to existing garage to create additional accommodation – resubmission (written representation) – delegated)

It was reported that 11 appeals have been decided since 1 April 2016, 9 of which (82%) have been dismissed and 2 of which (18%) have been allowed.

74. Diversion of public footpaths at Tyers Hall Farm

This item was withdrawn.

Chair

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

MINUTES

Present

Councillors D. Birkinshaw (Chair), G. Carr, Coates, Franklin, Gollick, Grundy, Hampson, Higginbottom, Leech, Markham, Noble, Richardson, Riggs, Spence, Stowe, Tattersall, Unsworth, Wilson and R. Wraith

75. Declarations of Interest

Councillor Unsworth declared a Non-Pecuniary interest in **Planning Application No 2016/1226** – [Erection of a single storey extension to the rear of the dwelling at 4 Orchard Terrace, Cawthorne, Barnsley S75 4HN] as he is a Member of Berneslai Homes' Board.

A number of Councillors declared non-pecuniary interests in items on the agenda due to their involvement with the applications as local ward members.

76. Minutes

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

77. 31 Roman Road, Kexbrough - 2016/1122 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1122** - Erection of 3 no. residential dwellings at 31 Roman Road, Kexbrough, Barnsley, S75 5DE.

Mr D Alderson addressed the Board and spoke in favour of the officer recommendation to approve the application.

Ms L Pilarek addressed the Board and spoke against the officer recommendation to approve the application.

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

78. The former Three Horeshoes Public House, Barnsley Road, Brierley, Barnsley - 2016/1381 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1381** - Conversion of former public house into 7 apartments and erection of 2 detached dwellings at the former Three Horseshoes Public House, Barnsley Road, Brierley, Barnsley, S72 9JT.

Mr H Gledhill addressed the Board and spoke in favour of the officer recommendation to approve the application.

Ms G Devoy addressed the Board and spoke against the officer recommendation to approve the application.

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

79. Land to the east of Old Mill Lane, Barnsley - 2016/1399 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1399** - Erection of a retail unit (Use Class A1) with car parking, landscaping and associated works at land to the east of Old Mill Lane Barnsley S71 1LL

RESOLVED that the application be granted in accordance with the Officer recommendation subject to amendment to condition 14 (change from restricting delivery hours to a traffic management plan for delivery lorries).

80. Land off Wilthorpe Road, Barnsley - 2016/1228 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1228** [Increase total number of dwellings from 302 (applied under app 2014/0474) to 326, including 14 dwellings on public open space and a net gain of 10 units through plot substitutions at land off Wilthorpe Road Barnsley, S75 1JQ description] – For Approval

RESOLVED that the application be granted in accordance with the Officer recommendation and subject to a S106 Agreement (upgrading of play area LEAP to NEAP, plus provision of additional youth facilities and off site contributions for affordable housing and education).

81. Barnsley Markets and adjoining land, Cheapside, Barnsley - 2016/1504 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1504** - Variation of condition 2 of previously approved 2016/0924 to allow refinements to design of the public library and change the mezzanine into a full floor at Barnsley Markets and Adjoining Land, Cheapside, Barnsley, South Yorkshire.

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

82. 4 Orchard Terrace, Cawthorne, Barnsley - 2016/1226 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1226** - Erection of a single storey extension to the rear of the dwelling at 4 Orchard Terrace, Cawthorne, Barnsley, S75 4HN.

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

83. Bollingbroke House Care Home, Common Road, Brierley, Barnsley - 2016/0964 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/0964** - Erection of a four storey residential care building containing 32 care apartments at land to the rear of Bollingbroke House Care Home, Common Road, Brierley, Barnsley, S72 9EA].

RESOLVED that authority be delegated to Officers to seek to agree additional parking provision for the development prior to issuing a decision to approve the application in accordance with the Officer recommendation. In addition a S106 Agreement shall need to be in place to ensure that occupancy restrictions apply to ensure that the development is only occupied by persons who have been medically assessed as being in need of care.

84. Land off Kings Road, Wombwell, Barnsley - 2012/0473 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/0473** - Erection of 35 dwellings including 3 affordable 2 bed bungalows, associated garages/parking and associated roads and sewers at land off Kings Road, Wombwell, Barnsley, South Yorkshire.

RESOLVED that the application be granted in accordance with the Officer recommendation and subject to a S106 Agreement (compensation for loss of greenspace, provision of new greenspace off the site and on site affordable housing provision).

85. Planning Appeals - 1st to 31st January 2017

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2016/17.

The report indicated that two appeals were received in January 2017:-

- **Planning Application 2015/1070** Residential development of 278 dwellings with public open space and landscaping at land off Summerdale Drive and Carrs Lane, Cudworth, Barnsley (Public Inquiry) Committee
- **Planning Application 2016/1402:** Felling of Oak Tree (T2 within TPO 3/1980) and replacement at 73 Martin Croft, Silkstone, Barnsley S75 4JS. (written representation) – delegated.

It was reported that two appeals were decided in January 2017. 12 appeals have been decided since 1 April 2016, 10 of which (83%) have been dismissed and 2 of which (17%) have been allowed.

The update was noted.

86. Exclusion of 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 1 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>
87	Paragraph 6

87. Home Farm (barn and farmhouse), Worsbrough Village, Barnsley

RESOLVED that the Head of Planning and Building Control be granted Delegated Authority to serve a Listed Building Repairs Notice at Home Farm (Barn) and a future Urgent Works Notice at Home Farm (farmhouse) Worsbrough Village

Chair



MEETING:	General Licensing Regulatory Board
DATE:	Wednesday, 22 February 2017
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors C. Wraith MBE (Chair), J. Carr, Cave, Clarke, S. Green, Daniel Griffin, Hampson, W. Johnson, Lamb, Markham, Millner, Richardson, Saunders, Shepherd, Tattersall and Wilson

7 Declaration of Interests

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

8 Minutes

The minutes of the meeting held on the 26th October, 2016 were taken as read and signed by the Chair as a correct record.

9 Alternative Driving Assessments - Update

The Service Director Culture, Housing and Regulation submitted a report on the appointment of two alternative driving assessment providers following the withdrawal of the Driver and Vehicle Standards Agency (DVSA) as a result of the need to re-prioritise their activities.

The outcome of the DVSA decision was that from 31st December, 2016 all applicants for taxi licences had been unable to undertake the practical driving test assessments required as a condition of licence conditions and the Authority had, therefore, been unable to issue any new licences.

In order to address this issue the Authority had invited two companies which provided such services to tender for the Barnsley contract. Two companies, the Blue Lamp Trust and Taxi Driving Solutions had responded and had been appointed both of which undertook tests to the same standard as the DVSA, details of which were outlined.

The Blue Lamp Trust provided practical driving assessment tests (excluding the wheelchair element) to a number of local authorities in a location convenient to the applicant. Waiting times were currently 15 working days and the cost per test was £85. Taxi Driving Solutions provided a similar assessment but with the option or undertaking a wheelchair element. Tests were undertaken at a testing centre within Barnsley and current waiting times were approximately 5 working days. The costs involved were £65 for the standard test and £80 for the test with the wheelchair element.

It was noted that both providers had been delivering this service for approximately 2 months without issue or complaint.

In the ensuing discussion, the following matters were raised:

- It was noted that some drivers had been required to undertake driving tests out of district since the withdrawal of the DVSA
- The rationale for adopting two providers was referred to. It was felt that this provided greater flexibility, options and choice for applicants
- Reference was made to the need to scrutinise providers to ensure that standards were being maintained. It was noted that this would be undertaken via an annual review with the possible introduction of 'mystery shop' (in association with officers from Smithies Lane Depot) in the intervening period. An assurance was given that such actions would be undertaken as and when resources permitted
- It was noted that the wheelchair element was not a compulsory requirement unless drivers wished to operate accessible vehicles
- The costs charged by these companies was not massively different from those charged by the DVSA

RESOLVED that the report be noted and action taken to appoint companies to undertake driving tests be supported.

10 Theory Test Fees

The Service Director, Culture, Housing and Regulation submitted a report seeking approval to the introduction of revised theory test fees.

The current theory test comprised a total of 80 questions focussing on the Highway Code, Disability and Customer Care, Conditions of Licence (including Safeguarding), Places of Interest and Numeracy and Literacy with 16 questions in each section. The pass mark was 75% with a requirement to pass a minimum of 12 in each section.

The current fee for undertaking the test was £10 which, following an analysis had been found to be significantly less than actual cost of delivering the service.

The report outlined the legislative background to the setting of fees and indicated that whilst there was no statutory requirement to publicise any changes to the level of fees, consultation had, nevertheless, been undertaken with the trade on the proposed changes.

In calculating the proposed fee structure, details of which were outlined within an appendix to the report, account had been taken of:

- All activities required for the delivery of the theory test
- Staff costs associated with supporting the service
- Support provided by other parts of the Council to the Licensing Team

The new theory test fees, if approved, would be set at £65 (including the mandatory safeguarding training) or £60 (candidate resit – exclusion of safeguarding training as this would have been received at the previous test). In addition the new fees would enable the service to recover the costs of operating the service which would otherwise be borne by the local tax payers.

In the ensuing discussion, the following matters were raised:

- It was hoped that the revised fees would encourage candidates to be better prepared and informed and, thereby, reduce the churn rate of repeat applicants and reduce the bottleneck in the waiting lists especially for resit applications
- If agree, the new test fees would become applicable immediately following the Budget Council meeting to be held on the 23rd February, 2017
- The way in which applications were dealt with was explained. It was noted that the Service currently held two waiting lists; one for new applications and one for resits. The Service also kept a record of the number of times an applicant took the theory test
- It was pleasing to note that the council would be recouping the actual cost of operating the service
- There was a discussion of the possibility of introducing, at some future date, an online theory test system and arising out of this discussion reference was made to the itinerary and arrangements for the test 'days'
- Information was provided about Safeguarding training which was delivered by Sheffield Futures. Drivers were required to undertake this mandatory training every two years
- It was confirmed that applicants had to undertake both a theory test and a driver assessment prior to the granting of a licence. The Service also undertook any necessary audits to ensure that these processes remained robust
- Details of the current waiting lists for tests was provided. It was pointed out that if the number of applicants reduced or increased the Service would examine the fees structure further to ensure that the council was not making either a profit or loss. In response to specific questioning about the rationale for the fees structure particularly in relation to the rounding up/down based on the number of new applicants versus resits, an assurance was given that further analysis of this would be undertaken to ensure that the structure was correct

RESOLVED that the revised fee structure be approved for immediate implementation if approved as part of the Budget at the meeting of the Council to be held on the 23rd February, 2017.

Chair

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Item 14

NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL

7th February, 2017

1 Present: Councillors C Wraith MBE (Chair), W Johnson and Tattersall

Members of the Public and Press were excluded from the meeting.

2 Declarations of Interests

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

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

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

The applicant was in attendance and gave evidence in support of his case.

After considering all the evidence presented together with the representations made the Panel determined that taking account of the manner in which the applicant presented himself Mr M M was regarded as a fit and proper person to hold such a licence and the application was granted on the following grounds

- There was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions in relation to Migrant Workers
- Whilst resident in his country of origin he confirmed that he had no criminal convictions recorded against him
- He had lived in the UK for approximately 12 years, had held various positions of employment and had undertaken courses at Barnsley College
- The Enhanced DBS check was clear
- The Panel was comforted at:
 - His good command of the English language
 - His apparent knowledge of the area which was reflected by his previous employment as a delivery driver

The decision of the Panel was unanimous.

4 Hackney Carriage and Private Hire Driver's Licence – Application – Mr I A C

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

The applicant was in attendance and gave evidence in support of his case.

After considering all the evidence presented together with the representations made the Panel determined there was insufficient justification to warrant a departure from the Council's Guideline Policy for Criminal Convictions and the application was

refused due to the number and severity of the offences committed and the failure to present sufficient extenuating circumstances to warrant a departure from that Policy.

The decision of the Panel was unanimous.

5 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr L H

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 L H.

Mr L H was in attendance and gave evidence in support of his case.

After considering all the evidence presented together with the representations made the Panel determined that in view of the extenuating circumstances outlined including the way in which he had presented himself, the admission to the offences for which he had received Written Warnings, the fact that he had paid the necessary fines and take steps to address the issues concerned, there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and he be allowed to keep his licence. This decision was made subject to him being issued with a Written Warning as to his future conduct.

The decision of the Panel was unanimous.

7th March, 2017

6 Present: Councillors Ennis (Chair), Shepherd and Tattersall together with Councillor W Johnson (Reserve Member)

Members of the Public and Press were excluded from the meeting.

7 Declarations of Interests

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

8 Hackney Carriage and Private Hire Driver's Licence – Application – Mr A M

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 A M.

The applicant was not in attendance to present evidence in support of his case.

After hearing all the evidence in the driver's absence the Panel determined that the application be refused as it was not in a position to be able to receive any mitigating or extenuating circumstances to warrant a departure from the Council's Guideline Policy for Criminal Convictions and the Panel was not satisfied that he was a fit and proper person to hold such a licence.

The decision of the Board was unanimous.

9 Hackney Carriage and Private Hire Driver's Licence – Application Mr M I B

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 M I B.

The applicant was in attendance together with Mr D W (Licensing Consultant) who gave evidence in support of his case.

After hearing all the evidence presented together with the representations made the Panel determined that the application be refused as Mr M I B had presented insufficient extenuating circumstances to warrant a departure from the Council's Guideline Policy for Criminal Convictions and the Panel was not satisfied that he was a fit and proper person to hold such a licence.

The decision of the Panel was not unanimous.

10 Hackney Carriage and Private Hire Driver's Licence – Application – Mr P W

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 P W.

The applicant was in attendance to give evidence in support of his application.

After considering all the evidence presented together with the representations made the Panel determined that, taking account of the manner in which the applicant presented himself together with the mitigating and extenuating circumstances outlined, there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and Mr P W was regarded as a fit and proper person to hold such a licence. The application was granted for one year subject to review in six months time.

The decision of the Panel was unanimous.

9th March, 2017

11 Present: Councillors C Wraith MBE (Chair), Daniel Griffin and J Carr.

Members of the Public and Press were excluded from the meeting.

12 Declarations of Interest

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

13 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr N J F

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 N J F.

Mr N J F was in attendance and was supported by Mr D W (Licensing Consultant) who gave evidence in support of his case.

After considering all the evidence presented together with the representations made the Panel determined that in view of the extenuating circumstances outlined including the way in which he had presented himself, his genuine remorse at his actions, his previous unblemished record and the reference from a local Taxi Company there was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and he be allowed to keep his licence. This decision was made subject to him being issued with a Final Written Warning as to his future conduct and him being required to retake the Safeguarding Course as a matter of urgency.

The decision of the Panel was not unanimous.

14th March, 2017

- 14 Present:** Councillors Tattersall (Chair), Frost and Saunders together with Councillor W Johnson (Reserve Member).

Members of the Public and Press were excluded from the meeting.

15 Declarations of Interest

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

16 Hackney Carriage and Private Hire Driver's Licence – Appeal against Revocation – Mr K F

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting the determination of an appeal against the immediate revocation of a Hackney Carriage and Private Hire Driver's Licence held by Mr K F.

Mr K F was in attendance and was supported by Mr S A (Solicitor) who gave evidence in support of his case.

After considering all the evidence presented together with the representation made including evidence given by two witnesses on behalf of the Licensing Service, the Panel determined that the appeal be dismissed and the immediate revocation be upheld on the following grounds:

- He had fallen well below the minimum standards required for a Hackney Carriage and Private Hire Driver
- His inappropriate behaviour coupled with the use of foul and abusive language
- The failure to present extenuating circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and the presentation by the Licensing Service of sufficient evidence to show that he was not a fit and proper person to hold such a licence

- His breach of Condition 4(c) of the licensing terms and conditions, namely the failure to conduct himself with civility and properly towards every person hiring his vehicle or being conveyed in it.

The decision of the Panel was unanimous.

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Item 15

NOTES OF MEETINGS OF THE STATUTORY LICENSING REGULATORY BOARD SUB COMMITTEE

14th February, 2017

- 1 **Present:** Councillors Wilson (Chair), Daniel Griffin and Tattersall.

Members of the Public and Press were excluded from the meeting

2. **Declarations of Pecuniary and Non-Pecuniary Interest**

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

3. **Application for an Expedited Review – Chambers, Peel Square, Barnsley – Interim Review**

The Sub Committee considered a report on an application by the South Yorkshire Police for an Expedited Review of the Premises Licence in respect of Chambers, Peel Square, Barnsley.

The Sub Committee considered the application which had been based upon certain events that had taken place either inside or on the outside curtilage of the premises over the last eleven months which had culminated in a serious incident.

After hearing all the evidence presented by all parties, including the serious crime that occurred on the 9th February, 2017 and after careful consideration of the interim steps required to be taken immediately to prevent further serious crime and disorder at the premises (pending a full review of the premises licence to be held within 28 days of the application being received by the Licensing Authority) the Sub Committee determined that the following steps be implemented for the promotion of the Licensing Objectives:

Licensable activities

Opening hours, to the public, to be reduced to:

Monday – Saturday: 1300 – 0030hrs

Sunday: 1300 – 2330hrs

Supply of alcohol to be between the following times:

Monday – Saturday: 1300 – 0000hrs

Sunday: 1300 – 2300hrs

(Other licensable activities to retain their start times but to reflect the closing times of the premises as detailed above)

No sale of alcohol for consumption off the premises.

Door staff

The current levels of door staff to be maintained at current levels

Management of the premises

The Designated Premises Supervisor, or a nominated, responsible, personal licence holder, to be present at all times the premises open to the Public. This person to take responsibility for reporting Crime & Disorder incidents to South Yorkshire Police as well as any other Emergency Service which may also be required.

No glassware to be taken outside the premises.

A CCTV system to be fitted and maintained at all times the premises are open to the Public. CCTV images to be stored for 30 days and to be made available to Police, and authorised officers of the Council, in connection to the prevention of crime and disorder.

A copy of South Yorkshire Police violent incident protocol to be displayed and to form part of staff training.

Refusals & Incidents

To have a strict policy on the refusal of all customers who appear too intoxicated and record such refusals.

To record incidents that occur within the premises. Door Security to advise Management of incidents which occur on the premises curtilage which are of a Crime & Disorder, ASB or Public Safety nature. These also to be recorded.

Pubwatch

To be an active member of the local Pubwatch scheme.

Ensure that the premises adheres to the Pubwatch Rogues Gallery by not allowing/serving members in the premises who are barred through the scheme.

Non urgent contact with South Yorkshire Police

Regular telephone calls and meetings with the Licensing Officer to identify emerging areas of concern.

The decision of the Sub Committee was unanimous.

6th March, 2017

- 4** **Present:** Councillors C Wraith MBE(Chair), Daniel Griffin and Wilson together with Councillor Tattersall (Reserve Member).

Members of the Public and Press were excluded from the meeting

5. Declarations of Pecuniary and Non-Pecuniary Interest

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

6. Application for a Review of the Premises Licence – Chambers, Peel Square, Barnsley

The Sub Committee considered a report on a review of the Premises Licence in respect of Chambers, Peel Square, Barnsley which was required to be held following an expedited hearing held on the 14th February, 2017.

The Sub Committee determined that, having heard representations from all parties, and those parties having mediated to an agreed set of conditions, it was appropriate to endorse those proposals as follows:

- That the conditions imposed at the expedited hearing be retained but that the opening hours revert to those of the original premises licence; and
- That in relation to Door Staff:
 - 2 Door Staff be on duty from 8.00 pm to Closing time on Fridays and Saturdays; and
 - 2 Door Staff be on duty from 7.00 pm to Closing Time on Sundays

These conditions were to come into force with immediate effect.

The decision of the Sub Committee was unanimous.

15th March, 2017

- 7 Present:** Councillors W Johnson (Chair), Frost and Daniel Griffin together with Councillor Wilson (Reserve Member).

Councillor Wilson left the meeting prior to the commencement of the case as he was not required to act in the capacity of Reserve Member.

Members of the Public and Press were excluded from the meeting

8. Declarations of Pecuniary and Non-Pecuniary Interest

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

9. Review of Premises Licence – Whispers, Regent Street, Barnsley

The Sub Committee considered a report on an application by the South Yorkshire Police for a Review of the Premises Licence in respect of Whispers, Regent Street, Barnsley.

The Sub Committee considered the application which had been based upon the continual breach of licence conditions, anti-social behaviour and lack of confidence in the management of the premises within the context of the Licensing Objectives and particularly Objectives:

- Prevention of Crime and Disorder; and
- Public Safety

The Sub Committee noted that Statutory Guidance required it to consider only those steps that were necessary and proportionate to promote the Licensing Objectives. After considering all the evidence presented and having listened to the representations made by all parties the Sub Committee determined that in order to promote those Objectives, the licence in respect of Whispers be revoked on the following grounds:

- The continual breach of licence conditions
- The anti-social behaviour occurring at and in the vicinity of the premises
- The Responsible Authorities lack of confidence in the management of the premises
- The lack of communication from the premises and the failure to manage incidents
- The ongoing safety concerns linked to the electrical works which remain incomplete
- The safeguarding concerns in respect of poor security procedures and the lack of effective management
- The failure to fully comply with the additional conditions attached to the licence following a review of the premises licence in 2016

The Sub Committee also noted that, as a matter of law, the Premises Licence holder was responsible for the management of the premises. The Licence holder in this case, could have taken action personally to remedy the issues identified at the hearing and this was also permitted as detailed within Paragraph 29.6 of the Tenancy Agreement, but he failed to take any action.

The decision of the Sub Committee was not unanimous.

Item 16

APPEALS, AWARDS AND STANDARDS REGULATORY BOARD

- (a) **School Admission Appeals Panel – 23rd January, 2017**
- | | |
|-------------------------|-------------|
| Doncaster Road Primary | 1 Withdrawn |
| Carlton Primary Academy | 2 Refused |
| Queens Road Academy | 1 Refused |
- (b) **School Admission Appeals Panel – 31st January, 2017**
- | | |
|------------------|-----------|
| Birdwell Primary | 1 Allowed |
| Forest Academy | 1 Refused |
- (c) **School Admission Appeal Panel – 13th February, 2017**
- | | |
|------------------|-----------|
| Barnsley Academy | 2 Refused |
|------------------|-----------|
- (d) **School Admission Appeal Panel – 14th February, 2017**
- | | |
|------------------------------------|-------------|
| Wilthorpe Primary | 1 Allowed |
| Horizon Community College | 1 Withdrawn |
| Outwood Academy-Littleworth Grange | 1 Allowed |
- (e) **School Admission Appeal Panel – 28th February, 2017**
- | | |
|--------------------|-----------|
| The Hill Primary | 2 Allowed |
| Keresforth Primary | 2 Refused |
- (f) **School Admission Appeal Panel – 8th March, 2017**
- | | |
|-------------------------|-----------|
| Brierley C of E Primary | 2 Refused |
| Birdwell Primary | 1 Allowed |
- (g) **School Admission Appeal Panel – 10th March, 2017**
- | | |
|----------------------|-----------|
| Barugh Green Primary | 1 Refused |
|----------------------|-----------|

Other appeals withdrawn prior to the allocation of a date

Tankersley St Peters C of E Primary

1 Withdrawn

Holy Trinity

2 Withdrawn

MEETING:	Health and Wellbeing Board
DATE:	Tuesday, 31 January 2017
TIME:	4.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillor Sir Steve Houghton CBE, Leader of the Council (Chair)
 Nick Balac, Chair, NHS Barnsley Clinical Commissioning Group (Vice Chair)
 Councillor Jim Andrews BEM, Deputy Leader
 Councillor Margaret Bruff, Cabinet Spokesperson - People (Safeguarding)
 Councillor Jenny Platts, Cabinet Spokesperson - Communities
 Rachel Dickinson, Executive Director People
 Ann O'Flynn for Wendy Lowder, Executive Director Communities
 Julia Burrows, Director Public Health
 Lesley Smith, Chief Officer, NHS Barnsley Clinical Commissioning Group
 Scott Green, Chief Superintendent, South Yorkshire Police
 Adrian England, HealthWatch Barnsley
 Steve Wragg, Barnsley Hospital NHS Foundation Trust
 Sean Rayner, South West Yorkshire Partnership NHS Foundation Trust

51 **Declarations of Pecuniary and Non-Pecuniary Interests**

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

52 **Minutes of the Board Meeting held on 6th December, 2016 (HWB.31.01.2017/2)**

The meeting considered the minutes of the previous meeting held on 6th December, 2016.

RESOLVED that the minutes be approved as a true and correct record.

53 **Minutes from the Children and Young People's Trust Executive Group held on 24th November, 2016 (HWB.31.01.2017/3)**

The meeting considered the minutes from the Children and Young People's Trust Executive Group held on 24th November, 2016.

The meeting noted the reference in minute 7 to the Healthy Lifestyle Services and proposals to launch the Daily Mile in primary schools, with the request that all partner organisations adopt it in some form. The meeting also noted the work to refresh the Continuous Service Improvement Plan, highlighted in minute 11, which had been commissioned following a joint meeting of the Children and Young People's Trust and the Barnsley Safeguarding Children Board in November 2016.

RESOLVED that the minutes be received.

54 Minutes from the Barnsley Community Safety Partnership held on 23rd November, 2016 (HWB.31.01.2017/4)

The meeting considered the minutes from the Community Safety Partnership held on 23rd November, 2016.

The meeting noted proposals to negotiate the adoption of the Information Sharing Protocol with both Barnsley Hospital NHS Foundation Trust and the South West Yorkshire Partnership NHS Foundation Trust, although this was understood to be mandatory, rather than negotiable. The application of the Protocol would be discussed further at the next meeting of the Partnership.

RESOLVED that the minutes be received.

55 Minutes from the Provider Forum held on 7th December, 2016 (HWB.31.01.2017/5)

The meeting considered the minutes from the Provider Forum meeting held on 7th December, 2016.

RESOLVED that the minutes be received.

56 Minutes from the Stronger Communities Partnership held on 22nd November, 2016 (HWB.31.01.2017/6)

The meeting considered the minutes from the Stronger Communities Partnership held on 22nd November, 2016.

RESOLVED that the minutes be received.

57 Health and Wellbeing Board Risk Register (HWB.31.01.2017/7)

The meeting received a report on the position on key risks identified in the Health and Wellbeing Board Risk Register following a review and refinements made by the Senior Strategic Development Group (SSDG), noting the control and mitigation actions in place in response to these risks.

RESOLVED:-

- (i) that the refinements made to the Health and Wellbeing Board Risk Register, set out at Paragraph 3.4 and Appendix 1 to the report, be approved;
- (ii) that the Risk Register be reviewed again by the Board at its meeting in June 2017, with more detailed consideration given to specific risks, if considered appropriate by Board members or SSDG.

58 Suicide Prevention Action Plan (HWB.31.01.2017/8)

The meeting received a report and presentation giving an overview of the latest cross-government suicide prevention strategy and an update on work in Barnsley. The presentation highlighted data in relation to suicide in the borough, drawn from a recent audit, and the meeting noted the focus of an action plan to achieve a 10%

reduction in suicides by 2021. Members noted the extent to which suicide was preventable, given the right focus and support for vulnerable people, and welcomed the use of social media and engagement with local media, such as the Barnsley Chronicle, to get the message across. The meeting considered what more could be done to make contact with people who might be at risk, and the meeting noted particular opportunities presented by making links with Barnsley College and the Registrars' Service.

RESOLVED:-

- (i) that the progress to date on suicide prevention work be noted;
- (ii) that the development of the suicide prevention action plan outlined in the report and presentation be supported;
- (iii) that contact be made with Barnsley College and Registrars' Service to consider how they might provide support to the action plan in their contacts with young people and those who have suffered a bereavement respectively.

59 Future in Mind Transformation Plan - Presentation (HWB.31.01.2017/9)

This item was deferred.

60 End of Life Care (HWB.31.01.2017/10)

The meeting received a report on the current provision for palliative and end of life care in the Borough, following the recent publication of the Government's response to the recent independent review of choice in end of life care.

RESOLVED:-

- (i) that the priorities of the Barnsley End of Life Care Strategy and the outcomes of a review of the Strategy, together with the extent to which local service provision for palliative or end of life care, in the Borough, is continually informed through developments in policy, including the Government's recent response to the independent review, be noted;
- (ii) that the Minister for Community Health & Care be advised of Barnsley's position on this matter.

61 CCG Commissioning Intentions 2017/18 - 2018/19 (HWB.31.01.2017/11)

The meeting received for information a report on the NHS Barnsley Clinical Commissioning Group commissioning intentions for 2017/18 to 2018/19.

RESOLVED that the report be noted.

Chair

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MEETING:	Overview and Scrutiny Committee
DATE:	Tuesday, 7 February 2017
TIME:	2.00 pm
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

Councillors Ennis (Chair), P. Birkinshaw, G. Carr, Charlesworth, Clarke, Gollick, Daniel Griffin, Hampson, W. Johnson, Lofts, Makinson, Mathers, Phillips, Sheard, Tattersall and Unsworth together with co-opted members Ms P. Gould, Ms J. Whitaker and Mr J. Winter and

47 Apologies for Absence - Parent Governor Representatives

Apologies for absence were received from Ms Kate Morrith in accordance with Regulation 7 (6) of the Parent Governor Representatives (England) Regulations 2001.

48 Declarations of Pecuniary and Non-Pecuniary Interest

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

49 Minutes of the Previous Meeting

The minutes of the meeting held on 6th December 2016 were approved as a true and accurate record.

50 Update on the 0-19 Service

The Chair welcomed the following witnesses to the meeting:

- Julia Burrows, Director of Public Health, BMBC
- Alicia Marcroft, Head of Public Health, BMBC
- Carrie Abbott, Service Director, Public Health, BMBC
- Lisa Loach, Public Health Governance and Service Manager, BMBC
- Anita McCrum, Professional Lead 0-19 Service, Public Health, BMBC
- Councillor Jim Andrews, Deputy Leader of the Council & Cabinet Spokesperson for Public Health

Julia Burrows explained the 0-19 Service had previously been discussed at the Council's Safeguarding Scrutiny Committee (SSC) in September 2015, and has subsequently been on quite a journey, meaning today it is now both in a different and better place. Local Authorities' responsibility for commissioning the HCP, 5 to 19 years began in April 2013; this included School Nursing as well as the National Child Measurement Programme. The HCP 0 to 5 years, which includes Health Visiting, began on the 1 October 2015. Following the procurement process being

unsuccessful, the 0-19 Service was brought 'in house'. There have been challenges along the way; however a good service is being delivered with strong leadership and a service review is currently being undertaken.

Members proceeded to ask the following questions:

- i. What are the rules for public procurement, and as detailed in the report why was there conflict?

Members were advised the last time the service went out to procurement with a new specification, there was only one bid received, which was outside the financial envelope, culminating in the process being ended. Cabinet agreed the proposal to form a partnership arrangement with South West Yorkshire NHS Partnership Foundation Trust (SWYPFT) however were unable to get a joint service. Public Health therefore went back to Cabinet for permission to bring the service 'in house' and there was subsequently a six month transition period to transfer staff to BMBC, which was successfully completed by 1st October 2016.

- ii. What have been the key challenges; what services will be delivered with the new service model; and are effective performance management and infrastructure in place to ensue appropriate clinical governance?

The committee were advised the new model is to be re-designed by the end of March 2017; it involves a number of partners but is being led by the 0-19 service. Appropriate governance structures were ensured pre-transfer and the service is looking to enhance this in terms of the new delivery model. The transfer period allowed the delivery model to be embedded, including the transfer of the service manager who has been working to embed good practice such as Care Quality Commission (CQC) and quality marker requirements.

One of the key challenges has been ensuring a safe transition and modernisation of the service to ensure it is fit for purpose and delivers future council outcomes. Other challenges have been estates and data transfer. Colleagues have been working hard on these, including to turn data into intelligence.

- iii. Regarding the HCP, how often are families visited and where do these visits take place?

Members were advised for 0-5 year olds these visits are mandatory; including an antenatal health promoting visit; a review following the birth of the baby, a six to eight week assessment of mum and baby; a 1 year assessment and finally a 2 to 2.5 year assessment enabling planning for any future support. Additional visits are carried out with children aged 10-11 years old as they transition to secondary school. The service needs to ensure set visits are kept and are working with partners to ensure this. There is universal provision as well as tiered support for those who may need more intervention.

- iv. The report advises the new model will be in place by September 2017 therefore please can the Committee receive an update either via a report or attendance at a meeting regarding the new model, its implementation and how effective it is operating?

The committee were advised the service would welcome the opportunity to provide an update.

- v. The 0-19 service states that it will engage with those aged up to 25 if they have a disability; is there much take-up of these services from older customers?

The group were advised there is not much take-up from the older age group; previously the service was 0-18 however even after age 16 services did not have much input, therefore are now looking at how they can target this older age group.

- vi. What plans are in place to engage with people up to the age of 25?

Members were advised there are plans within the Special Educational Needs (SEND) strategy; engagement with other partners within BMBC is currently being undertaken to support their transition across services.

- vii. Initially there was some dissatisfaction from staff regarding their transfer from SWYPFT to BMBC, have these issues been amicably resolved with the trade unions and how many employees have left during this process?

The committee were advised during the transition the service worked closely with Human Resources and the Trade Unions and there was individual and collective dialogue with every member of the service. The service advised 24 of 156 staff (approximately 15%) left the service during transition. Some employees did not want to leave employment with the NHS and others moved to roles in neighbouring areas. The service was mindful of and monitored which staff left to ensure there was coverage and continuation of services. Those employees who have joined the Council are very positive and looking forward to contributing to what the service needs to look like in the future.

- viii. Were staff happy in relation to TUPE (Transfer of Undertaking [Protection of Employment]) and regarding the transfer in general?

The group were advised that many of the staff transferred with NHS terms and conditions, whereas some opted to move to a Council pension. Staff have been much happier compared with the previous tender as they have been engaged and enthused by being involved. As staff moved to the Council the service was clear in telling them what they could expect and made sure the service did what it said it would to ensure staff continued to be engaged. The service has recently advertised for 6 additional bank staff so that employees can be involved in the service re-design; the 6 people that have been taken on previously left the service but have decided to come back.

- ix. In relation to the planned workshops, have all staff attended and how many more sessions are due to be held?

Members were advised the third of 3 workshops is due to be held this week. So far 105 out of 120 employees have attended. Different locations have been used to enable as many staff as possible to attend and the service has also established a closed Facebook group to continue the dialogue. The service will also be holding an additional 'mop-up' session for those who were unable to attend the other sessions.

- x. Has there been the implementation of new practices; if so, has there been any feedback on these?

The committee were advised there have been no changes; it has been business as usual. There has been no increase in negative feedback and the service is working with Healthwatch to look at service user feedback. Problems identified have been in relation to the administration of the single point of access (SPA) however the service is working on its review to address these.

- xi. How do you ensure effective targeted intervention takes place amongst vulnerable, hard to reach groups?

The group were advised there have been no changes to the services that are being provided. Universal provision is now accessed in group sessions rather than one to one but this has been the only change. Through the HCP there are mandated contacts, and for each contact an individual assessment and pathway is completed. Regarding vulnerable families, it is about what they need and how this can be strengthened in the delivery model.

An example of a pathway would be an antenatal contact which would be a pregnant mum seen by a midwife. If there were concerns, a Health Visitor could then initiate the mental health pathway and also infant feeding support and join up with the midwifery service. The person would also be invited to sign up to an information sharing agreement and could be signposted to our Family Centres.

- xii. Are there instances where people could 'slip through the net'?

Members were advised there are core contacts which are mandated which enables the service to see people at critical times and also in-between if appropriate. If someone is seen by another service e.g. a GP could refer someone into the service who had low mood. Visits would be made as appropriate and clients could either be e.g. referred to mental health services or have low level interventions in relation to mood if there was a long waiting list.

- xiii. Regarding the 0-19 service; are there any ages where people tend to face more challenges or where the service has to focus, such as young children/teenagers?

The committee were advised the first year of a child's life is the most important; as they are being set up for life, such as their bonds and early nutrition. It is also however about enabling children to be school-ready as well as at senior school to avoid risky behaviours and ensure they have good self-esteem.

The service advised that there has not been much work done with those aged 16-19 years, therefore this is something they are currently looking to improve.

- xiv. Will resources be allocated to the more deprived areas within the borough?

The group were advised the cost of the transition was carefully managed and undertaken within the budget envelope. It was important for the service to protect the front-line which it continues to be committed to and has therefore reduced costs such

as those for estates. The service is now in a strong position to consider its next steps. Staff across the borough are working to normalise support in parenthood.

xv. Is there any use of the Third Sector or volunteers to deliver services?

Members were advised the service would like to consider a community parenting model which has been used in Derbyshire. Research has shown that service users are more accepting of delivery within the Third Sector. Community parenting has been done in some areas of our Borough, for example Home Start has worked. Also, peer support in infant feeding is already being utilised.

The Chair thanked all the witnesses for their attendance and helpful contribution, and declared this item closed.

51 Homelessness in Barnsley

The Chair welcomed the following witnesses to the meeting:

- Wendy Lowder, Executive Director of Communities, BMBC
- Michelle Kaye, Service Manager - Housing and Welfare, BMBC
- Ruth Newton-Scott, Housing Options Team Leader, BMBC
- Diane Lee, Head of Public Health, BMBC
- Councillor Jenny Platts, Cabinet Member for Communities

Michelle Kaye advised the committee that nationally there has been an increase in the number of people who are homeless; according to Shelter, since 2010 there has been a 33% rise. Similarly, there has been an increase in those who are rough sleeping; as of January 2017 there has been a 16% increase on the previous year. In Barnsley there are 6 Housing Advisors whose priority is homelessness prevention. Support for this is needed from both members of the community as well as partners to alert the service as to when someone may be at risk of homelessness.

If someone is at risk of homelessness an in-depth assessment is made, which will determine if the Local Authority has a homeless duty to them or will provide them with comprehensive housing advice. In either situation the service goes above and beyond their legal obligation to provide support to try and prevent or resolve homelessness. In Barnsley the number of applications from those who consider they are at risk of becoming homeless has fallen from a high of 658 in 2009/10 to 201 in 2015/16; this corresponds with the prevention figures increasing over the same time period from 85 to 619.

In Barnsley the predominant group approaching for assistance is single people, a number of whom have complex and enduring needs. Support is available for families from a range of sources including Family Centres. In Barnsley, we have recently seen an increase in single females approaching the service for support. There is an officer in post who engages with rough sleepers as soon as the service is made aware of them, however for some individuals it is a lifestyle choice. There needs to be a clear distinction between those who are seen begging/rough sleeping as not all of these are homeless, but support will still be offered through the outreach worker.

Members proceeded to ask the following questions:

- i. If the service was able to do even earlier intervention work, to what extent would this enable the service to be even more effective in preventing homelessness?

Members were advised analysis has shown that the earlier the intervention, the more likely it is that homelessness is prevented. For example, the service needs to re-establish its links with the probation service to ensure those leaving prison have accommodation on release. Between 2016 and January 17, 23 single males were discharged from prison with no fixed abode. The service has therefore written to the senior officers in the CRC (Community Rehabilitation Company) and National Probation Service to ensure this is addressed and is able to work in partnership with other agencies. The service has also seen an increase in the number of young people presenting as homeless however there is now a joined up approach to managing this with Children's Services.

- ii. At what sub-regional level has the Rough Sleepers Grant been awarded?

The committee were advised the service was keen to bid for this financial assistance, enabling work to be done with the 4 South Yorkshire Authorities, to look at innovative ways to support entrenched rough sleepers and those with complex needs. This starts from April 2017 with a financial investment of £400k over 2 years to be shared between the four authorities.

- iii. How will you ensure contact is made with those families who are hard to reach as they believe they are resilient, therefore won't access the support available even though they need to?

The group were advised there are a number of pressures on families, including welfare reforms, insecure employment, and poverty etc. Concerns around housing need to be raised at the earliest opportunity through partners such as health visitors, housing officers and other professionals visiting properties and noticing that 'something isn't right'. The service is predominately focussed on Housing Advice and so would encourage people to engage with the service as soon as possible.

- iv. There has been a suggestion those who are under 21 years of age will not be able to claim Housing Benefit any longer; do you think this will lead to an increase in homelessness for this age range?

Members were advised this is an area for concern. A number of people aged 16-21 currently access the service and it works in partnership with Children's Social Care services. New regulations are due to come into force where 18-21 year olds will be unable to claim housing benefit. There are some exemptions such as care leavers; however it will put pressure on the service in finding accommodation for this group.

- v. We have a number of families on low incomes and are at risk of losing their home but are not currently visited by any support services; how do we engage with these families?

The committee were advised there is a Local Welfare Assistance Team who deal with families in crisis and can refer to food banks. The service can also refer people to other services such as those commissioned by Area Councils. If a family returns to a food bank for a third time, the service will look at how it can support them as this

indicates they are likely to be in need and may be at risk of homelessness. In terms of trying to reach these families we need to ensure our services are widely advertised and link more into places like schools and GPs to try and encourage referrals to the team.

- vi. How effective are the Community Rehabilitation Company (CRC)?

The group were advised these were introduced following the dismantling of the probation service, and their remit is to supervise low and medium risk offenders. Although it has taken time for them to adjust to their role, they are working hard to link in with local services. The Police Crime Commissioner has oversight of their services.

- vii. How effective are Foundation Housing?

Members were advised currently the Council, Citizen's Advice Bureau (CAB) and Foundation Housing provide quarterly homeless prevention figures to the government. From April next year the service is hoping to gather more information about the amount of prevention activity taking place.

- viii. Has there been an impact following the reduction in the CAB budget?

The committee were advised the service has undertaken proactive discussions with CAB regarding their reduced budget, working relationships and avoiding duplication. Area Councils are also commissioning service from CAB.

- ix. There have been incidents with tenants in privately rented properties who have contacted their landlord for improvements to be made, then are subsequently threatened with eviction; is this something the service is aware of?

The group were advised the service has been contacted by people who have experienced this, however legislation has now been put in place to try to prevent this, it is referred to as retaliatory evictions. The difficulty is sometimes in getting enough evidence to take this forward. Therefore the service works closely with Regulatory Services and Community Safety teams to gather intelligence. As a service we have and will undertake legal proceedings against illegal evictions.

- x. Following the service moving to the Safer Communities Business Unit and part of the Public Service Hub (PSH) will this affect front door access to services?

Members were advised the move to the PSH will not change front line access as this will still be based in the Civic. The new structure makes more sense so that this service is located with other operational services such as the police and other key operational partners.

- xi. What is the eligibility criteria for homelessness?

If someone accesses the service, they are assessed based on five criteria. As a result of this they would either be eligible for homelessness support, they may be given priority need in terms of housing and the service may need to provide them with temporary accommodation. If someone was found to be intentionally homeless,

for example they had knowingly not paid their rent, then the service would only be required to provide them with accommodation for a reasonable period. The Homelessness Reduction Bill is currently going through Parliament which would change how priority need is assessed and means the service will need additional resources to respond to this. It will also ensure that a more proactive approach is taken to homeless prevention, by taking homeless applications at 56 days rather than the current 28 days. Barnsley has temporary accommodation for families in the borough but only a small amount for single people.

- xii. Does the service work closely with the Probation Service, to ensure homeless prevention measures are in place, also is work done for care leavers and those leaving the armed forces?

The committee were advised accommodation and support following discharge from prison is not currently joined up as well as it could be, hence the letter which has been sent from BMBC. The service manager is on the armed forces covenant group and the service also asks people if they have been in the armed forces as it helps the service access support for them. Periodically, the service uses out of area bed and breakfast accommodation in Sheffield, although whenever possible these are not used and work is continuing to minimise this. The service has 1 crash pad for young people and is looking to continue to develop provision.

- xiii. Does the service work with Holden House?

The group were advised Holden House is one of the commissioned services the service uses. It is often full, therefore the service is looking at how it can utilise this resource better. A new specification has been drawn up to deliver services at this location so that it is able to deal with those with multiple and complex needs. This should also help the service avoid having to use other accommodation in Sheffield.

- xiv. How effective is the integrated working and sharing of intelligence between different teams and agencies, or is it a 'one stop shop'?

Members were advised the integrated working is getting much better. The service works with a range of key partners to provide support and accommodation. These partners include social care, landlords, public health, mental health, substance misuse, domestic violence and the voluntary sector. The move to the Public Service Hub will ensure more opportunities for integrated working. The service manager is currently devising a presentation to go to all relevant partners so they understand what the service can offer and where to refer to. For example, this will be shared with private sector businesses in the town centre to raise awareness.

- xv. There are people visible in the town centre that are begging but present themselves as being homeless; what is being done to address this?

The committee were advised the service has an outreach worker who liaises with those identified as rough sleepers and beggars. They are able to check systems for information, identify where there may be issues such as housing benefit, and provide support. The service is also working with partners such as the police to move people on where appropriate.

- xvi. Can you provide information on the supported accommodation on the periphery of the town centre?

The group were advised the CRC subcontracts to NACRO who look after a number of low and medium supported accommodation properties in Barnsley. The Council has written to NACRO so it can better understand their offer and how it can work with them to support clients. There was some suggestion that this property could belong to NACRO but this has yet to be confirmed.

- xvii. It is concerning to hear that NACRO are not engaging with the Council, particularly as local residents are concerned about these properties?

Members were advised that the service is aware of the changes which CRCs have gone through and the complexity of service provision. The service is trying to engage with them, however highlighted that problems such as this arise when you have nationally commissioned services which don't understand the local area or undertake dialogue with local services.

- xviii. What is done when rough sleepers won't engage with support services?

Members were advised the service is very persistent in trying to engage with rough sleepers. The outreach worker goes to engage with them every day if needed, even though they will regularly not engage. Recently the service engaged with an individual who had been rough sleeping for some time but has now engaged with services and has a tenancy; therefore this is used as a positive example to others.

The service has provision to invoke cold weather protocols when the temperature is due to be 0° or below on any one night. Nationally, this is only invoked after 3 consecutive nights at 0°. The service's protocols will provide a bed for the night and an opportunity to engage with support services. Barnsley Churches Project offers a hot meal 3 times per week and the service also has a food voucher scheme it operates with a local provider.

- xix. How will the newly commissioned services ensure they record contacts with clients, for example recording where a support worker has attempted to engage with someone, however they have refused to open the door to them?

The committee were advised the commissioned service is expected to record and monitor their contact with all clients, which will include evidencing what has been done to try to move clients on, such as from Holden House. Once the Homelessness Reduction Bill comes in, a personal support plan will need to be kept for every client.

- xx. What is done when people move into a community?

The group were advised the service monitors all clients who have transferred into accommodation, for example so the service can continue to support those with complex needs. A number of clients have managed moves rather than going through the eviction process. There is also floating/resettlement available.

- xxi. What is the service's relationship like with Action Housing?

Members were advised Action Housing is the current commissioned provider; however a new provider will be in place from April 2017. This service will offer support for those with multiple and complex needs. Work is currently being undertaken to ensure a smooth transition between providers.

- xxii. When undertaking the Roadshows to promote what the service is able to offer, will work be done with Barnsley Clinical Commissioning Group (CCG) to take this out to GPs also it would be helpful to have an All Member Information Briefing on this?

The group were advised the service will take these comments on board and also advised that they have plans in place to work with the new social prescribing contract.

The Chair thanked the witnesses for their attendance and valuable contribution and declared the meeting closed.

Action Points

1. The 0-19 service to either provide an update report or attend a future meeting of the Overview and Scrutiny Committee during early 2018 following the implementation of the new model.
2. The 0-19 service to look at support for those aged 16-19 and how this can be increased.
3. When undertaking roadshows, the Housing Options Team should engage with GP surgeries as well as undertake an All Member Information Briefing to raise awareness of available support services.

MEETING:	Central Area Council
DATE:	Monday, 16 January 2017
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors D. Green (Chair), D. Birkinshaw, P. Birkinshaw, Bruff, G. Carr, J. Carr, Clarke, W. Johnson, Mathers, Pourali, Riggs and Williams.

26. Declaration of Pecuniary and Non-Pecuniary Interests

Councillor Williams declared a non-pecuniary interest in minute 28 in his capacity as a member of YMCA insofar as discussion related to the organisation.

Councillor D. Green declared a pecuniary interest in minute 28 due to her employment by Lifeline, insofar as discussion related to her employer.

27. Minutes of the Previous Meeting of Central Area Council held on 14th November, 2016 (Cen.16.01.2017/2)

The meeting received the minutes from the previous meeting of Central Area Council held on 14th November, 2016.

Feedback was provided in relation to the responsibilities for replacing litter bins, and this was discussed in some detail, with Members having had differing experiences from the service. It was suggested that the Area Council Chair contacts the Cabinet Spokesperson and Executive Director of Place to request a copy of the policy on the replacement of litter bins.

RESOLVED:-

- (i) that the minutes of the Central Area Council held on 14th November, 2016 be approved as a true and correct record;
- (ii) that the Area Council Chair writes to the Cabinet Spokesperson and Executive Director of Place to request a copy of the policy on the replacement of litter bins.

28. Procurement and Financial Update (Cen.16.01.2017/3)

The Area Council Manager introduced the item referring to the recent procurement of a service to 'Build emotional resilience and wellbeing in children and young people aged 8-14 years'. It was noted that the tender evaluation panel had met to initially score applications, with three organisations subsequently being invited to interview. Members were made aware that a preferred provider had been identified, but that the process was still in a standstill period, and therefore details about the provider could not be made public. It was likely that the service would commence 1st April, 2017.

With regards to engaging local providers to deliver a complementary service to build emotional resilience, it was noted that the promotional material would be disseminated in January, with a view to evaluating applications by mid-March, 2017.

It was agreed for any promotional material to be circulated to Members for them to cascade through their networks.

Members went on to consider the progress made to meeting the priority to reduce loneliness and isolation in vulnerable adults and older people. A task group had met on 24th November, 2016 to consider the draft business case for a service to reduce isolation in the target group. Following the meeting a revised business case had been developed, which had been circulated with the Area Council meeting papers. The meeting discussed the business case in depth, debating whether the age group of 50+ was still appropriate or whether this would result in too large a group, resulting in the dilution of the impact of the service.

It was noted that the business case built on the service currently being provided by RVS, but also included the establishment of groups where a number of individuals needs were similar and where no group currently existed. Members wished to stress the requirement to ensure that any intervention was focused on the needs of the individual. Also stressed was the need to ensure the sustainability of any intervention in the long term.

It was noted that, due to the short timescales, and wanting the service to follow on directly from that provided by RVS, the report recommended that the final agreement of a specification of requirements and procurement strategy be delegated to the Executive Director in consultation with members of the task group. This was discussed, together with the alternative option of holding an extraordinary meeting to consider the procurement documentation.

Members considered the current financial situation for the Area Council, noting that there were a number of allocations projected in future years from existing contracts that could be extended if Members so wished.

RESOLVED:-

- (i) that the outcome of the procurement process to deliver a service to 'Build emotional resilience and wellbeing in children and young people aged 8-14 years' be noted;
- (ii) that the progress made in taking forward the process to identify additional local providers to deliver complementary services to build emotional resilience in children and young people aged 8-19 years be noted;
- (iii) that the business case for the procurement of a service to 'reduce isolation and social isolation in adults (over 50 years) and older people' be approved';
- (iv) that the Executive Director Communities be given authority to approve the service specification and procurement strategy to procure a service to 'reduce loneliness and isolation in adults (over 50 years) and older people' in liaison with Reducing Loneliness and Isolation Task Group, to a value of £275,000 for a 33 month period, initially being from 3rd July 2017 to 31st March, 2018 at a cost of £75,000 with the option to extend the service for two further periods of one year at a cost of £100,000 per annum;
- (v) that the actual financial position for 2014/15 and 2015/16, and the projected expenditure for 2016/17-2019/20 be noted.

29. Celebration Event (Cen.16.01.2017/4)

The Area Council Manager made the meeting aware that the revised date for the Celebration Event was Thursday 23rd March, 2017 at 6.30pm, and due to the numbers involved this was likely to be held at Barnsley Metrodome. The event was intended to celebrate the work of the Area Council and Ward Alliances in the area, and an awards ceremony to recognise the hard work in the area would also be held.

As part of the event it was suggested that there would be presentations highlighting the youth collaboration work taking place.

Members noted that the Area Council Manager would circulate details of the event and award categories in due course.

RESOLVED that feedback on the arrangements for a celebration event for Central Area Council be noted.

30. Notes of the Ward Alliances (Cen.16.01.2017/5)

The meeting received the notes from Central, Dodworth, Kingstone, Stairfoot and Worsbrough Ward Alliances.

Members discussed the relocation of CCTV cameras, noting the considerable investment in the technology over a number of years. It was suggested that there was a lack of clarity regarding the costs and process for relocating the cameras. It was agreed that the Chair writes to the Head of Safer Barnsley to request the confirmation of the policy.

For Central Ward Alliance Councillor Bruff made the meeting aware that the Alliance was now taking a more strategic approach. Training in safeguarding, and DBS checks had been offered to any groups in the area involved with children and young people. Assistance was also available for people interested in taking part in youth work courses.

Councillor Williams provided feedback in relation to Kingstone Ward Alliance, noting that they had recently provided a number of short courses with Worsbrough and Stairfoot Ward Alliances including for first aid and food hygiene. It was thought that these would assist organisations in the area, and also improve the skills and employability of those attending.

Kingstone Ward Alliance was also looking to work with residents in the area to adopt small green spaces or 'pocket parks' and look after them.

With regards to Dodworth Ward Alliance, Councillor P. Birkinshaw made Members aware that the Alliance was working with BBIC to plan an event focused on local businesses. The event, to take place at Horizon Community College, would showcase local businesses as well as highlighting potential job opportunities.

Councillor W. Johnson told Members about the recent events to commemorate the Oaks Mining Disaster, which had generated a great deal of interest in the Ward and in the town as a whole.

For Worsbrough Ward Alliance Councillor Clarke provided an update. As recent litter picks had not been as well attended as previously, the Alliance was investigating the

idea of closing certain streets to hold clean up events alongside 'playing out' events. Members noted that the 'Flavours of Christmas' event had been very well attended, and thanks were given to the Central Area Team for their support.

RESOLVED

- (i) that the notes from the Central, Dodworth, Kingstone, Stairfoot, and Worsbrough Ward Alliances held in October, November and December be received;
- (ii) that the feedback from each of the Ward Alliances in the area be received.

31. Report on the Use of Ward Alliance Funds (Cen.16.01.2017/6)

The meeting considered the report highlighting the use of Ward Alliance Funds by each of the five Ward Alliances from the beginning of the financial year to date.

Members were reminded of the previous agreement to return any additional finance devolved from the Area Council to the Ward Alliance should this not be spent by 31st July, 2017.

RESOLVED that the report be received.

Chair

MEETING:	Dearne Area Council
DATE:	Monday, 23 January 2017
TIME:	10.00 am
VENUE:	Meeting Room, Goldthorpe Library

MINUTES

Present Councillors Noble (Chair), Gardiner, Gollick, C. Johnson and Phillips

37 Declarations of Pecuniary and Non-Pecuniary Interests

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

38 Minutes of the Previous Meeting of Dearne Area Council held on 21st November, 2016 (Dac.23.01.2017/2)

The meeting received the minutes from the previous meeting of the Dearne Area Council, held on 21st November, 2016 and arising therefrom Councillor Noble confirmed that the arrangements for the flood store referred to in Minute 35 had now been agreed.

RESOLVED that the minutes of the Dearne Area Council meeting held on 21st November, 2016 be approved as a true and correct record.

39 Dearne Active (Dac.23.01.2017/3)

A. Norris, Senior Health Improvement Officer attended the meeting to provide details of the Dearne Action initiative. He stated that a bid for up to £350,000 of funding would be made to Sport England for a three year project that would encourage physical activity in the Dearne.

Members indicated their support for the bid and emphasised the need for the project to include a wide range of activities to ensure that families are captured. It was confirmed that the consultation responses would determine such activities but that this was likely to include a variety of activities to ensure that the most inactive are engaged. It was confirmed that the project must be sustainable beyond the three year funding period.

RESOLVED that Members welcome the Dearne Active initiative and further updates be provided to this meeting in due course.

40 Dearne Area Council Financial Position and Progress of Projects (Dac.23.01.2017/4)

The Area Council Manager introduced a report providing an updated financial position for all Dearne Area Council spend. In particular it was noted that, to date, the Area Council have spent and earmarked £217,280 on previously agreed projects/services, out of the allocated £220,664 for 2016/17, leaving £3,384. The addition of fixed notice penalty income to this amount left approximately £9,200 unallocated for 2016/17.

With regard to 2017/18 it was reported that, as a result of the allocation of resources to the Investigations and Housing Officer roles, the procurement of the volunteer, education and environmental service and the continuation of the Kingdom enforcement service, the total spend committed for 2017/18 was £180,060, leaving £9,139 unallocated.

Members discussed the feedback they were getting from the community with regard to enforcement activity and expressed their concerns that there had been a reduction in activity, particularly on dog fouling. It was recognised that Kingdom had experienced some staffing issues, however, there was a need to investigate further the reasons for the reduction in activity and to consider how to improve performance by utilising more targeted operations and improved contract management.

Members noted the progress on projects and in particular the Railway Embankment Project, where the group are considering the access routes to the site and how it would be managed. Two applications had been received in respect of the continuation of the environmental and volunteering service and interviews would take place on 12th January, 2017.

RESOLVED:-

- (i) that the updated financial position for 2016/17 and 2017/18 as now reported be noted;
- (ii) that the progress of previously agreed projects that have been committed out of the 2016/17 and 2017/18 allocation be noted; and
- (iii) that approval be given to the continuation of the Kingdom enforcement service, in accordance with the original in principle agreement for the contract that started in April 2016.

41 Notes from the Ward Alliances (Dac.23.01.2017/5)

The meeting received the notes from the Dearne North Ward Alliance held on 17th November, 2017 and Dearne South Ward Alliance held on 27th November, 2017.

It was stated that Flood Warden training was planned for the new year and the discussions on merging the Ward Alliances were noted.

RESOLVED that notes from the respective Ward Alliances be received.

42 Report on the Use of Ward Alliance Funds (Dac.23.01.2017/6)

The meeting received a report on the expenditure from each of the Ward Alliance Funds in the area, from the beginning of the financial year.

For Dearne North, from a starting budget of £20,069, £7,844.70 remained. For Dearne South, from an opening balance of £21,160, there was a remaining balance of £11,246.50. Details of the match funded allocations, set out in the appendix to the report, were noted.

RESOLVED that the report on the use of Ward Alliance Funds be noted.

Chair

MEETING:	North Area Council
DATE:	Monday, 23 January 2017
TIME:	2.00 pm
VENUE:	Meeting Room 1, Barnsley Town Hall

MINUTES

Present Councillors Leech (Chair), Burgess (Mayor), Cave, Charlesworth, Cherryholme, Grundy, Howard, Lofts, Miller, Platts and Tattersall

33 Declarations of Pecuniary and Non-Pecuniary Interests

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

34 Minutes of the North Area Council meeting held on 1st December 2016 incorporating the notes of the meeting held on 21st November 2016.

The Area Council received the minutes of the previous meeting held on 1st December 2016 incorporating the notes of the meeting held on 21st November 2016.

RESOLVED that the minutes of the North Area Council meeting held on the 1st December 2016 be approved as a true and correct record.

35 Members Charter - Lesley Glanville

Lesley Glanville, Member Development Officer, was welcomed to the meeting to deliver a presentation about the Members Charter following a recent workshop. It was highlighted that the Member Development Charter is due to be renewed shortly and evidence is being collected and a portfolio developed for the assessment. Much of the work done in area councils is relevant for meeting the requirements of the charter – indeed, there is a possibility of applying for ‘Charter Plus’. A discussion took place around potentially offering training to Ward Alliance Members and other interested parties as the Ward Alliances already work closely with the Area Councils on community projects; the use of video diaries and ‘storyboards’ with examples of recent projects; and articles in the Community Magazine, all of which could be used as evidence of shared learning. Ward Alliance minutes can be obtained from the Ward Alliance secretaries.

RESOLVED

- (i) that Members give thought as to how projects undertaken jointly with Ward Alliances could be used as evidence for the Member Development Charter, and
- (ii) Lesley be thanked for her attendance and contribution.

36 Opportunities for Young People - Project Development

The Area Council Manager updated the North Area Council on the progress that has been made by the working group to develop a project to meet the priority 'Opportunities for Young People'.

A project has been developed to target 20 young people at risk of NEET attending Darton College, Holy Trinity, Carlton Community College and Horizon Community College with a view to improving attendance, achieving GCSE targets and progression into Post-16 learning. A tendering process has taken place and 3 providers have been interviewed. It is anticipated that the contract will be let in early February with a contract commencement in April/May 2017.

RESOLVED that the North Area Council note the progress to date for this project.

37 Economic Regeneration - Small Business Surgeries - development update

The Area Council Manager updated the North Area Council on the progress of the small business development surgeries pilot.

Councillors queried how success would be measured. The Area Council Manager gave assurances that a number of indicators would be developed and shared with the Area Council. It was felt that a leaflet giving information about the project would be useful for all businesses.

RESOLVED that the North Area Council note the progress to date for this project.

38 Community Magazine

The Area Council Manager updated the North Area Council on the development of the North Area Council Community Magazine. It seems that a number of areas have not received copies. Members were informed that the Area Manager has arranged to meet with the distributor. In the meantime there is a box of spare copies in the North Team office and additional copies can be obtained from Printing if required.

RESOLVED

- (i) that the North Area Council note the progress to date with regard to the North Area Council Community Magazine, and
- (ii) Members provide the Area Team with information regarding missed properties.

39 Financial Position and Forecast

With reference to the Kingdom Environmental Contract, members were of the view that in some areas officers aren't as visible as they previously were. There is a perceived imbalance between parking enforcement and dog fouling, which is a big issue across all areas. Clarification was sought regarding the terms of the Kingdom contract. The Area Council Manager outlined the terms of contract together with the fact that it is not just about enforcement, there is an education element too. There is a perception that the service is not making a valuable contribution due to lack of

information. Quarterly information is provided but Councillors also need to feed information in to the Area Team via Cath Fairweather either by phone or email. The Area Manager advised that the contract management meeting is imminent and all of the matters raised would be addressed.

Members expressed dissatisfaction regarding the clean and green project in some areas and queried whether it provided value for money. There are also difficulties associated with engagement of volunteers.

Members were asked to be mindful that if all contracts are renewed, the Area Council will be fully committed.

RESOLVED that:-

- (i) The North Area Council note the existing budget position and forecast for the funding commitments.
- (ii) The North Area Council note the reduction in North Area Council Budget from April 2017 to £360,000. This is equivalent to £10,000 per ward.
- (iii) Members agreed to continue the Environmental Enforcement contract from April 2017.
- (iv) Members agreed that there will be a facility to devolve funding to the Ward Alliances based on the proviso that the total Ward Alliance budget is less than £10,000 on the 31st March 2017.
- (v) Members agreed which priorities they wish to concentrate for design and procurement of further commissioned projects which will address the Area priorities. (Private Sector Enforcement Officer, Clean and Green and Environmental Enforcement.

40 Devolved Ward Budget and Ward Alliance Funds

The item was introduced by the Area Council Manager. The report provided a position statement and updated the Area Council with regard to progress in each Ward in expending the Ward Alliance Fund.

A discussion took place regarding the expense of Christmas lights and Christmas trees (and the great variations in price depending on the supplier) together with the feasibility of providing permanent all-year-round trees.

RESOLVED that each Ward in the North Area Council area prioritises the efficient expenditure of the remaining Devolved Ward Budgets and Ward Alliance funds in line with the guidance on spend.

41 North Area Ward Alliance Notes

The North Area Council received an update on the progress of the Darton East, Darton West, Old Town and St Helens Ward Alliances for information.

42 Darton East Ward Alliance

The notes from the meetings held on 8th November and 13th December 2016 were noted. It was reported that there is a lot of excellent work taking place across the Darton East Ward and meetings are always very well attended.

43 Darton West Ward Alliance

The notes from the meetings held on 7th November and 5th December 2016 were noted. A response to the question regarding road signs remains unanswered. Budget cuts have led to a loss of staff and turnaround times are now much increased. Costs and timescales for speed indicator devices (SIDs), banners regarding littering from cars and signage for Birthwaite Hill are required. Hopefully more information will be available at the February PACT meeting.

44 Old Town Ward Alliance

The notes from the meetings held on 2nd November, 7th December 2016 and 4th January 2017 were noted. The main priority at the moment is the traffic order and a meeting has been arranged with Steve Croft. Other priorities include the issue of fencing at the park to protect vulnerable groups, dog fouling and fly tipping. The Ward Alliance website is up and running and local groups can all feed in to it.

45 St Helens Ward Alliance

The notes from the meetings held on 24th November and 5th January 2017. A lot of community events have been taking place, including a Children's cook and eat session run by Madge Busby. It was reported that the information advice and guidance workshop was poorly attended by the public. Derek Bell and Simon Dobby will be attending the next meeting regarding flood resilience.

Chair

MEETING:	North East Area Council
DATE:	Thursday, 2 February 2017
TIME:	2.00 pm
VENUE:	Meeting Room 1, Barnsley Town Hall

MINUTES

Present Councillors Cheetham, Clements, Ennis, S. Green, Hampson, Higginbottom, Makinson, Richardson, Sheard and C. Wraith MBE

42 Election of Chair

In the absence of Cllr Hayward, a Chair was elected from the floor.

RESOLVED that Cllr Cheetham be elected as Chair for this meeting.

43 Declarations of Pecuniary and Non-Pecuniary Interests

Cllr Higginbottom declared a non-pecuniary interest in respect of Minute no. 50 due to her involvement with the pilot allotments project in Great Houghton.

44 Minutes of the Previous Meeting of North East Area Council held on 1st December 2016

The meeting considered the minutes from the previous meeting of the North East Area Council held on 1st December 2016.

RESOLVED that the minutes of the North East Area Council held on 1st December 2016 be approved as a true and correct record.

45 Cudworth Ward Alliance

A number of exciting projects supported by the Cudworth Ward Alliance are underway, including Street Games, a Walking Football trial supported by Barnsley Football Club and a Lego club in the Centre of Excellence. The Health Fayre is being organised (date to be confirmed) and a 'Great British Spring Clean' is scheduled for 3rd March in Cudworth Park.

RESOLVED that the notes of the Cudworth Ward Alliance and verbal update be received.

46 Monk Bretton Ward Alliance

Work at the War Memorial is ongoing. A meeting to establish levels of interest in setting up a Table Tennis club will take place on 8th February – an additional table is to be delivered on 3rd February. Two applications have been received for the Health

and Safety course. The Great British Spring Clean volunteer event will take place in Lundwood on Saturday March 4th, 2017.

RESOLVED that the notes of the Monk Bretton Ward Alliance and verbal update be received.

47 North East Ward Alliance

Milefield Farm is now open, including the café. Equipment has been donated locally. Simon Dobby gave a briefing to the Ward Alliance on the subject of community resilience. A number of projects have been funded including Citizens Advice Bureau £600 and 71st Barnsley Rainbows £550. A series of Great British Spring Clean volunteering events, will take place in Shafton, Great Houghton and Brierley.

RESOLVED that the notes of the North East Ward Alliance and verbal update be received.

48 Royston Ward Alliance

Two Christmas events took place in Royston at both the Wells and the Albert Shepherd VC Civic Hall. It was reported that community activists have done some excellent work across the community. A Royston Greenspaces community group has been formed and the Gala is being planned for 1st July to be attended by the Yorkshire Military Band. A litter pick is planned for 3rd March with pupils from Outwood Academy Carlton. The Royston Achievement Awards event for Primary School children will take place on 14th March at the Town Hall. All the primary schools are taking part and all Ward Alliance members have been invited.

Recently funded projects include Reds in the Community; 'Us Girls' urban arts project (who will produce a mural in Royston Park) and a new noticeboard for the Wells. Forty allotment plots are now available and are advertised on the website. This has been a great success story and a good relationship has been formed with Groundworks.

RESOLVED that the notes of the Royston Ward Alliance and verbal update be received.

49 Report on the Use of Area Council Budgets and Ward Alliance Funds

The Area Council Manager introduced this item and updated the North East Area Council with regard to the current position regarding the North East Area Council Budget and progress in each Ward in expending the Ward Alliance Fund. It was reported that all the Ward Alliance funding has now been fully committed, although it was noted that an underspend was showing in some areas. The Area Council Manager explained that this was due to the end of year financial and administrative procedures, and that the Area Council papers had to be prepared and published five working days in advance of the meeting in order to comply with the Governance requirements. The Area Manager will ensure that all the Ward Alliance figures are reconciled as early as possible in future.

Councillors noted that there was £5756 remaining in the North East Area Council budget. A discussion took place about the possibility of replacing the litter bins in local parks.

RESOLVED that

- (i) The North East Area Council Environment Group look into replacing the litter bins in local parks.

50 'Let's Grow Great Houghton' pilot allotment project

The Area Council Manager outlined this project, which was approved at the North East Area Council meeting held on 11th June 2015, drawing attention to the specifics of the project provided in Appendix A to the report. The project builds upon the local community's pride in the environment and increases wellbeing by developing a community growing centre. Consultation has taken place in the Village and there is a great interest within the community that this should be an intergenerational community project. The project is supported by the Parish Council, two local residential homes and the Sandhill Primary School.

RESOLVED that the project is taken forward and managed through the Youth Development Fund, and overseen by the North East Area Youth Development Panel.

Chair

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Item 24



MEETING:	Penistone Area Council
DATE:	Thursday, 9 February 2017
TIME:	10.00 am
VENUE:	Council Chamber, Penistone Town Hall

MINUTES

Present Councillors Barnard (Chair), David Griffin, Hand-Davis, Millner, Unsworth and Wilson.

35 **Declarations of pecuniary and non-pecuniary interests**

No Members declared an interest in any item on the agenda.

36 **Minutes of the Penistone Area Council meeting held on 8th December, 2016 (PAC.09.02.2017/2)**

The Area Council received the minutes of the previous meeting held on 8th December, 2016.

Members noted that the report requested to provide details on each of the Ward Alliance Fund projects had been started, but work was still ongoing. It was suggested that this be considered at the next meeting of the Area Council.

RESOLVED that the minutes of the Penistone Area Council meeting held on 8th December, 2016 be approved as a true and correct record.

37 **Minutes from the Penistone East and West Ward Alliance meetings held on 17th November, 2016 and 12th January, 2017 (PAC.09.02.2017/3)**

The meeting received the notes from the Penistone East and West Ward Alliance held on 17th November, 2016 and 12th January, 2017.

It was noted that the installation of the Wifi in the Market Barn was still ongoing.

RESOLVED that the notes from the Penistone East and West Ward Alliance held on 17th November, 2016 and 12th January, 2017 be received.

38 **Report on the Use of Ward Alliance Funds (PAC.09.02.2017/4)**

The Area Council Manager introduced the item. Members noted that, from a fund of £51,000 for 2016/17, a total of £7,787.06 remained.

The meeting was made aware of applications due to be considered by the Ward Alliance meeting in February. In addition a number of applications were also in development, linked to Yorkshire Le Tour. If these were approved, the amount of finance expected to remain at the end of the financial year was approximately £2,000.

RESOLVED that the report be noted.

39 **Performance Report (PAC.09.02.2017/5)**

The item was introduced by the Area Council Manager. Members were made aware that there had only been minor updates to the previously submitted report, as no monitoring had yet taken place for the current quarter.

With regards to the Clean and Tidy Team, it was noted that one operative had left the team in November. However, some of the capacity of the team had been restored through the engagement of an agency worker. This had left an amount of underspend within the contract.

Members noted that the apprentices employed through the contract had completed their training in health and safety and to use chainsaws. Attention was drawn to the case studies supplied, which Members thought impressive.

With regards to the contract with DIAL to provide the Penistone Advice Drop-In service, Members commented on the high figures for the return on investment. It was suggested that a breakdown of these figures be sought from DIAL in order to explain why the figures were so high.

Feedback was provided on the Young People into Radio project, noting that Radio Sheffield was now engaged, and willing to provide further experience to students. Penistone Grammar School was also engaged with the station as part of its enrichment activities. It was noted that the community radio licence would next be reviewed in 2019, but the station was considering the situation post this date very carefully.

It was acknowledged that future reports would include further information on the performance of initiatives funded through the Working Together Fund.

RESOLVED that the report be received.

40 Clean and Tidy Team (PAC.09.02.2017/6)

The Area Council Manager introduced the item, noting that a draft specification for a revised Clean and Tidy Team was being developed and would be circulated to Members for comment.

A business case had been developed for the new service, and the Area Council Manager drew attention to the changes from the current service. These included, amongst other things, an increased emphasis on sharing skills with community groups; being more proactive in areas where fly tipping and dog fouling was prevalent; and a greater focus on educational engagement with young people. Members were supportive and were happy to endorse proposals.

With regards to the existing Clean and Tidy Team contract, Members were reminded that the contract was likely to be underspent. It was therefore suggested that, if possible, this be used to extend the contract.

RESOLVED:-

- (i) That the update on the clean and tidy commission, be noted;
- (ii) That up to £100,000 per annum be approved for a Clean and Tidy Team, initially for a year with an option to extend for a further year;

- (iii) That approval be given for the Executive Director, Communities, following consultation with the Chair of the Area Council and the Area Council Manager, to approve all necessary documentation in order to ensure timely procurement;
- (iv) That approval be given to utilise any underspend of the current Clean and Tidy Contract to briefly extend the service.

41 Principal Towns Investment Programme (PAC.09.02.2017/7)

The Area Council Manager introduced the item, and gave a presentation on the programme. The £5million investment programme was intended to ensure the regeneration taking place in Barnsley Town Centre was also experienced in other centres around the borough.

Members heard how the programme would be looking to invest in 8 Principal Towns and 11 Local Centres, with projects being in excess of £100,000 in Principal Towns and over £50,000 in Local Centres. Examples of the types of investment that could be made were given.

The meeting noted that two Project Managers would be employed to assist in delivering the programme, and these would be working with the Ward Alliance, Area Teams and other stakeholders to develop schemes, including business cases for investment.

Members noted that a project board would be established and would meet three times a year to assess business cases against set criteria.

Members discussed a number of proposals in development, emanating from both the Tourism Forum and the Neighbourhood Development Plan. It was suggested that proposals in the area focus on Penistone Town Centre, which would include gateways, signage, traffic flows and parking for cars and coaches. It was noted that the board would be looking for match funding, from either the private or voluntary sector.

RESOLVED that the report be noted, and that Members engage in stakeholder events to develop proposals.

42 Tour de Yorkshire (PAC.09.02.2017/8)

Councillor Hand-Davis updated the meeting on preparations being made for the Tour de Yorkshire (Yorkshire le Tour) coming through the area on Sunday 30th April, 2017.

Arrangements were being made to decorate the route with bikes and bunting, together with flowers in planters. It was likely that there would be a competition involving local businesses, and a focus on activity within the market barn in the Town Centre.

Members noted that Barnsley MBC was working with local landowners to create land art adjacent to the route.

It was noted that media engagement was crucial, and it was agreed to circulate detailed information once arrangements had been confirmed.

RESOLVED that the report be noted and that all Members work to promote the event when arrangements are confirmed.

Chair

MEETING:	North Area Council
DATE:	Tuesday, 21 February 2017
TIME:	4.00 pm
VENUE:	Meeting Room 12, Barnsley Town Hall

MINUTES

Present Councillors Leech (Chair), Cherryholme, Grundy, Lofts, Miller, Platts, Spence and Tattersall

46 Declarations of Pecuniary and Non-Pecuniary Interests

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

47 Appointment of Private Sector Housing Environment Officer

The Area Council Manager introduced this item and updated the Area Council on the workshops that have taken place in relation to private sector housing and environment issues and outlined the proposal for these issues to be addressed by commissioning tailored support.

It was highlighted that a healthy discussion took place at the workshop held on 6th February, which was also attended by Jane Brannan, Cath Fairweather, Jeanette Millward and Paul Jolley. The workshop looked at the breadth of cases which could arise in terms of private sector housing as experienced by the Central Area Council in terms of case studies. Members' attention was drawn to the Private Sector Housing and Environment Officer Job profile, milestones, outcomes and types of interventions. Members who attended the workshop found it to be very informative and complementary to other projects such as enforcement and clean and green.

A discussion took place regarding the fact that the amount of private sector housing varies widely across the wards and that some wards will not receive any benefit. The four other Area Councils which have commissioned the service - Dearne, Central, South and North East also have differences across the wards but this is not viewed as a problem as the area as a whole benefits. The Private Sector Housing and Environment Officer for the North Area would be on a 12 month fixed term BMBC contract, commissioned by North Area Council, based at Churchfields and managed by the Community Safety Manager.

Members were reassured that the officer would deal primarily with environmental issues but would flag up enforcement issues and refer on as appropriate. Members would be provided with single point of contact details to make referrals.

In terms of costings, on-costs will be need to be added together with other ad-hoc localised costs such as provision of skips for big clean ups and removal of fly-tipping etc., the costs of which could be claimed back from landlords. A bodycam would also be purchased. Including on-cost the value of commissioning this additional officer for the North Area is £33,000.

RESOLVED that

- (i) Members note the workshop updates regarding private sector housing environment support contained within the report and appendices.
- (ii) Members note the financial implications of commissioning private sector housing support for the North Area
- (iii) Members agreed that they wish to proceed with the commissioning of private sector housing support.

Chair

MEETING:	South Area Council
DATE:	Friday, 24 February 2017
TIME:	10.00 am
VENUE:	Meeting Room 5, Barnsley Town Hall

MINUTES

Present Councillors Stowe (Chair), Andrews BEM, Franklin, Frost, Daniel Griffin, Lamb, Saunders, Shepherd and R. Wraith

27 Declarations of Pecuniary and Non-Pecuniary Interests

Councillors Franklin, Lamb and Shepherd declared a non-pecuniary interest in Minute Nos 32 'Report on the Use of Ward Alliance Funds' and 33 'Performance Report' insofar as the discussion related to the Forge Community Partnership.

28 Minutes of the Meeting of South Area Council held on 2nd December, 2016 (Sac.24.02.2017/2)

The meeting considered the minutes of South Area Council held on 2nd December, 2016.

RESOLVED that the minutes of the South Area Council held on 2nd December, 2016 be approved as a true and correct record.

29 Notes of the Ward Alliances (Sac.24.02.2017/3)

The meeting received the notes from the following Ward Alliances:- Hoyland Milton and Rockingham held on 28th November, 2016 and 24th January, 2017; Wombwell held on 22nd November, 2016; and Darfield Ward Alliance held on 17th November, 2016 , and 19th January, 2017.

RESOLVED that the notes from the Ward Alliances be received.

30 Kingdom Security (Sac.24.02.2017/4)

Lesley Dare, Senior Team Leader for the Kingdom Enforcement Team, was welcomed to the meeting and gave a presentation which, with the use of slides, gave details of the operation of the South Area Contract from April 2016 to date.

The presentation gave details of the following:

- The Kingdom Promise to:
 - Patrol the streets of the South Area Council enforcing Environmental legislation for Littering and Dog Fouling
 - Enhance the Parking Enforcement over and above that already offered
 - Complete a minimum of 85% of operational hours on patrol
 - Ensure each Ward received the same allocated hours of patrol time
 - Operate on Mondays to Saturdays from 6.00 am to 8.00 pm

- The number of complaints and intelligence received categorised by date, type of incident, location and action taken
- Gave details of how hours allocated to each area was recorded and balanced to ensure equity of provision
- Detailed information on Littering, dog fouling and parking (including fixed penalty notices and penalty charge notices) for each quarter both in total for the South Area and by Ward
- The success of the 'added extras' with particular reference to:
 - Juvenile Litter Picks
 - Fly tipping
 - Additional specific littering, Dog Fouling and Parking Operations
- The Revenue received by quarter and in total

In the ensuing discussion, the following matters were raised:

- It was noted that dog fouling and littering still remained a significant issue with a significant amount of 'tickets' being issued
- Parking issues were continuing to be a particular issue in both Wombwell and Hoyland. Arising out of this there was a discussion of the ongoing issues with regard to the difficulties associated with the allocation of responsibilities and the relationship between the Council's in house Parking Enforcement Team and Kingdom Staff. This was a concern and it was noted that regular meetings between Kingdom and BMBC Parking Services were held to try and resolve these ongoing issues
- It was noted that with regard to parking in particular, the number of complaints received was not a reflection of the significant number of 'tickets' issued – this could be because complaints were not always directed via Kingdom
- It was acknowledged that there was a need to provide additional information giving a breakdown of the 'Notices' issued by category on a Ward by Ward basis.
- The success of the Juvenile Litter Picks was referred to and in response, Mr Dare gave details of the staffing ratios required. Whilst Kingdom attempted to ensure that 'offenders' undertook litter pick in the area where the 'offence' had been committed, this was not always possible because of limited resources. All 36 Juveniles had found the Litter picks beneficial
- There was a discussion on the continuing problems of fly tipping and in response to questioning, Mr Dare outlined the steps taken by staff to try to locate the perpetrators event though it was not within the core responsibilities of Kingdom
- Reference was made to untaxed vehicles which were illegally parked and to the action taken to report such matters to the Police
- Reference was made to a successful operation undertaken at Skiers View. Comments had been received by some Members that officers had been officious or aggressive. In response, Mr Dare stated that he thought this was highly unlikely but any issues reported would be investigated. He had trained the officers personally and all wore body cameras in case of such reports. It was noted that two staff had been assaulted and both assailants had been prosecuted after being dealt with by the Police
- In response to detailed questioning, Mr Dare outlined the revenue position with regard to fines and prosecutions. It was noted that all of the income

generated from dog fouling and littering tickets and a proportion of the income generated from parking enforcement were returned to the South Area Council

In summary, Mr Dare thanked Members for the invitation to the meeting. If any Member had any issues to report they should contact Kindgom staff or should encourage members of the public to report issues to the Enforcement Call Centre on 01226 772468.

Members asked to place on record their thanks to Mr Dare and to his team for all their hard work on behalf of the residents of the South Area.

31 Date, Time, and Venue of Future Meetings (Sac.24.02.2017/5)

The Chair asked for this item to be deferred until the next meeting.

The Director of Legal and Governance reminded Members that the deferral would meant that if dates/times of meetings was changed, the timetable of meetings for the forthcoming Municipal would already have been printed for the Annual Council meeting.

RESOLVED that consideration of this item be deferred to the next meeting.

32 Report on the Use of Ward Alliance Funds (Sac.24.02.2017/6)

The item was introduced by the Area Council Manager, and Members noted the amounts of Ward Alliance Fund remaining to be allocated.

For Darfield Ward Alliance Fund, £17,173.20 remained, for Hoyland Milton, and Rockingham Ward Alliance, £409.86 remained and for Wombwell Ward Alliance £4,284.04 remained.

It was pleasing to note how many projects were now being funded and that Funds were now being so well used in terms of encouraging increasing numbers of volunteers to take part in community activities.

No information was available at the moment as to whether or not unallocated funds could be carried forward to the next financial year. If any information was forthcoming this would be forwarded to Members.

RESOLVED that the report on the use of Ward Alliance Funds be noted.

33 Performance Report (Sac.24.02.2017/7)

The Area Council Manager introduced the item, referring to the Performance Report now circulated. The following matters were raised:

- Reference was made to local information and advice and particularly to the benefits gained as a result of advice received and also to the amount of unmanageable debt handled through financial settlements which represented a significant impact on the local economy and to local families
- The number of people who had been assisted and who were in danger of becoming homeless was worrying. Some of this was due to the way in which

payments were made to claimants and the move to direct payments and also as people struggled to manage on meagre incomes. The amount of money and resources saved to the Council and other agencies as a result of this service was noted. Every £1 spent resulted in a wider social impact to the value of £28.81. This included a range of factors including the reduction in mental stress and the potential impact on physical health, reductions in numbers of residents becoming homeless and reduced levels of depressive illnesses

- The increase in the number of adult volunteers (53 largely new volunteers largely from the Tidy Team) was pleasing to note. It was also noted that the impact of the work done by volunteers was likely to be greater than the recorded numbers alone reflected because of the amount of work done by volunteers. For example Darfield volunteers were undertaking environmental work around the 'Darfield Ring' and not only grew plants, but donated and planted them out. The Area Council Manager was investigating how such matters could be captured within the statistical information
- It was reported that the Jump Environmental Group was undertaking work within the park and also a litter pick next week in the vicinity of Church Street. The group was also involved in various bulb planting projects on the 4th – 11th March, 2017
- The One Stop Shop twilight sessions were continuing to be extremely busy and reflected the fact that the majority of those seen were in work and required help with in-work benefits or other related issues
- Particular reference was made to the amber rating for 'outcome indicators met' in relation to the Summer Internship Programme and the reasons for this which was largely because not all places had been filled across both programmes. The Area Manager was satisfied that any provider would have faced similar difficulties in filling the available places and that the provider did everything they could to encourage young people to join the programme
- Following on from the above discussion, in relation to the Tidy Team, it was noted that two adult apprentices had been taken on and were progressing well. This was particularly pleasing as both had been unemployed for a significant period
- Progress was continuing with the Private Sector Housing Enforcement Officer pilot and the first quarterly meeting had been held in February. Good links had been established with other officers and the biggest areas of focus to date had been in Wombwell and to a lesser extent in Darfield. Further information on progress would be included in the Performance Management Report for the April meeting as the contract review figures were not due until after the current Performance Management Report had been written for this meeting.
- Three groups had been established to take forward priorities identified following the Health Asset Mapping Conference and whilst there had been a slight delay, these were to be taken forward shortly. The Area Council Manager would ensure that issues were picked up and progressed. Arising out of this,
 - The Universal Information and Advice Group had been put on hold whilst the mainstream advice services had been completely redesigned as part of the Council's Welfare Review which would be put in place from 1st April, 2017. The roll out of the Social Prescribing programme would also have an impact on this. Area Team Staff and Social Prescribing staff were having a joint workshop at the end of March,

after which the Working Group should be able to be re-launched. This Workshop would also inform the discussion on reducing social isolation on the South Area Council agenda in April

- The 'Love Your Street' Group had started with a pilot event in Broomhill. A community clean-up followed by a BBQ had been well attended by some who had not been involved in any community initiative before. A toolkit had been developed for 'Love your Street' work and leaflets had been produced for community groups detailing what groups could do and how they should work. Packs were available and been passed to the Tidy Team and if anyone required one of these, they should contact the Area Council Manager or the Tidy Team
- The Better Community Networks group would recommence following the return of the Area Council Manager
- In relation to future Finance for the Area Council, it was reported that the reduction in the budget was no longer expected. Including all income received from the Kingdom Contract to date, the Area Council now had £43,000 unallocated at the end of the 2016/17 financial year. Further income from fines through the Kingdom contract was anticipated but could not be guaranteed and the amounts could not be known at this stage.

RESOLVED

- (i) that the report be received;
- (ii) that information from the 'Stay in Touch' period of the Summer Internship Programme from 2015 would be submitted to the next meeting giving details about the destinations and progress; and
- (iii) that an update be provided for the next meeting on the Private Sector Housing officer project as part of the Performance Management report.

34 South Area Council Advice Services (Sac.24.02.2017/8)

The Area Council Manager introduced the item, referring to previous discussions at the Area Council, where Members had agreed on using some of their budget from 2017/18 and 2018/19 to provide advice services in the South area.

The Area Council Manager reminded Members of the background to this item and explained in detail the revisions to the tender specification requested at the meeting held on the 2nd December, 2016. She also sought a nominee to serve as a representative on the Evaluation Panel which would be part of the recommissioning service. The tender would go out to the market as soon as Area Council approval had been granted, with a new contract being awarded from 1st July, 2017.

RESOLVED:

- (i) That approval be given to recommission an Advice Service for the South Area for 2 years from 1st July, 2017 at a cost of £75,000 per annum;
- (ii) That the tender documentation to procure a Advice Service for the South Area be approved; and

- (iii) That Councillor Stowe take part in the Tender Moderation Panel for the Advice Service contract.

Chair

Item 28

Report of the Director of Legal and Governance to Council on the 30th March, 2017

Community Cohesion Champion Special Responsibility Allowance

1. Purpose of report

- 1.1 To consider the report of the Independent Remuneration Panel which has examined the case for the payment of a Special Responsibility Allowance to the role of Community Cohesion Champion.
- 1.2 To consider any appropriate changes to the Scheme of Allowances arising from the recommendations of the Panel.

2. Recommendations

2.1 That the report of the Independent Remuneration Panel be noted and, in the light of the findings of the Panel and its recommendations, an amendment to be made to the Council's Scheme of Allowances to provide for the payment of a Special Responsibility Allowance for the role of Community Cohesion Champion.

3. Background

3.1 The role of Community Cohesion Champion was formally established in March 2016. The role was established to take effect from the start of the municipal year 2015/16 given that the role was being discharged on a de facto basis albeit informally for the previous 12 months. An appropriate role description was also approved.

3.2 At the time the role was established formally it was recognised that the question of whether or not the position should be subject to a Special Responsibility Allowance would need to be referred for consideration by the Council's Independent Remuneration Panel.

3.3 The Panel has considered appropriate evidence and interviewed of relevant witnesses and submitted its report formally in December 2016. A copy of the report of the Panel is attached as an Appendix B.

3.4 The relevant regulations relating to the payment of members allowances provide that no change may be made to the Council's Scheme of Allowances unless a report has been considered from its Independent Remuneration Panel. The Council is not bound in considering the report to follow any recommendations made by the Panel but it must give good reason for any decision which does not follow the recommended approach of the Panel.

4. Current position and consideration of issue.

4.1 The report of the Panel is therefore now required to be considered formally through the Council's decision-making process.

4.2 The Council will note that the Panel has made a recommendation that the position of Community Cohesion Champion should receive a Special Responsibility Allowance. The Panel was satisfied from the evidence which it heard from relevant officers, the Cabinet

Spokesperson for Communities, the postholder, and from the Leader of the Council that the nature of the responsibility and workload involved was such to support payment of a Special Responsibility Allowance.

Rationale

4.3 The following passages from the Panel report are of particular relevance:

11. *"It is not for the Panel to comment on the validity of the role of Community Cohesion Champion; that is a function reserved to the Leader and the Council. The principal question for the Panel is whether the workload and responsibility of the post merits an SRA. Does the role carry an additional significance "both in terms of responsibility and real time commitment"¹ beyond that carried out by ward Members for which the Basic Allowance is paid?"*

¹[See paragraph 72 of 2006 statutory guidance]

12. *The Panel has always been clear that the Basic Allowance (£10,665) includes such duties as representation, community leadership, internal governance and standards. However, the Community Cohesion Champion brings an additional, Borough-wide, dimension to these roles. The Community Cohesion Champion meets regularly with members of community groups, relevant council officers and partnership bodies in their liaison role. In this way the Community Cohesion Champion acts as the co-coordinator and clearing house for problems to get addressed. It cuts across cultural and local agendas which are not suitable for ward-based approaches.*

13. *In addition, the intelligence role has become larger than envisaged. This mainly involves identifying problems that previously had not been apparent, e.g., revealing tensions both between different community groups and within community groups. A concrete example quoted was where asylum seekers from the same country and religious background were being housed together. The Community Cohesion Champion identified sectional differences in the apparently same religious affiliation that was causing tensions and an intervention was made to remedy the situation before sectional tensions developed into conflict.*

4.4 The Panel also explored the relationship between the position of Community Cohesion Champion and the role of the Cabinet Spokesperson for Communities.

15. *"The Panel is satisfied that the role and responsibility of the Community Cohesion Champion is in addition to that of the Communities Portfolio Holder and Support Member rather than a wider sharing of those responsibilities. The Community Cohesion Champion is addressing an area that was simply not present to the same extent 6-7 years ago and in turn has identified areas that were not anticipated. As such the Panel is clear that the workload and responsibility carried by the Community Cohesion Champion is significant to merit an SRA."*

Level of Allowance

4.5 Having established the rationale for the payment of an allowance consistent with the principles contained in the relevant regulations and statutory guidance in respect of Special Responsibility Allowances the Panel then examined what would be an appropriate amount for an allowance by way of remuneration.

4.6 The Panel considered with reference to other positions within the Scheme of Allowances that the position of Community Cohesion Champion could be viewed as falling between that of a Cabinet Support Member and that of a Scrutiny Task and Finish Lead.

4.7 In arriving at a precise figure it will be noted that the Panel adopted a similar approach as has been applied to existing Special Responsibility Allowances within the Scheme whereby the appropriate level of allowance has been expressed as a percentage of the Leader's overall SRA. The Panel considered on this basis that the nature of the responsibility for the position should be reflected as 10% of the Leader's SRA and recommended that the allowance should be £2,568.00

Implementation

4.8 The Panel also recognised that the role of Community Cohesion Champion had been established officially since March 2016 and so it would be appropriate to recommend that the payment of the allowance to the position holder should be backdated to the beginning of the financial year 2016/17. This backdating is permitted by the regulations.

5. Financial Implications

The financial implications are shown in the attached Appendix A and can be accommodated within the overall budget for Members Allowances.

6. Proposal

That the report of the Independent Remuneration Panel be noted and that Council consider amending the Council's Scheme of Allowances to provide for the payment of a Special Responsibility Allowance for the role of Community Cohesion Champion.

Contact Officer: Director of Legal and Governance - A.C Frosdick ext. 3001

Background Papers

Report to the

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Report of the Directors of Legal & Governance

FINANCIAL IMPLICATIONS

Community Cohesion Champion Special Responsibility Allowance

i) Capital Expenditure	<u>2016/17</u> £	<u>2017/18</u> £	<u>2018/19</u> £	<u>Total</u>
	0	0	0	0
To be financed from:				
	0	0	0	0

ii) Revenue Effects	<u>2016/17</u> £	<u>2017/18</u> £	<u>2018/19</u> £	<u>Later Years</u> £
	2,568	2,568	2,568	2,568
	2,568	2,568	2,568	2,568

To be financed from:

Costs to be contained within the overall resource envelope for legal and governance.

	2,568	2,568	2,568	2,568
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Impact on Medium Term Financial Strategy

This report has no impact on the Authority's Medium Term Financial Strategy.

	<u>2016/17</u> £m	<u>2017/18</u> £m	<u>2018/19</u> £m	<u>2019/20</u> £m
Current forecast budget gap	0.000	0.000	0.000	0.000
Requested approval	0.000	0.000	0.000	0.000
Revised forecast budget gap	0.000	0.000	0.000	0.000

Agreed by:



....On behalf of the Director-Finance, Property & IS

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A Review of Members' Allowances:

Special Responsibility Allowance for the Community Cohesion (Member) Champion

For

**Barnsley Metropolitan Borough
Council**

A Report

By the

Independent Remuneration Panel

**David Brannan
Diane Brown
Dr Declan Hall
Clive Watkinson
David Winchurch (Chair)**

November 2016

Barnsley Metropolitan Borough Council

Independent Remuneration Panel

A Review of Members' Allowances: SRA for Community Cohesion Champion

November 2016

The Regulatory Context

1. The Barnsley MBC Independent Remuneration Panel (or Panel) was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the '2003 Regulations'). These regulations require all local authorities to establish and maintain an allowances Panel that must be convened to provide advice on Members' allowances before a Council changes or amends its allowances scheme. All councils are required to 'pay regard' to their Panels' recommendations before setting a new or amended Members' Allowances scheme¹.

Terms of Reference

2. The Panel has been asked to consider as to whether a Special Responsibility Allowance should be paid for the role of Community Cohesion (Member) Champion. This role was established initially on the basis that it would be unremunerated. However, in light of the continuing development of the role the Leader of the Council has requested that consideration be given to whether the role merits a Special Responsibility Allowance (SRA) and if so to provide a further recommendation on the appropriate level.
3. In its deliberations the Panel has been specifically asked to have regard to:
 - The Statutory Guidance issued by the Secretary of State with regard to the payment of allowances and in particular the definition of what is considered to represent additional responsibility.

¹ 2003 Regulations 19 (1)

- The relationship between this new role of Community Cohesion Member Champion and the existing role of Cabinet Spokesperson for Communities and the role of the existing Cabinet Support Member
- The scope of the role, its demands and requirements
- The impact of the role during the period it has been undertaken in practice

The Panel

4. No changes were made to the membership of the Panel since the previous review (see March 2016 Report) and consisted of the following appointees:
 - David Brannan: Voluntary Action Barnsley representative
 - Diane Brown: lay Member and independent Co-optee on the Council's Audit Committee
 - Dr Declan Hall: formerly an academic at the Institute of Local Government, the University of Birmingham, currently a consultant specialising in Member remuneration
 - Clive Watkinson: Barnsley & Rotherham Chamber of Commerce representative
 - David Winchurch: Independent Chair of the Panel
5. The Panel was supported and assisted by the following Officers:
 - Andrew Frosdick: Director of Legal and Governance & Monitoring Officer
 - Gill Richards: Democratic Services Officer, South Yorkshire Joint Authorities Governance Unit
 - Wendy Brown: Executive Management Support Officer

Process and Methodology

6. The Panel met at the Westgate Council Offices in Barnsley on 5 August 2016 and at the Town Hall on 7 September 2016. As per previous Panel meetings it met in private session to enable the Panel to talk with Members and Officers and to conduct its deliberations in confidence.
7. The Panel continued to take an evidence-based approach and in arriving at its recommendations took into account a wide range of evidence including oral representations from Members, factual briefings by Officers on the role of

Community Cohesion Champion, comparative practice and relevant Council documents relating to the role of Community Cohesion Champion².

Community Cohesion Champion: Context and Role

8. In recent years it was increasingly recognised by both Members and senior management that there was an a growing and sensitive issue with regard to the way in which the Council responded to some of the challenges facing the Borough in relation to changing demographics and its potential impact on community cohesion. While there has not been a significant growth in the numbers of asylum seekers there has been a significant change in the their composition; moving away from families that were resident for a number of years and dispersed across the Borough to one where the majority are now under 24 years of age and concentrated in fewer wards. Moreover, due to quicker decision making regarding the right to remain many are now resident for short periods resulting in a greater change in the people making up the asylum population.
9. Consequently, after consideration by the Council the Leader established the role of Community Cohesion Champion on 9th March 2016, with the post holder formally appointed to the role for the Municipal Year 2015/16 as the current post holder had been undertaking the role on a de facto basis for the previous 12 months. The appointment, as part of the list of appointments to executive roles made by the Leader of the Council, was continued as notified by the Leader at the Annual Meeting in May 2016 for the Municipal Year 2016/17.
10. As part of the formalisation of the appointment a formal role description was also produced that identifies three prime areas of responsibility as follows:
 - I. **Representation**
 - Working with community groups and individuals to identify issue and perspectives
 - Championing community groups interests at Council and in its decision making process
 - Representing interests of specific groups in relation to housing
 - II. **Community Leadership**
 - Championing interests and concerns of community groups vis-a-vis partnership agencies, commissioning activity and area planning
 - Supporting development of plans reflecting needs of specific groups

² See Appendices 1 and 2 for further details.

- Supporting community engagement with specific community groups

III. Internal Governance, standards and relationships

- Working collaboratively with the Portfolio Holder and the Support Member for Communities, Area Council Chairs and local Members
- Acting as spokesperson for community cohesion at full Council and informing Council of specific community cohesion concerns

The Panel's deliberations and recommendations

11. It is not for the Panel to comment on the validity of the role of Community Cohesion Champion; that is a function reserved to the Leader and the Council. The principal question for the Panel is whether the workload and responsibility of the post merits an SRA. Does the role carry an additional significance "both in terms of responsibility and real time commitment"³ beyond that carried out by ward Members for which the Basic Allowance is paid?
12. The Panel has always been clear that the Basic Allowance (£10,665) includes such duties as representation, community leadership, internal governance and standards. However, the Community Cohesion Champion brings an additional, Borough-wide, dimension to these roles. The Community Cohesion Champion meets regularly with members of community groups, relevant council officers and partnership bodies in their liaison role. In this way the Community Cohesion Champion acts as the acts as co-coordinator and clearing house for problems to get addressed. It cuts across cultural and local agendas which are not suitable for ward-based approaches.
13. In addition, the intelligence role has become larger than envisaged. This mainly involves identifying problems that previously had not been apparent, e.g., revealing tensions both between different community groups and within community groups. A concrete example quoted was where asylum seekers from the same country and religious background were being housed together. The Community Cohesion Champion identified sectional differences in the apparently same religious affiliation that was causing tensions and an intervention was made to remedy the situation before sectional tensions developed into conflict.
14. The Panel recognises the current post holder brings a personal dimension to the role in that they have an expertise in the area and chooses to dedicate a great deal of time of effort to the role. However, it is equally recognised that regardless of the individual post holder the role of Community Cohesion

³ 2006 Statutory Guidance paragraph 72

Champion entails a set of demands, roles and expectations that can be deemed significant.

15. The Panel then considered whether the Community Cohesion Champion had abated the workload and responsibility of Communities Portfolio Holder and Support Member, which would have implications for their SRAs. In other words, has the workload and responsibility of the Communities remit remained the same with it being shared by more post holders or does it represent an expanding of the remit. The Panel is satisfied that the role and responsibility of the Community Cohesion Champion is in addition to that of the Communities Portfolio Holder and Support Member rather than a wider sharing of those responsibilities. The Community Cohesion Champion is addressing an area that was simply not present to the same extent 6-7 years ago and in turn has identified areas that were not anticipated. As such the Panel is clear that the workload and responsibility carried by the Community Cohesion Champion is significant to merit an SRA.
16. In considering the level of SRA benchmarking was of limited value as it is not a post typically paid elsewhere and where a broadly similar post is in place and remunerated it is not normally constituted on the same basis as in Barnsley; thus making it difficult to draw meaningful comparisons. In Barnsley it is an exceptional role for exceptional circumstances. Moreover, the Panel was satisfied that the remuneration of the Community Cohesion Champion does not contravene the 2006 Statutory Guidance which reminds Panels that it should be careful in making recommendations whereby the majority of Members were in receipt of an SRA. Unlike in a number of comparable Councils less than 50% of Barnsley Members are in receipt of an SRA. If an allowance were to be payable for the Community Cohesion Champion then 48% of Barnsley's Councillors would be in receipt of a special responsibility allowance. So the position would remain consistent with the statutory guidance even if the Community Cohesion Champion is added to the SRA schedule⁴.
17. In considering the appropriate level of SRA for the Community Cohesion Champion the Panel considered it in relation to other remunerated posts on the Council. The Communities Portfolio Holder retains responsibility for this area and the Community Cohesion Champion has no decision making powers. Moreover, the role differs from that of the Communities Support Member, who receives an SRA of £2,966, with the Community Cohesion Champion role being more focused albeit in a broader, outward facing context whereas a Support Member undertakes a more formal corporate role. On the other hand, while the Community Cohesion Champion role is a more fluid and

⁴ In accordance with its public accountability remit the Panel points out that it has not been one way when it comes to adding posts to the SRA schedule. In fact, in the past it has recommended, and the Council accepted, that certain posts be no longer remunerated e.g., Committee Vice-Chairs and Licensing Committee SRAs.

less formal role akin to that of the Overview and Scrutiny Task and Finish Leads who receive an SRA of £2,054, the Community Cohesion Champion role entails a greater complexity in an ongoing and developing context rather than being task and finish. As such the SRA for the Community Cohesion Champion should be pitched between that paid to a Portfolio Support Member and an Overview and Scrutiny Task and Finish Lead Member.

18. In accordance with the 2006 Statutory Guidance and previous methodology followed by the Panel in determining the recommended level of most SRAs the Panel adopted the pro rata approach as set out in the 2006 Statutory Guidance (paragraph 76), i.e., as a percentage of the Leader's SRA (£25,681). On the basis that the Panel views the role of Community Cohesion Champion as falling between that of a Support Member (£2,966) and an Overview and Scrutiny Task and Finish Lead (£2,054) it has arrived at the recommended SRA for the Community Cohesion Champion by setting it at 10% of the Leaders SRA, which equates to £2,568. **The Panel recommends that the Community Cohesion Champion be paid an SRA of £2,568.**
19. It is recognised the Community Cohesion Champion undertakes additional travel across the Borough resulting from holding the post for which they are not specifically reimbursed but the same applies to all remunerated post holders. Thus the recommended SRA of £2,568 is deemed inclusive of all incidental travel within the Borough arising out of the role. Similarly, this does not affect the right of the Community Cohesion Champion to claim travel costs when on approved duties outwith the Borough.
20. In considering when the applicable date of payment of the recommended SRA for the Community Cohesion Champion the Panel points out that the 2003 Regulations [paragraph 10. 96)] prohibit backdating beyond "the beginning of the financial year in which the amendment is made."⁵ This time restriction applies regardless of how long the post holder has been in place. Thus **the Panel further recommends that the SRA is backdated to the start of 2016/17 financial year.**

⁵ 2006 Statutory Guidance paragraph 29

Appendix 1: Meetings with Members and Officers

Members who met with the Panel

Cllr Sir Stephen Houghton	Leader of the Council
Cllr Jenny Platts	Cabinet Member for Communities
Cllr Karen Dyson	Community Cohesion Champion

Officers who briefed the Panel

Wendy Lowder	Interim Executive Director for Communities
Paul Brannan	Head of Community and Safety and Enforcement

Appendix 2: Further evidence and material considered by the Panel

1. New Council Constitutions: Guidance on Regulation for Local Authority Allowances 2003, reissued by Department for Communities & Local Government, 5 May 2006
2. The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 2003 No. 1021)
3. Briefing paper by Andrew Frosdick, Director of Legal and Governance & Monitoring Officer, setting out the background establishment of the post of Community Cohesion Champion and the current context to the role
4. Record of the decision (9 March 2016) by the Leader of the Council establishing the post of Community Cohesion Champion including rationale and brief outline of the role
5. Community Cohesion Champion - Role Description appended to recorded decision by the Leader of the Council in establishing the post
6. Report of the Leader of the Council, Establishing a Community Cohesion (Elected Member) Champion Role, 18 August 2015
7. The current Barnsley MBC Members' Allowances scheme and schemes from all other councils within the SCR CA for benchmarking purposes

Item 29

BARNSELY 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 Service Director
Human Resources & Business Support

Implementation of the 2017/18 Pay Policy Statement

1. Purpose of Report

The purpose of this report is to seek approval to implement the council's 2017/18 Pay Policy Statement in accordance with section 38 to 43 of the Localism Act 2011.

2. Recommendations

That approval is given to implement the 2017/18 Pay Policy Statement contained at Appendix B with effect from 1st April 2017.

3. Introduction

3.1 Local Authorities are required under section 38(1) of the Localism Act 2011 (the Act) to prepare a Pay Policy Statement. The statement must articulate the council's policy towards the pay of the workforce, particularly Chief Officers and lowest paid employees.

3.2 The Act requires that Pay Policy Statements are produced annually, are considered by full council and are published on the council's website.

4. Proposal and Justification

4.1 The 2017/18 Pay Policy Statement has been reviewed in accordance with the Act and has been updated with the following:

- Removal of reference to Youth and Community Workers and Medical Consultants as the council no longer employs staff on these terms and conditions.
- To reflect the protocol which allows changes to working practices to be agreed and implemented.
- To reflect the updated School Teachers Pay and Conditions Document 2016.

5. Consideration of Alternative Approaches

5.1 An alternative option would be to not produce a Pay Policy Statement. However this would contravene section 38(1) of the Localism Act 2011. Consequently this is not a realistic option.

6. Delivering Sustainable Community Strategy Ambitions and Local Area Agreement Outcomes

6.1 None directly arising from this report.

7. Compatibility with European Convention on Human Rights

- 7.1 This proposal is compatible with the European Convention of Human Rights Act Article 14: Prohibition of Discrimination in the Enjoyment of Convention Rights.

8. Promoting Equality and Diversity and Social Inclusion

- 8.1 The implementation of this policy will ensure that any issues relating to pay are applied fairly and consistently.

9. Risk Management Issues, including Health and Safety

- 9.1 The recommended policy provides information on how the council remunerates it's employees and as such provides a standard framework to be applied to employee remuneration therefore reduces the risk of inconsistencies in this area.

10. Financial Implications

- 10.1 None arising from this report.

11. Employee Implications

- 11.1 The proposed Pay Policy Statement applies to all employees except those employed in locally managed schools and brings together a number of existing policies and local agreements in one document.
- 11.2 The Trade Unions have been informed about the updated Pay Policy Statement.

12. Legal Implications

The Pay Policy consolidates a number of existing policies that have previously been reviewed by Legal Services.

13. Glossary

DCLG – Department for Communities and Local Government.

14. List of Appendices

Appendix 1 – 2017/18 Pay Policy Statement.

15. Background Papers

- 15.1 DCLG Guidance: Openness and Accountability in Local Pay February 2012.
- 15.2 DCLG Guidance: Openness and Accountability in Local Pay Supplementary Guidance February 2013.
- 15.3 DCLG Local Government Transparency Code 2014.
- 15.4 Localism Act 2011

These documents are contained in working files in Human Resources and are available for inspection.

Officer Contact: Alison Brown

Telephone No: 773674

Date: 19 January 2017

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PAY POLICY STATEMENT FOR THE PERIOD 1 APRIL 2017 TO 31 MARCH 2018**Contents**

Section 1.0	<u>Introduction and Scope</u>	Page 2
Section 2.0	<u>Determination of Pay</u>	Page 2
Section 3.0	<u>Lowest Paid Salary</u>	Page 6
Section 4.0	<u>Highest Paid Salary</u>	Page 6
Section 5.0	<u>Other Pay Related Policies</u>	Page 7
Section 6.0	<u>Professional Subscriptions</u>	Page 9
Section 7.0	<u>Remuneration Committees</u>	Page 9
Section 8.0	<u>Selective Voluntary Early Retirement/ Voluntary Severance</u>	Page 9
Section 9.0	<u>Employment in Receipt of a Pension/Redundancy/Severance</u>	Page 10
Section 10.0	<u>Pension Schemes</u>	Page 10
Section 11.0	<u>Amendments to the Policy</u>	Page 11
Section 12.0	<u>Policy for Future Years</u>	Page 12
Section 13.0	<u>Equality and Diversity</u>	Page 12
Section 14.0	<u>Income Tax and National Insurance</u>	Page 12
Annex A	<u>Chief Officer Remuneration</u>	Page 13

PAY POLICY FOR THE PERIOD 1 APRIL 2017 TO 31 MARCH 2018

1.0 INTRODUCTION AND SCOPE

- 1.1 Section 38 - 43 of the Localism Act 2011 (as supplemented) requires Barnsley Metropolitan Borough Council (referred to as the Council) to produce a policy statement that covers a number of matters concerning the pay of the Council's employees. This policy sets out the arrangements for salary and related allowances paid to employees of Barnsley Metropolitan Borough Council. It details the arrangements for the determination of salary, how salary levels are determined, the method for pay progression (where applicable) and the payment of allowances. It should be noted that the policy does not apply to employees within locally managed schools.
-

2.0 DETERMINATION OF PAY**2.1 Chief Officers**

The Council's policy on remunerating Chief Officers is set out below and in Annex A. For the purpose of the policy a Chief Officer is defined as the Chief Executive and Executive Directors. The terms and conditions of employment for such Chief Officers are as specified in the Joint National Committee for Chief Executives and Joint National Committee for Chief Officers as supplemented by Local Agreements.

2.1.1 Salary on Appointment

The post will be advertised and appointed to at the agreed approved salary unless there is good evidence that a successful appointment of a person with the required skills, knowledge, experience, abilities and qualities cannot be made without varying the remuneration package. In such circumstances a variation to the remuneration package is appropriate under the Council's policy and any variation will be approved through the agreed decision making process i.e. Full Council approval

2.1.2 Pay Progression/Increases

The Council will apply any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations. The Council will also apply any pay increases that are as a result of authority decisions to significantly increase the duties and responsibilities of the post in question beyond the normal flexing of duties and responsibilities that are expected in senior posts. Beyond this the Council would not make additional payments outside those specified in the contract of employment.

2.2 NJC Grades 1 to 17

The Council uses the National Joint Council (NJC) Job Evaluation Scheme and has a pay structure consisting of 17 Grades which can be found in the link below.

[17 Grade Pay Structure](#)

The grading structure covers all staff on NJC terms and conditions up to and including

Service Director level.

The pay grades for positions on NJC terms and conditions are determined utilising the NJC Job Evaluation scheme which is implemented jointly with the respective Trade Unions.

2.2.1 Salary on Appointment

Employees appointed to positions on NJC Grades 1 to 17 will normally be placed on the first point of the grade for the post. However, managers, in consultation with their Service Director have the discretion to award higher starting points within the grade of the post in order to salary match or if justified by the skills and experience of the candidate.

2.2.2 Salary on Promotion/Secondment

On promotion or secondment employees should normally be placed on the first point of the grade for the post. However, managers, in consultation with their Service Director have the discretion to award higher starting points within the grade of the post in order to salary match or if justified by the skills and experience of the candidate.

2.2.3 Pay Progression

Pay progression for employees on NJC Grades 1 to 17 is as outlined in the Incremental Pay Progression Guidance attached in the link below.

[Pay Progression](#)

2.3 Soulbury Officers

2.3.1 Salary on Appointment

The Soulbury Committee provides a voluntary collective bargaining machinery in respect of the salaries and service conditions of the following categories:-

- a) Educational Improvement Professionals
- b) Educational Psychologists

An employee appointed to one of these positions for the first time shall be placed at the minimum of the scale deemed appropriate by the Council. Where the employee has had previous experience which the authority considers should be regarded as equivalent value to service, the Council shall determine a higher incremental point up to the maximum.

2.3.2 Educational Improvement Professionals

A salary scale for Educational Improvement Professionals should consist of no more than 4 points (subject to additional points needed to accommodate discretionary scale extensions or SPA points).

Educational Improvement Professionals undertaking the full range of duties would

usually be appointed on a minimum point of 8.

Senior Educational Improvement Professionals undertaking the full range of duties would usually be appointed on a minimum point of 13

Leading Educational Improvement Professionals undertaking the full range of duties would usually be appointed on a minimum point of 20.

2.3.3 Educational Psychologists

Trainee Educational Psychologists in their second and third year of training should be paid on a point selected from the 6 point Trainee Educational Psychologist pay scale. While Trainee Educational Psychologists will be employed on the basis that they will be available for work for 3 days per week in the second year and 4 days per week in the third year of training, it is not intended that their pay rates should be applied on any pro rata basis

Assistant Educational Psychologists are paid on the Assistant Educational Psychologist pay scale and should not remain on this scale for more than 4 years. Educational Psychologists would usually be appointed on an individual 6 point pay range on Scale A which will be 1-6, 2-7 or 3-8 based on an assessment of recruitment and retention and other local factors. Managers have the discretion to appoint above the minimum of the selected scale.

Senior Educational Psychologists would usually be appointed on a 4 point pay range on Scale B

Principal Educational Psychologists would usually be appointed on a 4 point pay range on Scale B with a minimum starting point of point 4.

Educational Psychologists paid on Scales A/B are also eligible for up to 3 Structured Professional Assessment (SPA) points

2.3.4 Salary on Promotion/Secondment

On promotion or secondment employees should normally be placed on the first point of the range for the post. However, managers, in consultation with their Service Director have the discretion to award higher starting points within the grade of the post in order to salary match or if justified by the skills and experience of the candidate.

(The Council should provide a career structure for Educational Psychologists and further details can be obtained from The Report of the Committee on Salary Scales and Service Conditions of Inspectors and Advisory Officers of Local Education Authorities).

2.3.5 Incremental Pay Progression

The pay awards for Advisors, Inspectors and Psychologists are effective from 1st September each year subject to six months service in the post, until the maximum of the grade is reached.

Soulbury staff also have the opportunity to apply for up to 3 further points on the salary scale (in addition to their 4 point range) and these are called Structured Professional Assessment points (SPA's). A copy of the application for Structured Professional

Assessment Points Guidance notes can be found in the link below:-

[Structured Professional Assessment Guidance](#)

2.4 Centrally Employed Teachers

The pay policy for Centrally Employed Teachers falls under the terms of the School Teachers Pay and Conditions Document (referred to as the Document).

[School Teachers Pay and Conditions 2016](#)

The Document was changed in September 2016. A summary of the main changes can be found in the link below.

[Implementing schools approach to pay](#)

The Council will review every qualified teacher's salary with effect from 1 September each year. Reviews may take place at other times of the year to reflect any changes in circumstances or job descriptions that will affect pay.

The statutory pay arrangements give significant discretion over the awarding of allowances and the criteria used by the Council to determine the application of the discretionary elements. Decisions on the way these discretions will be used are the responsibility of the Executive Director, People.

2.5 Adult Education Tutors

2.5.1 Following the cessation of the (Silver Book) a Local Agreement for Adult Education Lecturers was agreed and implemented in September 2002. The Agreement covers staff employed as Lecturers (Qualified and Unqualified), Curriculum Co-ordinators, Lead Tutors, Curriculum Support and Information Officers Learning /Project Co-ordinators.

2.5.2 Salary on Appointment

A new employee to the Service would normally be appointed at the bottom of the relevant pay scale although additional increments may be considered for previous relevant experience or continuous service in establishments recognised under the Redundancy Payments (Modification) Order 1999.

2.5.3 Pay Progression

The pay awards for employees covered by the Local Agreement for Adult Education Lecturers 2008 are based upon the percentage pay increase awarded to JNC Youth and Community Workers. Any such awards are effective from 1st September each year.

During employment annual increments shall be awarded on 1st September each year subject to six months service in the post, until the maximum of the grade is reached.

2.6 Agenda For Change

The Agenda for Change pay structure is applicable to staff within the extended remit of the NHS Pay Review Body (NHSPRB). The pay spine is divided into 9 pay bands (pay band 8 is subdivided into 4 ranges) and positions were assigned to a pay band in accordance with the NHS Job Evaluation Scheme.

2.6.1 Salary on Appointment

Upon commencement to a post staff were normally appointed to the lowest pay point of the agreed band with the exception of staff appointed on Band 5 who have accelerated progression through the first two pay points in six monthly steps providing management are satisfied that they meet the required 'standard of practice'. This 12 month period is known as the 'Preceptorship'. Employees affected by the TUPE transferred on the same terms and conditions applicable pre-transfer. The Council reserves the right to evaluate and appoint to all new posts in accordance with the NJC terms and conditions for Local Government Employees.

2.6.2 Salary on Promotion

Pay on promotion should be set either at the minimum of the new pay band or, if this would result in no pay increase, the first pay point in the band which would deliver an increase in pay. However, as stated in 2.8.1, the Council reserves the right to evaluate and appoint to all posts, including promotion opportunities, in accordance with the NJC terms and conditions for Local Government Employees.

2.6.3 Pay Progression

Progression through the individual pay bands is by annual increments on the anniversary of appointment to the post. This progression is dependent upon satisfactory performance in the role and demonstration of the agreed knowledge and skills appropriate to that part of the pay band as detailed in the NHS Knowledge and Skills Framework.

3.0 LOWEST PAID SALARY

3.1 The lowest pay point in this Council is Grade 1 point 6 which equates to an annual salary of £15,014 and can be expressed as an hourly rate of pay of £7.78. This is increased to £8.45 per hour as the Council pays a low pay supplement equivalent to the Living Wage on top of Grade 1 hourly rates up to and including spinal column point 12.

3.2 The pay rate is increased in accordance with any pay settlements which are reached through the National Joint Council for Local Government Services and through increases to the Living Wage as advised by the Living Wage Foundation.

4.0 HIGHEST PAID SALARY

4.1 The highest paid salary in this council is currently £154,818 which is paid to the Chief

Executive. The median average salary in this council (not including schools) is £22,574. The ratio between the two salaries, the 'pay multiple' is 6.8:1. The authority is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the Council and as such the Council takes the view that the pay multiple acts as a control element which will be monitored and reported annually as part of the review of this Pay Policy.

- 4.2 The Council is required to publish Chief Officer salaries on an annual basis as part of the Statement of Accounts. Details can be found at:

[Statement of Accounts 2015 16](#)

5.0 OTHER PAY RELATED POLICIES

A number of other pay related policies are outlined below which are applicable to all employees except centrally employed school teachers, whose statutory pay and conditions of service fall under the terms of the School Teachers Pay and Conditions Document (Refer to Annex 2). The information contained below provides a summary of allowances and must be read in conjunction with the relevant 'Conditions of Service' document/Local Agreement.

The Council also has a protocol which allows changes to working practices to be agreed and implemented. As a consequence the agreements relating to premium payments, shift allowances and standby payments may have been varied from the standard agreement.

5.1 Allowances

5.1.1 Bank Holiday Working

- Employees required to work on a public or extra statutory holiday shall, in addition to the normal pay for that day, be paid plain time rate for all hours worked within their normal working hours for that day. In addition, at a later date, time off with pay shall be allowed as follows:
 - Time worked less than half the normal working hours on that day - half day
 - Time worked more than half the normal working hours on that day - full day

5.1.2 Overtime/Additional Hours

- Overtime rates – Employees who are required to work overtime/additional hours beyond their working week are entitled to receive enhancements on the following basis
 - Monday to Sunday - time and half

The Council has a Planned Overtime Policy which applies to employees of Grade

7 and above who undertake overtime. Full details of the provision can be found at: [Planned Overtime Policy](#)

- Part-time employees will only be paid overtime rates in circumstances where an equivalent full time employee would receive them e.g. for a part-time employee who normally works Monday to Friday, work up to 37 hours per week will be paid at plain time, thereafter and at weekends overtime rates will be payable.

5.1.3 Weekend Working

- Employees who are required to work on Saturday and/or Sunday as part of their normal working week are entitled to the following enhancements:
 - Monday to Sunday - time and half

5.1.4 Night work

Employees who work at night as part of their normal working week are entitled to receive an enhancement of time and half for all hours worked between 10pm and 6am, Monday to Sunday i.e. no additional enhancement is payable for weekend working.

The night rate shall be payable in addition to the enhanced rates of pay for additional hours (overtime) worked on a Monday to Sunday night between the hours of 10pm and 6am e.g. an employee working Saturday night as overtime will receive time and half for hours worked Saturday plus an additional 50% of the hourly rate due to working at night (between 10pm and 6am).

5.1.5 Alternating Shifts

- An enhancement of 10% will be payable to employees working alternating shifts providing all of the following criteria are met:
 - The total period covered by the shifts is 11 hours or more
 - There are at least 4 hours between the starting time and the earliest and latest shift

5.1.6 Rotating Shifts

- An enhancement equivalent to:
 - 10% of salary for three shifts on a rota basis including a night shift over 5 or 6 days, or
 - 10% of salary for three shifts on a rota basis including a night shift over 7 days will be payable to employees working rotating shifts providing all of the following criteria are met:
 - ◆ The total period covered by the shifts is 18 hours or more
 - ◆ At least 4 hours worked between 7pm and 7am.

5.1.7 In addition to the above mentioned the Council has a number of local agreements covering areas such as:

- Car Mileage Allowance - employees who use their private car whilst undertaking official business in the course of their employment, mileage will be reimbursed at the Approved Mileage Allowance Payments (AMAP) rates as specified by HM Revenue and Customs.
- Recruitment and Retention Procedure - provides a series of payment options to assist with recruitment and retention issues.
- Deprivation of Liberty Safeguards Payments - The Council has a statutory duty to undertake assessments under Deprivation of Liberty Safeguards (DOLS). A payment will be made in accordance with the local agreement.
- Laundry Allowance - additional payment to recompense employees for cleaning allocated uniforms.
- Stand by/Call out - An employee who is contractually required or volunteers to be available on a standby/call out basis will be recompensed by payment of an amount determined locally.
- Approved Mental Health Professionals (AMHP) allowance - Is an annual allowance paid over 12 equal monthly instalments to AMHP's who undertake this role in addition to their post.

The above is not an exhaustive list of local agreements.

6.0 PROFESSIONAL SUBSCRIPTIONS

- 6.1 This payment of fees currently applies only to employees of Legal Services who are Solicitors and are required to hold a practising certificate and for Social Care Workers who are required to be registered by the Health and Care Professionals Council (HCPC).

Payment will not be made for membership of any other professional organisation, whether or not membership is a requirement of the appointment. Full details of the Council's Policy can be found at:

[Reimbursement of Professional Fees](#)

7.0 REMUNERATION COMMITTEES

- 7.1 The Council does not utilise a Remuneration Committee to determine grading of posts. The evaluation of posts is a complex issue requiring use of specialised trained panels to recommend grades for posts as determined by the appropriate evaluation process. Recommended grades are subject to approval by the agreed Council decision making process i.e. Delegated/Cabinet Reports.

8.0 SELECTIVE VOLUNTARY EARLY RETIREMENT/VOLUNTARY SEVERANCE POLICY

- 8.1 The Selective Voluntary Early Retirement and Voluntary Severance schemes enable the Council to reduce the size of its workforce in line with prevailing economic conditions, whilst at the same time compensating eligible employees by either immediate payment of pension benefits and/or a redundancy payment. The Council's Policy relating to all employees who are members of the Local Government Pension Scheme can be found at:

SVER and VS Policy

- 8.2 The Policy covering employees who are members of the Teachers Pension Scheme is available at:

Redundancy SVER Teachers

- 8.3 Where the level of severance pay/redundancy pay is calculated in accordance with the Councils policy and the resultant payment is more than £100,000 then approval must be sought by Council prior to agreement to release the payment.

9.0 EMPLOYMENT OF PERSONS IN RECEIPT OF A PENSION OR REDUNDANCY/ SEVERANCE PAYMENT

- 9.1 The authority is under a statutory duty to appoint on merit and has to ensure that it complies with all appropriate employment and equalities legislation. The authority will always seek to appoint the best available candidate to a post who has the skills, knowledge, experience, abilities and qualities needed for the post.
- 9.2 If a candidate is an employee in receipt of a pension (this includes ill health pensions) from a public sector organisation including local government, civil service, teachers pensions, police (Civil or Warranted Officers), armed forces, or any other covered by the Modification Order or a redundancy/ severance payment as a result of being made compulsory redundant this will not rule them out from being employed by the authority.
- 9.3 The re-engagement of public sector employees can, in some circumstances, provide practical solutions to specific workload/project staffing needs due to their previous knowledge and experience.
- 9.4 A balanced judgement is therefore needed, taking all of these issues into account along with the fact that the post must have been advertised and no other suitable candidates identified. HR approval must be sought by managers in all cases prior to entering into discussions with individuals in receipt of a pension or redundancy/severance payment regarding any opportunity for employment. Any such arrangements will be considered on a case by case basis and must be cost effective and provide best value in the use of Council resources.
- 9.5 The authority will apply the provisions of the Statutory Redundancy Payments Modification Order regarding the recovery of redundancy payments if this is relevant and appropriate. Pensions Regulations also have provisions to reduce pension payments in certain circumstances to those who return to work within the local government service.

10.0 PENSION SCHEMES

10.1 Local Government Pension Scheme

Eligible employees automatically become a member of the Local Government Pension Scheme (LGPS) if they have a contract of employment for at least three months. Where the employee has a contract for less than three months, the employee may

elect to join the scheme. However, LGPS scheme regulations are superseded by pension's auto-enrolment legislation which requires all employees to automatically pay pension contributions where the earnings level is above the threshold. Employees may choose to opt out of auto-enrolment. The LGPS is a tax approved, defined benefit occupational pension scheme set up under the Superannuation Act 1972. The benefits under the Scheme are based on the length of membership and the final salary. The contribution rate depends on the level of earnings but it will be between 5.5% and 12.5% of pensionable pay.

The Council pays the balance of the cost of providing benefits in the LGPS currently 23.75%. Every three years an independent review is undertaken to calculate how much the employer should contribute to the Scheme. Increases or decreases in the cost of providing the scheme may, in future, need to be shared between members and employers, in accordance with government guidance.

Full details of the LGPS can be found at:

[South Yorkshire Pensions Authority - Homepage](#)

10.2 **Teachers Pensions Scheme**

For Centrally employed teachers or posts that the Council decides are eligible for membership of the Teacher's Pension Scheme (TPS) new appointees will automatically become scheme members.

The TPS is a contributory scheme administered by Teachers' Pensions (TP) on behalf of the Department for Education (DfE). It is a defined benefit 'final salary' scheme providing a lump sum and pension after retirement. Members of the TPS contributions rates range from 6.4% to 12.4% depending on the level of earnings. The Council pays a further 16.48%. The Scheme Actuary reviews these rates at regular intervals.

Information relating to the TPS can be found at:

[Teachers Pension Scheme](#)

10.3 **NHS Pension Scheme**

Some employees in Public Health roles have pension protections and continue to contribute to the NHS Pension scheme.

Information relating to the scheme can be found at:

[NHS Pension Scheme](#)

11.0 **AMENDMENTS TO THE POLICY**

- 11.1 It is anticipated that this policy will not need to be amended further during the period it covers i.e. 1 April 2017 to 31 March 2018, however if circumstances dictate that a change of policy is considered to be appropriate during the year then a revised draft will be presented to full Council for consideration.

12.0 **POLICY FOR FUTURE YEARS**

- 12.1 The policy will be reviewed each year and will be presented to full Council each year for consideration in order to ensure that a policy is in place for the Council prior to the start of each financial year.
-

13.0 **EQUALITY AND DIVERSITY**

- 13.1 This policy has been impact assessed by Human Resources, if on reading this policy you feel there are any equality and diversity issues, please contact your Directorate Human Resources Advisor who will if necessary ensure the policy is reviewed.
-

14.0 **INCOME TAX AND NATIONAL INSURANCE CONTRIBUTIONS**

- 14.1 Sections 682-702 of the Income Tax (Earnings and Pensions) Act 2003 (ITEPA) impose a duty on an employer to account for PAYE on employment income paid to employees. PAYE applies to all payments of income within the charge to tax under ITEPA 2003.
- 14.2 There are three classes of national insurance contributions (NICs) which are payable by or in respect of employees:
- Class 1 contributions, which are earnings related. Primary contributions are paid by “employed earners” secondary contributions are paid by employers.
Class 1A contributions, which are payable annually by secondary contributors only, based upon taxable value of benefits reported on forms P11D.
Class 1B contributions, which are payable annually by secondary contributors only, based on the tax borne under a PAYE Settlement Agreement (PSA).
-

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Annex A Chief Officer Remuneration

Aspect of Chief Officer Remuneration	BMC Policy
Recruitment	The post will be advertised and appointed to at the appropriate approved salary for the post in question unless there is good evidence that a successful appointment of a person with the required skills, knowledge, experience, abilities and qualities cannot be made without varying the remuneration package. In such circumstances a variation to the remuneration package is appropriate under the Council's policy and any variation will be approved through the appropriate decision making process.
Pay Increases	The Council will apply any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations. The Council will also apply any pay increases that are as a result of authority decisions to significantly increase the duties and responsibilities of the post in question beyond the normal flexing of duties and responsibilities that are expected in senior posts subject to approval by the appropriate decision making process.
Additions To Pay	The Council would not make additional payments beyond those specified in the contract of employment.
Performance Related Pay	The Council does not operate a performance related pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed in accordance with Council Policy.
Earn-Back (Withholding an element of base pay related to performance)	The authority does not operate an earn-back pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed rigorously.
Bonuses	The Council does not pay bonus payments to employees.
Termination Payments	The Council applies its normal redundancy payments arrangements to senior officers and does not have separate provisions for senior officers. The Council also applies the appropriate Pensions regulations when they apply. The Council has agreed policies in place on how it will apply any discretionary powers it has under Pensions regulations. Any costs that are incurred regarding senior officers are published in the Council's accounts as required under the Accounts and Audit (England) Regulations 2011.
Transparency	The Council meets its requirements under the Localism Act, the Code of Practice on Data Transparency and the Accounts and Audit Regulations in order to ensure that it is open and transparent regarding senior officer remuneration.
Employment of persons in receipt of a pension or redundancy/severance payment	Refer to Section 10

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Item 30

BARNSELY 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, Place.

LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY

1. Purpose of report

1.1 To remind Members of the review of the existing Licensing Policy governing the licensing of the retail sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment; and following the recent public consultation exercise, to seek approval for the Policy to go to full Council.

2. Recommendations

2.1 That the Licensing Act Statement of Licensing Policy 2017 be approved.

3. Introduction

3.1 The Statement of Licensing Policy (“the Policy”) is a legal requirement under the Licensing Act 2003. The purpose of the policy is to guide the Licensing Committee when considering applications for the sale of alcohol, regulated entertainment, late night refreshment, cinema and theatrical performances, as well as assisting applicants in presenting their application. The contents of the Policy are specified in Government Guidance.

3.2 The aim of the Policy is to promote the four licensing objectives, which are;

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance and
- d) The protection of children from harm.

3.3 The Council wishes to promote the above whilst still encouraging a sustainable entertainment and leisure industry. The Council recognises that local residents need a safe and healthy environment in which to work and live, and that safe and well run entertainment and leisure facilities are important to the local economy and cultural health of the Borough.

4. Consideration of alternative approaches

4.1 Barnsley Metropolitan Borough Council is the Licensing Authority for the purposes of the Licensing Act 2003 and has a statutory duty to publish a statement of Licensing Policy under the Act. We are also legally required to review and update it on a regular basis and following any changes in the relevant legislation or guidance.

4.2 The existing policy does not include reference to new policies, guidance or legislative changes, and is therefore outdated. It is also not aligned to Future Council objectives. The new policy covers these issues.

4.3 Failing to approve the policy would result in the Council being unable to meet its statutory functions in that applications for licences together with reviews of licences have to be dealt with in line with the adopted policy.

5. Proposal and justification

5.1 The statement of Licensing Policy has certain key objectives;

- Provides applicants with a clear, consistent basis for submitting applications and notices in the Borough
- Provides a clear, consistent basis for determining licensing applications in Barnsley
- Ensures the relevant views of those affected by licensed premises are taken into consideration
- Ensures that local area issues are taken into account by licensed premises and
- Supports the wider strategies of the Council and the approach to licensed activities and premises across the Borough.

5.2 The adoption of the Policy is a legal requirement. The overarching ethos of the policy is to ensure that the licensing objectives are met throughout the Authority and that communities are not undermined by crime and disorder as result of licensed activities or premises.

5.3 The licensed entertainment and hospitality industry is a major provider of full time, part time and casual employment and it makes a significant contribution to the local economy. It fulfils an important social and community role, providing facilities for both residents and businesses and provides vital support for related sectors such as retail and tourism.

5.4 The Licensing Statement of Policy forms an essential part of the Council's integrated approach to alcohol related issues and the provision of regulated entertainment. It seeks to strike a balance between the need to encourage a vibrant and dynamic entertainment industry as part of the regeneration of the Borough, and the need to ensure that concerns relating to public disorder are effectively

addressed. The policies in this Statement aim to contribute to making the Borough as a whole, and its town centre in particular, pleasant, safe and prosperous places in which to live, work, learn and relax. We want to work with partners and the licensing trade to provide a safe, diverse and family orientated night time economy for all to enjoy. For example, the Licensing Service is working with internal and external partners to contribute to the achievement of Purple flag status for the town centre.

5.5 Licensing is also working with Public Health and the Police to proactively address the issue of problem drinkers in the town centre, looking at working with retail premises to stop the sale of high strength, low cost alcohol and the sale of single cans. The Service will also, in conjunction with Public Health, consider the available evidence and the feasibility of some of the potential licensing controls available, where they are considered necessary, in particular to support the town centre night time economy. Initial views on these measures have been collected at consultation and they may be the subject of further Cabinet reports.

6. Implications for local people / service users

6.1 The aim of the new policy is to support business and regeneration across the Borough and town centre in particular, whilst protecting the public and ensuring that the four licensing objectives are met. This will result in a safe and varied night time economy.

6.2 A new reference is included in the policy to Child Sexual Exploitation, and applicants are required to have regards to any relevant measures for the protection of children from harm, both physical and psychological.

7. Financial implications

7.1 Consultations on the financial implications have taken place with representatives of the Director of Finance, Assets & IT.

7.2 There are no financial implications arising from the approval of the Policy.

8. Employee implications

8.1 There are no specific employee implications in reviewing and updating this policy.

9. Communications implications

9.1 The Policy has been subject to a 6 week public consultation period, when it appeared on the Council's consultation website. All stakeholders were be contacted by letter to inform them of the consultation. This included all premises licensed under this legislation in the borough, as well as statutory consultees such as South Yorkshire Police.

9.2 Once adopted, the policy will be published on the Licensing web site. The Policy will therefore be available to all interested parties.

10. Consultations

10.1 In accordance with legislation, consultation on the proposed new policy was carried out with the prescribed statutory consultees, responsible authorities, Members, parish councils and all premises, individuals and groups who hold a licence in the Borough. Consultation lasted for a period of 6 weeks, from 7th November to the 16th December 2016.

10.2 The views of all consultees were duly considered and given proper weight when reviewing this policy.

10.3 Very few responses received were regarding the policy, only 4 in total. Two responses were received from licensees, one regarding a reduced notice period (these are statutory and cannot be altered) and the other with specific comments regarding the sale of Lottery products within licensed premises (clarification issue).

10.4 South Yorkshire Police were also consulted. They had no comments on the policy other than a specific comment on the requirement for a record of staff training, refusals and incidents. This sentence has been added to the policy. At this point South Yorkshire Police are not asking us to consider any of the potential licensing controls available such as a Levy, Early Morning Restriction area or Cumulative Impact Policy.

10.5 Public Health responded to the consultation to say that “the health implications of harmful drinking at a population level are more serious than ever before and implementing evidence based licensing policies will make a major contribution. Research indicates that the more intensely alcohol licensing policies are implemented in a local area, the stronger their effect on reduction in alcohol related hospital admissions, with an additional annual average reduction of 2% in alcohol-related hospital admissions rates, had those licensing policies not been in place.” Public Health are therefore supportive of licensing restrictions as they believe that restrictions “will provide additional collective powers to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance, instances of alcohol related anti-social behaviour and harmful drinking across the population.”

(Reference: PHE report December 2016 The Public Health Burden of Alcohol and the Effectiveness and Cost Effectiveness of Alcohol Control Policies – An Evidence Review).

10.6 Before any restriction is considered, substantial evidence must be collated and analysed to indicate the extent of any problem. Any restriction imposed would be likely to be legally challenged and therefore must have a sound evidential background. The grounds for any such restriction must be based on one of the existing licensing objectives such as the prevention of crime and disorder. Currently, this evidence does not exist, but information is currently being collated as part of ongoing measures to tackle street drinking via the DIALOG group which has members from Licensing, Public Health and the Police working together to tackle alcohol related issues in the town centre. It is good practice to use other existing

powers to tackle anti-social behaviour issues related to drinking before licensing restrictions are considered. These are detailed in the policy.

10.7 Currently public health is not one of the Licensing objectives, so cannot form the sole basis for the introduction of licensing restrictions. Any evidence must relate to one of the existing licensing objectives such as the prevention of crime and disorder. As such, the evidence for any licensing restriction would be mainly police based, and the Police do not consider there to be a need for restrictions at this time. However, there are proposals to amend the legislation to make public health a licensing objective (proposed for some time this year) so when that happens the situation could be reviewed. A balance needs to be achieved where the harmful effects of alcohol are addressed, without curtailing economic regeneration, especially of the town centre.

10.8 In the meantime, Licensing will continue to work closely with Public Health and other partners in a proactive approach to reduce alcohol related harm. This includes the work of the DIALOG group, the review of the Alcohol strategy, the proposals for Night Marshalls and the work being done by Public Health on a regional level to address minimum unit pricing of alcohol.

11. The Corporate Plan and the Council's Performance Management Framework

11.1 The publication of the policy supports the Council priority of "People achieving their potential" by ensuring children and adults are protected from harm. It also supports the "Thriving and Vibrant Economy" priority by supporting new business in the licensed trade.

12. Tackling health inequalities

12.1 The Policy recognises the impact that excessive or binge drinking can have on public health and that positive action in promoting the licensing objectives is equally likely to have an indirect impact on public health.

13. Risk management issues

13.1 Failure to have an up to date Statement of Licensing Policy could result in successful legal challenges to the Council's decisions.

14. Compatibility with the European Convention on Human Rights

14.1 The implementation of the Statement of Licensing Policy will not interfere with the Convention on Human Rights. However, decisions made by the Licensing Board in relation to applications for Licences and reviews of licences will be affected by Human Rights Legislation, in particular Article 6 (the right to a fair trial).

15. Promoting equality, diversity, and social inclusion

15.1 The Licensing Act 2003 contains four licensing objectives, including public safety and the protection of children from harm. It is recognised that subjecting

vulnerable adults or children to some forms of licensed entertainment or premises could lead to them being harmed or exploited and care must be taken to ensure that all applications provide mitigation measures suitable to the level of risk.

15.2 In order to promote inclusion and to prevent exclusion, the Policy reminds applicants of their responsibilities under the Equality Act 2010. In seeking to support a community in which diversity is encouraged, the Council will expect all applicants to take steps to ensure that no person is treated differently on the grounds of race, colour, religion, ethnic or national origins, age, sex, sexual orientation or disability.

15.3 On consultation, it was decided that a full Equality Impact Assessment was not required for the Policy. However, several issues were highlighted as requiring further action moving forward, though not directly related to the Policy itself (see Appendix 2). These issues and others were discussed with the Town Centre Equality and Diversity working group. They will be taken up as part of the remit of the working group and Town Centre regeneration plans and the work towards Purple Flag, which Licensing are involved with.

16. Reduction of crime and disorder

16.1 One of the four licensing objectives relate directly to the prevention of crime and disorder. The Council will have regard to the likely impact of licensing and related crime and disorder when considering the location, operation and management of all proposed licence applications, reviews and variations.

17. Conclusion

17.1 It is proposed that the draft updated Licensing Policy be approved as it stands, without further changes following consultation. However, Licensing will continue to work closely with the Police, Public Health and regeneration partners to identify whether any formal licensing restrictions are required in the future.

17.2 Should any evidence point to the need for such licensing restrictions to be considered, then a further report will be brought to Cabinet. Should restrictions be introduced, the Policy can be amended at any time.

18. List of appendices

Appendix 1 Statement of Licensing Policy.

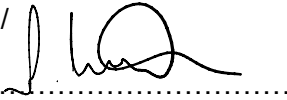
Appendix 2 Equality Impact Assessment – Licensing Policy.

19. Background papers

Licensing Act 2003

PHE report December 2016: The Public Health Burden of Alcohol and the Effectiveness and Cost Effectiveness of Alcohol Control Policies – An Evidence Review.

Officer Contact: Caroline Petty. Telephone No: 01226 772482. Date: 21.07.16

Financial Implications /
Consultation 
*(To be signed by senior Financial Services officer
where no financial implications)*

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BARNSLEY
Metropolitan Borough Council

Licensing Act 2003

Statement of Licensing Policy

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BARNSELY METROPOLITAN BOROUGH COUNCIL

LICENSING ACT 2003 – Statement of Licensing Policy 2017

INDEX

Section	Content	Page No.
1.	Introduction	3
2.	General Principles	4
3.	Human Rights	5
4.	Scope of Policy	5
5.	Consultation	6
6.	Summary of Process	6
7.	Promotion of Licensing Objectives	7
8.	The Prevention of Crime & Disorder	7
9.	Public Safety	8
10.	The Prevention of Public Nuisance	9
11.	The Protection of Children From Harm	10
12.	Cumulative Impact	13
13.	Early Morning Restriction Orders	15
14.	Late Night Levy	16
15.	Licensing Hours	16
16.	Open Air and Large Scale Events	17
17.	Premises Providing Late Night Refreshment	17
18.	Club Premises Certificates	18
19.	AWP Machines and Gambling Machines	18
20.	Licensing Conditions	18
21.	Operating Schedules	19

22.	Applications for Personal Licences	19
23.	Designated Premises Supervisors	19
24.	Excessive Consumption of Alcohol	20
25.	Applications for Temporary Event Notices	20
26.	Minor Variations	21
27.	Alcohol Deliveries	21
28.	Other mechanisms of control	22
29.	Integrating Strategies	22
30.	Sales of Alcohol to Children	22
31.	Planning System and the Avoidance of Duplication	23
32.	Promotion of Equality	23
33.	Enforcement	24
34.	Live Music, theatre and dancing	24
35.	Representations	25
36.	Applications	25
37.	Administration, Exercise and Delegation of Functions	26
38.	Advice	28

APPENDICES

- A 'Safer Clubbing' Check list

BARNSELY METROPOLITAN BOROUGH COUNCIL

Barnsley Licensing Committee

1. Introduction

- 1.1 The Barnsley Future Council plan defines an achievable vision for the future in which Barnsley is an innovative and vibrant 21st Century market town at the centre of a modern dynamic economy and a great place to live. Priorities to transform the Borough include plans for regeneration of the town centre, providing a safe, vibrant and diverse environment whilst achieving a new and sustainable economic future.
- 1.2 The urban core of Barnsley is home to 82,000 people. Barnsley town centre is the focus for the Borough's main shopping, administrative, commercial and entertainment activities. It is long famous for its market and more recently has become noted for its expanding club scene and night life. To the west of the urban core is the lightly populated attractive hilly country centred on the market town of Penistone. To the south and east are the dispersed towns and villages, separated by open land of the former coalfield, which are the home to some 95,000 people. The Barnsley Urban Area will play a pivotal role in regeneration and the Town Centre itself will be transformed into a modern urban living space offering shoppers and visitors exciting retail, recreational, entertainment and cultural experiences that will enable it to compete successfully with neighbouring centres. Regeneration in the Borough's rural areas will be based on diversification and sustainable development. Cultural and leisure facilities appropriate in type and scale will be encouraged in the smaller market towns.
- 1.3 Integral in making Barnsley a great place to live is to ensure that its communities are attractive, safe living environments with convenient access to good quality local services and amenities, including leisure, entertainment and cultural facilities. Neighbourhoods must be clean, safe and secure and their environments respected and cared for. They must also be friendly and caring places where people are welcome from all backgrounds and cultures and both young and old alike will feel part of the community.
- 1.4 The licensed entertainment and hospitality industry is a major provider of full time, part time and casual employment and it makes a significant contribution to the local economy. It fulfils an important social and community role, providing facilities for both residents and businesses and is a vital support infrastructure for related sectors, such as retail and tourism.
- 1.5 This Licensing Statement forms an essential part of the Council's integrated approach to alcohol related issues and the provision of regulated entertainment which seeks to strike a balance between the need to embrace a vibrant and dynamic entertainment industry as part of the regeneration of the Borough and the need to ensure that concerns relating

to public disorder are effectively addressed. The policies in this statement aim to contribute to making the Borough as a whole and its town centres in particular pleasant, safe and prosperous places in which to live, work, learn and relax. We want to work with partners and the licensing trade to provide a safe, diverse and family orientated night time economy for people to enjoy.

- 1.6 The Council will work in partnership with other local authorities, statutory bodies and agencies, especially those located in South Yorkshire, to ensure a consistent approach is taken on licensing matters whilst respecting the differing needs of individual communities.

2. General Principles

- 2.1 This document sets out the Council's Statement of Licensing Policy, which will guide the Licensing Committee when considering applications for the sale of alcohol, regulated entertainment, late night refreshment, cinematographic and theatrical performances.
- 2.2 This document should be read in conjunction with its appendices, and with any guidance notes or codes of practice to which reference is made.
- 2.3 The aim of this policy is to promote the four licensing objectives which are set out in the Licensing Act 2003, namely:-
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm
- 2.4 The Council wishes to promote the above whilst still encouraging a sustainable entertainment and leisure industry. The Council also recognises local residents need for a safe and healthy environment in which to work and live and the importance to the local economy and cultural health of the Borough of the provision of both safe and well run entertainment and leisure facilities.
- 2.5 The policy aims to provide guidance to applicants, responsible authorities and all interested parties on the general approach to licensing in the Borough. Although each and every application will be dealt with separately and on its own individual merits, the Council in writing this policy is offering guidance on wider considerations that will be taken into account.
- 2.6 The policy will continue to be reviewed in accordance with Government requirements, which is currently at least every five years, and/or if any amendments are/or additions are required to the policy at any time while the policy is active.

- 2.7 This policy document is intended for the guidance of the Barnsley Licensing Committee as well as to assist applicants in presenting their application.
- 2.8 The policy is not intended to limit the power or fetter the discretion of the Licensing Committee who will listen to and determine on its own individual merits any application placed before them. If an application is lawfully made and no relevant representations are received then the Council must grant the application. Only if relevant representations are made will the Council's discretion be engaged.

3. Human Rights

- 3.1 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a Local Authority to act in a way that is incompatible with the Convention right.
- 3.2 In conducting its business as the Licensing Authority for the Metropolitan Borough of Barnsley, the Council will have particular regard to the following relevant provisions of the first protocol of the European Convention on Human Rights;
- Article 1- Every person is entitled to the peaceful enjoyment of his or her possessions, e.g. the possession of a licence.
 - Article 6 - That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
 - Article 8 - Everyone has the right to respect for his home and private/family life.

4. Scope of Policy

- 4.1 The policy covers new applications, reviews, transfers and variations etc. of licences for the following licensable activities:
- the sale by retail of alcohol (including via the Internet or mail order);
 - the supply of alcohol by or on behalf of a club to, or to the order of a member of that club;
 - the provision of regulated entertainment; and
 - the provision of late night refreshment
- 4.2 Any application for a new licence, variation or review will be dealt with on its own individual merits and by reference to the four licensing objectives.
- 4.3 Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and temporary events within the terms of the 2003 Act, and conditions attached to various authorisations will

be focused on matters which are within the control of individual licensees and others in possession of relevant authorisations. Accordingly, these matters will centre on the premises being used for licensable activities and the vicinity of those premises. In addressing these matters, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. Licensing law is not intended to be the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises.

- 4.4 This Policy seeks to provide advice to applicants about the approach they should take to making applications and the view the Council is likely to take on certain key issues where representations have been made. The Licensing Authority may depart from this policy if the individual circumstances of any case merit such a decision in the interests of the promotion of any or all of the four Licensing Objectives.

5. Consultation

- 5.1 The Council is committed to meaningful consultation with all appropriate public and private organisations and a representative cross-section of all of those with an interest in the contents of the policy.
- 5.2 The Licensing Authority must in any case consult with the following:-
- the Chief of Police for the area;
 - the Fire Authority;
 - persons/bodies responsible for local holders of premises licences;
 - persons/bodies responsible for local holders of club premises licences;
 - persons/bodies responsible for personal licensees;
 - persons/bodies responsible for business and residents in its area.
- 5.3 The views of all our consultees are duly considered and given proper weight when reviewing this Policy.

6. Summary of Process

- 6.1 Each application for a licence will be considered:-
- on its own individual merits;
 - in accordance with the Licensing Act 2003 together with any amendments and supporting Regulations;
 - with reference to the guidance issued under section 182 of the Licensing Act 2003;
 - under the terms of this policy.

6.2 One of the key principles of the Licensing Act is that every application must be treated on its own merits, applicants, responsible authorities and interested parties may find it helpful to know that the Council cannot attach conditions to a licence unless they are either volunteered by the applicant or are determined by the licensing authority following representations being upheld from responsible authorities or interested parties.

6.3 Nothing in this statement of policy will:-

- prevent any person from applying under the 2003 Act for any of the permissions and from having that application considered on its own individual merits;
- prevent or stop any person from making representations on any application or from seeking a review of a licence or certificate where the 2003 Act permits them to do so.

6.4 The Council recommends early consultation with responsible authorities. Many responsible authorities would be prepared to discuss matters with an applicant with a view to reaching agreement on measures to be proposed.

7. Promotion of the Licensing Objectives

7.1 The Licensing Authority will act in accordance with its duty to carry out its functions under the Act with a view to promoting the statutory Licensing Objectives, which are:-

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance and;
- the protection of children from harm.

7.2 Each objective is of equal importance. There are no other licensing objectives; therefore, all four objectives are paramount considerations at all times.

7.3 Each applicant must provide with their application full details as to how they will promote each the four licensing objectives detailed above. Applicants are reminded that measures proposed in the operating schedules will be converted into conditions on their licence.

8. The Prevention of Crime and Disorder

8.1 Under the Crime & Disorder Act 1998, Barnsley Metropolitan Borough Council as the Licensing Authority must have regard to the likely effect of the exercise of its licensing function on, and do all it can to prevent, crime and disorder in the Borough. In doing so, the Council will have regard to the likely impact of licensing and related crime and disorder when

considering the location, operation and management of all proposed licence applications, reviews and variations.

- 8.2 Licensed premises, especially those offering late night or early morning entertainment, alcohol and refreshment for large numbers of people, can sometimes if not properly managed, become a source of public nuisance generating crime and disorder problems. The Licensing Authority will expect licensees of premises to develop Operating Schedules that satisfactorily address these issues from the design of the premises through to the daily operation of the business.
- 8.3 There are many steps an applicant may take to prevent crime and disorder. The Council will look to the Police for the main source of advice on these matters. In accordance with the Secretary of State's guidance, police views on matters relating to crime and disorder will be given considerable weight. It is recommended that applicants seek advice from South Yorkshire Police when addressing this issue as well as taking into account local planning and transport policies, tourism, cultural and crime prevention strategies.
- 8.4 If relevant representations are made in relation to a premises licence or club premises certificate, the Council will consider whether it is necessary to impose conditions to regulate behaviour on the premises and access to them where this relates to licensable activities and the licensing objectives. Any conditions attached will seek to impact on the behaviour of customers on or in the immediate vicinity of premises as they seek to enter or leave.
- 8.5 The Licensing Authority may attach conditions to licences to promote the Crime Prevention Objective and to prevent Crime and Disorder, both inside and outside the premises. These conditions will be based on the applicants operating schedule and drawn from the model pool of conditions relating to this objective.
- 8.6 Conditions will be targeted on deterrence and the prevention of crime and disorder. Such conditions may include;
- Membership of a recognised pub watch or similar scheme
 - The need for door supervision (must be registered by the Security Industry Authority, SIA)
 - The need for and location of CCTV cameras
 - Conditions setting capacity limits where this is necessary to prevent over-crowding likely to lead to disorder and violence
 - Provision of training for staff in relation to public safety, conflict management and drug related issues.
 - Maintain records for staff training, refusals and incidents.

9. Public Safety

- 9.1 The public safety objective is concerned with the physical state of people using the premises. Public safety includes safety of staff and performers

appearing at any premises. The Licensing Act 2003 covers a wide range of premises that require licences including cinemas, night clubs, public houses, village and community halls, schools, cafes, restaurants and fast food outlets/take- aways. Each of these types of premises present a mixture of risks to public safety, some of which may be common to most premises whilst others will be unique to specific operations.

- 9.2 The premises must be constructed, adapted or operated to safeguard all users against such risks/issues.
- 9.3 The operating schedule of all applications for a licence or a certificate will be expected to demonstrate to the satisfaction of the Licensing Authority that all potential public safety issues connected with the premises have been thoroughly addressed.
- 9.4 Where appropriate, applicants are advised to seek guidance from the Council's Licensing Officer, the District Fire Safety Officer for the South Yorkshire Fire and Rescue Service and, if appropriate, a suitably qualified Health & Safety specialist.
- 9.5 The Licensing Authority may attach conditions to licences to promote the Public Safety Objective and to promote general safety. These conditions will be based on the applicants operating schedule and drawn from the model pool of conditions relating to this objective.
- 9.6 Special considerations apply to night clubs and similar venues. Applicants are encouraged to consider the Safer Clubbing guide published by the Home Office which gives advice on these issues. A check list of some of the most important measures is reproduced in "Appendix F".

10. The Prevention of Public Nuisance

- 10.1 Applicants for a licence are reminded that one of the four licensing objectives is the prevention of public nuisance, and therefore they will be required to demonstrate in their operating schedule how they intend to deal with this issue. Applicants need to focus on the effects of licensable activities on persons living and working in the area around the premises which might be disproportionate and unreasonable.
- 10.2 Issues will mainly concern noise nuisance, light pollution, noxious smells and litter. Nuisance in this context can include low level nuisance affecting a few people living locally, as well as a major disturbance affecting the whole community. Whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case.
- 10.3 Applicants are advised to seek guidance from Councils' Pollution Control Section, based in Regulatory Services and/or a suitably qualified Noise

Consultant for advice on measures that may need incorporating into an operating schedule. Regard should be given to the location of the proposed or actual premises, and whether there are any especially sensitive receivers in the vicinity.

10.4 The following issues may be considered;

- Display of contact details or a direct phone link to a private hire/taxi firm
- Provision of litter bins in the vicinity of premises serving hot food after 11pm
- The size and location of smoking areas and beer gardens which may encourage patrons to use the external areas more extensively than for just smoking and returning to the inside of the premises
- Time restrictions on the use of beer gardens (such as no use after 9pm)
- Signs encouraging patrons to be quiet when on and leaving the area and to respect the rights of residents
- Light pollution from security/advertising lights
- Whether doors and windows will or can be kept closed after a particular time
- Provision of noise limiting devices and other noise control measures such as acoustic curtains, speaker mounts etc.

10.5 If relevant representations are made, the Council will consider whether it is necessary to impose conditions to regulate behaviour on the premises where this relates to licensable activities and the licensing objectives. Conditions may seek to reduce the impact of the behaviour of customers entering or leaving the premises on people living or working near to the premises.

10.6 The Council considers that patrons who are using external smoking shelters or areas are there as a direct result of the licensed premises and are within the control of the Licensee.

10.7 When considering nuisance issues the Council will have particular regard to representations made by the Pollution Control officers in Regulatory Services, and by local residents. The Council recognises that it is necessary to balance the rights of local residents, businesses and others with those wishing to provide and enjoy licensable activities. However, if it is necessary for the prevention of public nuisance where conditions do not adequately address the issues, an application can be refused.

11. The Protection of Children from Harm

11.1 The protection of children from harm includes protection from physical and psychological harm. The Council recognises the Barnsley Safeguarding Children Board as the responsible authority for the protection of children from harm. The Licensing Authority, in addition to the usual consultees, will consult with the Barnsley Safeguarding Children Board on any application which raises concerns regarding access for children.

- 11.2 The wide range of premises that may be licensed under this Act means that children may visit many of these either as part of a family group or on their own. Applicants for a licence are reminded that one of the four licensing objectives is the protection of children from harm, and that, therefore, they will be required to demonstrate in their operating schedule how they intend to deal with this issue. The Licensing Authority recognises that many premises such as restaurants, café bars, hotels and certain types of public houses have developed family friendly environments and the Licensing Authority does not wish to restrict the development of such premises.
- 11.3 Where children are to be admitted to the premises the provision of extra resources or measures to ensure their safety could include voluntary DBS checks for staff, extra staffing or stewarding, etc., risk assessments and clear notification of the times and the areas of the premises to which children will be admitted.
- 11.4 Applicants should, in their Operating Schedule, set out any limitations that will be in place for the protection of children from harm. For example, that there will be no access when sex shows or other adult entertainment is provided, or that staff having significant unsupervised access to children, such as those who are responsible for the supervision of children's play areas will have undergone a voluntary DBS check to ensure their suitability.
- 11.5 The Licensing Authority will not impose any condition requiring children to be admitted to the premises. This will remain a matter for the individual licensee.
- 11.6 The Act does not prohibit the access of children to licensed premises including those selling alcohol for consumption on the premises. However, the Licensing Authority may limit the access of children to any premises where it is necessary to do so for the prevention of physical, moral or psychological harm..
- 11.7 The Licensing Authority encourages applications from potential or existing licensees that create venues which are family friendly and safe for children. However, the Licensing Authority would have concerns about access to children where, for example:
- entertainment or services of an adult or sexual nature are commonly provided;
 - there have been convictions of members of the current staff at the premises for serving alcohol to minors, or where the premises has a reputation for underage drinking;
 - there is known association with drug dealing or drug taking;
 - there is a strong element of gambling on the premises; and
 - the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided.
- 11.8 On receipt of relevant representations, the Council will consider whether conditions are necessary. Amongst others, these may include:

- limitations on the hours when children may be present (e.g. no children after 9.00 pm);
- a restriction on the age of children to be admitted to the premises (e.g. over 14 years of age only);
- a limitation or exclusion of children when certain activities are taking place (e.g. no children when entertainment of an adult or sexual nature is taking place);
- a requirement for accompanying adults (e.g. all children must be accompanied by a person over 18 years of age)
- limitations on the parts of premises to which children might be given access;
- a combination of any of the above measures; or
- a full exclusion of children when licensable activities are taking place (Complete bans are likely to be rare).

In such cases, representations by the Barnsley Safeguarding Children's Board and the Police will be given considerable weight where they address issues regarding the admission of children.

- 11.9 It is mandatory for premises which sell or supply alcohol to have an age verification policy in place. All staff responsible for the sale of alcohol should receive appropriate training on the licensing laws relating to children and young persons in licensed premises.
- 11.10 Licensees selling alcohol either on or off the premises should be aware that both Police and Trading Standards Officers routinely implement test purchasing to reduce sales to persons under 18 years of age and carrying out age challenges to reduce under-age drinking in pubs and licensed venues. Licensees who are convicted of an illegal sale may have their licence reviewed.
- 11.11 In relation to premises showing film exhibitions, the Council expects licence holders or clubs to include arrangements for restricting children from viewing age-restricted films in their operating schedules.

Safeguarding

- 11.12 The risk of Child sexual exploitation can be present at all types of premises and it is expected that risk management systems will be in place to identify and report suspicious activity. Premises that fail to do so may put children at risk of harm and in such cases action will be taken which could result in the suspension or revocation of the licence.
- 11.13 The following measures, or similar, should be considered to help evidence due diligence and keep children safe;
- Report suspicious activity to the Police and record

- Train staff to recognise indicators of child sexual exploitation and how to report concerns
- Train staff to operate an age verification scheme
- Maintain staff training records
- Monitor activity at the premises using CCTV or regular patrols.

12. Cumulative Impact

- 12.1 There can be confusion about the difference between “need” for licensed premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub, restaurant or hotel. This is not a matter that the Licensing Authority can have regard to in discharging its licensing functions.
- 12.2 “Cumulative Impact” means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area eg. a town centre with a large concentration of licensed premises. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the Licensing Authority to consider in developing its licensing policy statement.
- 12.3 Where a Responsible Authority or Interested Party makes a representation that an area has become saturated with licensed premises, making it a focal point for large groups of people to gather and circulate, and therefore creating exceptional problems of disorder and nuisance over and above the impact from any individual premises, the Licensing Authority may, where satisfied that the imposition of conditions may not address the issue, adopt a Cumulative Impact Policy, to the effect that the area is already saturated with certain types of licensed premises and the granting of any further licences would undermine one or more of the four licensing objectives.
- 12.4 The effect of a Cumulative Impact Policy is to create a rebuttable presumption that applications for new premises licences, club premises certificates or material variations will normally be refused, if relevant representations to that effect are received, unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already being experienced. Applicants would, therefore, need to address the policy issues in their operating schedule in order to rebut such a presumption.
- 12.5 Where a Cumulative Impact Policy is in force, the Licensing Authority may still not refuse an application for a licence unless it receives a relevant representation. The onus of providing evidence to substantiate the assertion that granting any particular licence would have the cumulative impact claimed rests with the party making the relevant representation.

- 12.6 The Licensing Authority recognises and will take into account the diversity of licensed premises and the different impact of premises with different styles and characteristics. Accordingly the Licensing Authority recognises that even where a Cumulative Impact Policy is in force, it may be able to approve licences that are unlikely to add significantly to the saturation and will consider each application on its own individual merits.
- 12.7 The absence of a Cumulative Impact Policy applicable to a particular area does not prevent any Responsible Authority or Interested Party making a representation on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
- 12.8 In considering whether to adopt a Cumulative Impact Policy in respect of any location(s) within the Borough, the Licensing Authority has had regard to the following matters:-
- whether a Responsible Authority has identified a concern about crime and disorder or public nuisance affecting the locality in question;
 - whether there is evidence to demonstrate that crime and disorder or public nuisance is arising and that it is caused by the customers of licensed premises and if so, identifying the area from which problems are arising and the boundaries of that area; and
 - whether, having regard to the representation of the consultees specified in the Act, the adoption of a Cumulative Impact Policy is a reasonable measure to take in promotion of the licensing objectives.
- 12.9 At the time of revising this policy the Licensing Authority was not in possession of evidence which would justify the adoption of a Cumulative Impact Policy. The Licensing Authority will be prepared to review this position should it receive evidence which demonstrates that the cumulative impact of premises in any particular area has become prejudicial to the promotion of the licensing objectives.
- 12.10 The Licensing Authority would review any Cumulative Impact Policy at least every five years to measure its effectiveness and to confirm whether it is still needed.
- 12.11 The Licensing Authority would not use a Cumulative Impact Policy solely as grounds for removing a licence when representations are made about an existing licensed premise or refuse variations to a licence, except where those variations are directly relevant to the policy, such as an application to significantly increase the capacity.
- 12.12 The Council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. Any policy adopted on the cumulative impact of licensed premises would impose

restrictions only to the extent that they are justified by the available evidence having regard to the guidance issued by the Secretary of State.

13. Early Morning Restriction Orders

13.1 The power conferred on licensing authorities to make, vary or revoke an Early Morning Restriction Area (EMRO) is set out in section 172A to E of the Licensing Act 2003. Guidance from the government is also available.

13.2 An EMRO enables a licensing authority to prohibit the sale of alcohol for a specified time period between midnight and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives. EMROs are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance and other instances of alcohol related anti-social behaviour which is not directly attributable to specific premises.

13.3 There are currently no EMROs in place in the geographical area administered by the Council. It is the Council's intention to support businesses rather than hinder them whilst ensuring promotion of the licensing objectives. However, if there is evidence that current controls are ineffective, an EMRO could be considered.

13.4 An EMRO:

- Applies to the supply of alcohol authorised by premises licences, club premises certificates and temporary event notices;
- Applies for any period beginning at or after 12am and ending at or before 6am. It does not have to apply on every day of the week and can apply for different time periods on different days;
- Applies for a limited or unlimited period (eg. it could be introduced for a few weeks for a specific event);
- Applies to the whole or any part of the licensing authority's area
- Does not apply to any premises on New Year's Eve
- Does not apply to the sale of alcohol to residents by accommodation providers via mini-bars/room service and
- Will not apply to a relaxation of licensing hours made by an order made under section 172 of the Licensing Act 2003.

13.5 Any request to consider introducing an EMRO would be referred to the Licensing team where a designated procedure would be applied to determine if an EMRO is appropriate. If appropriate, the request would be referred to the Licensing Committee for consideration. Ultimately it would be for full Council to approve the final order.

14. Late Night Levy

- 14.1 Licensing Authorities were given powers in the Police Reform and Social Responsibility Act 2011 to charge a levy to persons who are licensed to sell alcohol late at night in the authority's area. The purpose of the levy is to raise a contribution towards the costs of policing the late night economy. BMBC do not currently have a levy.
- 14.2 A decision to introduce the levy would apply to all relevant premises in the whole of the borough. It cannot be targeted to just one area. The levy would be payable by the holders of any premises licence or club premises certificate in relation to the sale or supply of alcohol on any days during a period beginning at or after midnight and ending at or before 6am.
- 14.3 The decision to introduce the levy is for a licensing authority to make should it consider it appropriate to do so. The licensing authority would be required to carry out a thorough consultation, and would be expected to consult with all parties affected (including all licence holders) and the Chief Officer of Police and the Police and Crime Commissioner. The Council would then have to take into account any representations made before coming to a decision. Any future consideration of a late night levy will be made in accordance with the relevant legislation and government guidance.
- 14.4 When considering whether to introduce a levy, licensing authorities should note that any financial risk (for example lower than expected revenue) rests at a local level and should be fully considered prior to implementation.

15. Licensing Hours

- 15.1 Providing customers with a greater choice is an important consideration in the development of a thriving and safe evening and night-time economy in Barnsley. The Council supports the development of a wide ranging and culturally diverse night-time economy where this can be achieved whilst promoting the four licensing objectives.
- 15.2 The Licensing Authority recognises that longer licensing hours for the sale of alcohol will avoid large numbers of people leaving premises simultaneously. This should reduce friction at late night fast food outlets, taxi ranks and other sources of transport which can lead to disorder and disturbance.
- 15.3 The Licensing Authority will have a flexible approach to opening hours and will generally deal with the issue of licensing hours having regard to the individual merits of each application. Requests in respect of terminal hours will be determined in the light of the potential impact upon environmental quality/, residential amenity, character or function of the particular area, nature of proposed activities to be provided at the premises and the

proposals contained within the operating schedule and how the applicant intends to promote the four licensing objectives.

- 15.4 The Licensing Authority may impose stricter conditions in respect of noise control where relevant representations have been received and premises are situated in mainly residential areas.
- 15.5 The Licensing Authority will consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises at any time the premises are open for business. However, there may be good reason for restricting those hours, for example following Police representations made in respect of isolated shops known to be the focus of disorder and disturbance.

16. Open Air and Large Scale Events

- 16.1 The promotion and organisation of live musical and other entertainment in the open air, or temporary structures such as marquees can provide opportunities for community involvement, civic pride and can attract visitors to the Borough. However the success of such events is dependent on the quality, safety and facilities provided for people coming to enjoy the event. Also important, however, is consideration of the rights of people who live in the vicinity.
- 16.2 Where large scale events are planned, a premises licence should be submitted at least 3 months prior to the event, so that discussions can be held between the applicant and interested parties such as the Police and noise pollution officers. It is important that substantial notice is given so that proper precautions and preparations can be put in place to ensure the event is a success. This also applies if the event is proposed under a Temporary Event Notice.
- 16.3 Applicants are expected to have reference to the Event Safety Guide – A Guide to Health, Safety and Welfare at Music and Similar Events (commonly known as the “purple guide”), published by the Health and Safety Executive.

17. Premises Providing Late Night Refreshment

- 17.1 Any premises, which include vehicles and/or mobile trailers, selling hot food or drink between the hours of 11 p.m. and 5 a.m., will require a premises licence. This requirement is set out to target those premises such as night cafes and take away food outlets where people may gather between those hours giving rise to the possibility of disorder, disturbance and public nuisance. The applicant will be expected to identify suitable measures for the prevention of litter nuisance.

18. Club Premises Certificates

- 18.1 The Act recognises that premises to which public access is restricted and where alcohol is supplied other than for profit give rise to different issues for licensing law than those presented by commercial enterprises selling direct to the public. For this reason qualifying clubs may apply for a Club Premises Certificate as an alternative to a premises licence.
- 18.2 A club may choose to obtain a Premises licence if it decides that it wants to offer its facilities commercially for use by the public, including the sale of alcohol. Any individual on behalf of the club may also apply for a Temporary Event Notice.

19. Amusement with Prizes and Gambling Machines

- 19.1 All issues relating to AWP machines are now covered within the Statement of Gambling Policy issued by Barnsley Metropolitan Borough Council.

20. Licensing Conditions

- 20.1 The Council recognises it may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Conditions include any limitations or restrictions attached to a licence or certificate and are essentially the steps the holder of a licence or certificate will be required to take at all times when licensable activities are taking place at a premise.
- 20.2 The Licensing Authority will only impose conditions on licenses and certificates which are proportionate and necessary for the promotion of one or more of the four licensing objectives and will not impose such conditions for any other purposes.
- 20.3 The Licensing Authority will ensure that conditions attached to licences or certificates are tailored to the individual style and characteristics of the particular premises and events concerned.

21. Operating Schedules

21.1 Under the Licensing Act 2003 applicants are required to complete an 'operating schedule'. These play a key role in ensuring that the four licensing objectives are promoted. An operating schedule should include enough information to enable a responsible authority or any other person to assess whether satisfactory steps have been taken to promote the licensing objectives.

22. Applications for Personal Licences

22.1 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a Personal Licence. The Act does not require the presence of a Personal Licence holder at all times, but if any sales are made whilst the personal licence holder is not on site then they must have been authorised by someone who holds a personal licence.

22.2 Applicants must produce a Criminal Record Bureau certificate with the application form.

22.3 The Council recognises that it has no discretion regarding the granting of personal licences where;

- The applicant is 18 or over
- Possesses a licensing qualification
- Has not had a licence forfeited in the last five years and
- Has not been convicted of a relevant or similar offence.

If the first 3 criteria do not apply, the application must be rejected. If there is an unspent conviction for a relevant offence as named in the Act, the licensing officer is required to notify South Yorkshire Police. The Police may then wish to make an objection on the grounds of crime and disorder. If an objection is lodged the applicant is entitled to a hearing before the Council, at which consideration will be given as to whether the grant of the licence will compromise the promotion of the crime prevention objective.

23. Designated Premises Supervisors

23.1 Every premises Licence that authorises the sale of alcohol must specify a Designated Premises Supervisor. This will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder. The only exception is for community premises which have successfully made an application to remove the usual mandatory conditions set out in the 2003 Act.

23.2 Where there is no DPS in respect of a premises licence, no alcohol may be served under that licence.

24. Excessive Consumption of Alcohol

- 24.1 The Council recognises the impact that excessive or binge drinking can have on public health and that positive action on promoting the licensing objectives is equally likely to have an indirect impact on public health.
- 24.2 Applicants should be aware of the specific mandatory conditions, attached to all licences authorising the sale or supply of alcohol for consumption on the premises, which effectively;
- Ban irresponsible promotions
 - Ban the dispensing of alcohol directly into the mouth and
 - Ensure that customers have access to free drinking water if they ask for it
- 24.3 As a consequence, any on-trade premises that participates in irresponsible drinks promotions will be breaching licence conditions and will be dealt with in accordance with the appropriate legislation.

25. Applications for Temporary Event Notices

- 25.1 The need for a temporary event notice (TEN) may arise where a premises licence or club premises certificate is not held, or can be used to extend the permissions on an existing licence or certificate for a temporary period.
- 25.2 Temporary event notices are subject to various statutory limitations. These are;
- The number of times a premises user may give a TEN in a calendar year;
 - The number of times a TEN may be given for any particular;
 - The maximum duration of an event authorised by a TEN;
 - The maximum total duration of the events authorised by TENS in relation to individual premises;
 - The maximum number of people attending at any one time and
 - The minimum period between events authorised under separate TENS in relation to the same premises by the same premises user.

Details of the above can be obtained from the Council's Licensing web site or from the Licensing office.

- 25.3 No permission is required from the Council for these events. In general, only the Police or Regulatory Services may intervene to prevent such an event or modify the arrangements for such an event. The Council will only intervene itself if the limits on the number of notices that may be given is exceeded.
- 25.4 There are two types of TEN, a standard TEN and a late TEN. A standard TEN is given no later than 10 days before the event to which it relates. A late TEN is given not before nine and not less than five working days before

the event. Where the required notice period is not given, the TEN will be returned as void and the activities to which it relates will not be authorised.

- 25.5 The Licensing Act 2003 provides that the police or Regulatory Services may, within the prescribed period, issue an objection notice if they believe the event would undermine one or more of the licensing objectives. The objection must then be considered by the Council in a hearing. If an objection is made to a late TEN, then the TEN will not be valid and the event cannot go ahead.
- 25.6 With large events, it is important that substantial notice (at least 3 months) is given so that proper preparations and precautions can be put in place for the event. The Council encourages the earliest possible notice of events, especially where events are to take place in the open air or in a temporary structure.

26. Minor Variations

- 26.1 Small variations that will not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. The minor variations process is designed to allow licensees to make small changes to their licences more quickly and cheaply.
- 26.2 The test as to whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives. Government guidance is available on this issue.
- 26.3 Anyone considering submitting an application for a minor variation is advised to first discuss the proposed variation with a Licensing officer prior to submitting the application. It should be noted that the Licensing Authority will not determine whether a variation is a minor variation or a full variation without the relevant application and fee being submitted.

27. Alcohol Deliveries

- 27.1 An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should consider including in their operating schedule the procedures they need to operate to ensure that;
- The person they are selling alcohol to is over the age of 18;
 - That alcohol is only delivered to a person over the age of 18
 - That a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer and
 - The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.

28. Other mechanisms of Control

- 28.1 The Council recognises that licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the vicinity of licensed premises and therefore, beyond the direct control of the individual club or business holding the licence, certificate or authorisation concerned.
- 28.2 In preparing this policy the Council has sought to avoid unnecessary duplication of existing legislation and regulatory regimes. Nothing in this policy is intended to revoke or replace the need for applicants to act in accordance with legal requirements. All applicants are advised to seek proper advice to ensure that the activities they proposed are within the boundaries set by existing legislation and regulations.

29. Integrating Strategies

- 29.1 The Licensing Committee may receive reports from time to time on other policies, strategies and initiatives that may impact on licensing activity within the remit of the committee. Subject to the general principles set out in this policy and the overriding need to promote the four licencing objectives it may have regard to them when making licensing decisions.
- 29.2 The Committee may, after receiving such reports, make recommendations to the Council or other bodies about the impact of the licensing policy on such policies, strategies and initiatives. The Committee may also make recommendations relating to the impact of such policies, strategies and initiatives on the licensing policy, which may include recommendations to amend the licensing policy itself.
- 29.3 Other plans, policies and strategies which have a link to this one include:
- Barnsley Metropolitan Borough Council Corporate Plan 2016 – 2020. This plan sets out the Council's direction and priorities for the next 3 years.
 - The Government's Alcohol Strategy. This sets out proposals to crack down on the 'binge drinking' culture, reduce alcohol linked violence and disorder and reduce the number of people drinking to levels which damage their health.
 - Barnsley MBC's Alcohol Strategy
 - Barnsley MBCs Health and Wellbeing Strategy.

30. Sales of Alcohol to Children Under the Policing and Crime Act 2009

- 30.1 One of the key sections of the Policing and Crime Act 2009 in relation to licensed premises is the offence of 'persistently selling alcohol to children' on two occasions within three months. The 'persistently selling alcohol'

offence is committed by a premises licence holder (not the seller) where there is proof of underage sales at particular premises on two separate occasions within a three month period. There is no due diligence defence available to the premises licence holder and proof that an underage sale occurred can be based simply on payment of a fixed penalty notice by the seller or even a caution.

- 30.2 Where persistent sales of alcohol have occurred at a premises and it is apparent that those managing the premises do not operated responsible policy or have not exercised appropriate due diligence it is expected that responsible authorities should consider taking steps to ensure that a review of the licence is carried out. This is particularly the case where there has been a prosecution for the offence or a closure notice has been given. In determining the review the Council will consider revoking the licence if it considers this to be appropriate.

31. The Planning System and the Avoidance of Duplication

- 31.1 There is no obligation for an applicant to have planning permission in place before applying for a premises licence, provisional statement or for a variation of a licence; however, it is strongly recommended that the proposed use of the premises has planning permission first so that consideration can be given to the impact that the use will have on the locality. Applicants are advised to state whether they have also applied for planning permission or that they intend to do so.
- 31.2 Applications for licences can be made prior to any planning permission being in place and the lack of planning permission is not a relevant representation under the licensing objectives. The Planning and Licensing regimes are separated as they involve consideration of different matters. Licensing committees are not bound by decisions made by a planning committee and vice versa.
- 31.3 There may be circumstances where, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

32. Promotion of Equality

- 32.1 The Equality Act 2010 and section 149, the Public Sector Equality Duty, places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations between persons with the following protected characteristics: age, disability, gender

reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 32.2 In seeking to support a community in which diversity is encouraged, the Council will expect all applicants to take steps to ensure that no person is treated differently on the grounds of race, colour, religion, ethnic or national origins, age (unless an age-related event), sex (unless a single sex event), sexual orientation (unless a gay or lesbian event), or disability, and that the management and operating practices of licensed premises within the district comply with all race relations, equal opportunities and anti-discrimination legislation.

33. Enforcement

- 33.1 Licensed premises must be operated and maintained in accordance with the provision of the Licensing Act 2003, the four licensing objectives and any conditions imposed by the Licensing Authority. Failure to do so will result in enforcement action being taken by the Licensing Authority and/or South Yorkshire Police.
- 33.2 The Council adopts a multi-agency approach to the detection and prosecution of offences under the Licensing Act. In the first instance, the most appropriate authority will lead on the investigation at the problem premises. Joint enforcement in this way enables the targeting of agreed problems and high risk premises which require greater attention, while providing a lighter touch approach to premises which are well run.
- 33.3 The Licensing Authority will carry out its inspection and enforcement functions having regard to the principles of consistency in approach, transparency and proportionality. It will target its inspection process towards those premises which are considered high risk and therefore requiring greater attention.
- 33.4 The risk weighting of premises will be determined in accordance with all relevant factors, including location, style of operation, history, reputation and management attitudes

34. Live Music, Dancing and Theatre

- 34.1 The Licensing Authority will actively encourage and promote a broad range of live entertainment, including music, dance and theatre for the wider cultural benefit of the community. In determining what conditions should be attached to licences as a matter of necessity for the promotion of licensing objectives, the Licensing Authority will be aware of the need, where possible, to avoid measures that might, indirectly, deter entertainment. The Licensing Authority considers live performances central to the development of cultural diversity and vibrant, exciting communities. It subscribes to the view expressed in the statutory guidance that the absence of cultural

provision in any area can lead itself to a loss of community awareness and can expose young people to anti-social activities that have the potential to damage local communities.

- 34.2 The Licensing Authority will look favourably upon applications from the Council which seek premises licences for public spaces in the community in its own name. This could include, for example, appropriate open spaces, town centre squares, community halls and similar public spaces. With regard to those places, performers and entertainers will not need to obtain a licence or give a temporary events notice themselves in order to perform. Instead they will require permission from the Council as the premises licence holder.

35. Representations

- 35.1 Depending on the type of application, representations can be made by a responsible authority or any other person (as defined by the Licensing Act 2003). This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications, regardless of their geographic proximity to the premises.
- 35.2 The representation must be submitted in writing or by email to the licensing team within the relevant time period for comments. The representation must be relevant to the likely effect of the grant of the licence or variation on the promotion of one or more of the licensing objectives. Anonymous representations will not be accepted.
- 35.3 The issues on which the representation is made should not be frivolous or vexatious. Where the licensing officer determines that a representation is not relevant, frivolous or vexatious it will notify the person concerned of the reasons for its determination and the representation will not be considered.
- 35.4 Where relevant representations are received about an application the Council will hold a hearing to consider them, unless the Council, the applicant and all those making representations agree that a hearing is not necessary. Applicants and those making representations should seek to try to reach agreement or narrow the areas in dispute prior to any hearing.

36. Applications

- 36.1 The Licensing Authority requires all applications to be made using the correct form and in accordance with, and having satisfied, the requirements of the Licensing Act 2003 and the associated regulations. The Council actively supports the ability for applicants, where permitted, to submit applications electronically.

- 36.2 Any application not made in accordance with, or not having satisfied the requirements of the Licensing Act 2003 or the associated regulations may be returned to the applicant for resubmission. The Licensing Authority will not consider that any such application has been properly made and accordingly will not consider that the time limits set out in the Licensing Act 2003 have commenced.
- 36.3 Where an application is required to be advertised in a local newspaper, it is the policy of the Council that the chosen newspaper should be one which is published daily or weekly and is widely available in the vicinity of the premises to which the application relates.

37. Administration, Exercise and Delegation of Functions

- 37.1 The Licensing Authority has established a Licensing Committee to administer the wide range of licensing decisions and functions which the Council will be involved in.
- 37.2 The Licensing Committee has certain delegated decisions and functions and has established a number of Sub Committees to deal these. This will provide an efficient and cost effective service for all parties involved in the licensing function.
- 37.3 The grant of non-contentious applications has been further delegated to Officers. Decisions made by Officers under delegated powers will be reported to the Licensing Committee for information and comment.
- 37.4 The table below sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and Officers alike.
- 37.5 The agreed delegation of decisions and functions is without prejudice to the ability of Officers to refer an application to a Sub-Committee, or from a Sub-Committee to a Full Committee if considered appropriate in the particular circumstances.
- 37.6 Every decision made by the licensing committee, subcommittee or officers shall be accompanied by clear reasons for the decision.

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for Personal Licence		If an objection made	If no objection made
Application for Personal Licence (with unspent convictions)		All cases	
Applications for Premises Licence/Club Premises Certificate		If a relevant representation made	If no relevant representation made
Application for Provisional Statement		If a relevant representation made	If no relevant representation made
Application to Vary Premises Licence/Club Premises Certificate		If a relevant representation made	If no relevant representation made
Application to Vary Designated Premises Supervisor		If a Police objection	All other cases
Request to be removed as Designated Premises Supervisor			All cases
Application for Transfer of Premises Licence		If a Police objection	All other cases
Applications for an Interim Authority Notice		If a Police objection	All other cases
Application to Review Premises Licence/Club Premises Certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous or vexatious etc.			All cases
Decision to object when Local Authority is a Consultee and not the relevant authority considering the application		All cases	
Determination of a Police Objection to a Temporary Event Notice		All cases	

38. Advice

- 38.1 Advice about whether or not activities require a licence may be obtained from Barnsley MBC, Regulatory Services, Licensing Section, PO Box 602, Barnsley, S70 9FB Telephone (01226) 772468 Fax (01226) 775699, e-mail regulatoryservices@barnsley.gov.uk

The Safer Clubbing Checklist for Club Owners, Managers and Event Promoters

The role of club owners, managers and event promoters is to ensure that all aspects of their venue is designed and run in a way which maximizes the safety of customers, performers and staff.

Key activities of Club Owners, Managers and Event Promoters include:

- Communicating all safety requirements clearly to performers ensuring that they are familiar with and understand the safety requirements for the venue;
- Developing a constructive working relationship with Licensing Authority Officers and Police Officers with licensing responsibilities;
- Developing a venue drug policy in consultation with both Licensing Officers and Police Officers;
- Ensuring that all staff are aware of their responsibilities within the drug policy and that they receive training and support to discharge these fully;
- Employing door supervisors from a reputable company and with SIA accreditation;
- Employing experienced and fully trained first aiders;
- Providing free and easily accessible supplies of cold water and ensuring the provision of water is supervised to prevent contamination of water by others;
- Liaising with appropriate drug service personnel to provide training to staff, and information, advice and support to clubbers;
- Considering inviting and supporting drug outreach work, including integrating outreach workers into the staff team;
- Sharing intelligence on drug use and drug dealing with Police Officers and other local venues;
- Informing clubbers of their rights and responsibilities, and encouraging feedback on safety issues;
- Considering the provision of safe transport home; and
- Ensuring that all staff are aware of the law and the responsibilities of the club to work within it.

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Equality Impact Assessment (EIA) – Licensing Policy

Introduction

Licensing authorities are required by the Licensing Act 2003 to publish a statement of the principles that they will apply when exercising their functions under the Act. The statement must be reviewed and published on a regular basis, and any amendments must be consulted on before publication. The Policy is currently out to consultation.

The purpose of Barnsley's Licensing Policy is to ensure all licence applications received are treated fairly and in a consistent manner, provide advice and information for all about how the Council will enforce, administer and make decisions under the Licensing Act 2003 and support licensable activities for the wider benefit of the community. Barnsley Council must, as the Licensing Authority, have regard to the licensing objectives as set out in section 1 of the Act. These are;

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

The Authority has an ongoing commitment to examine all cases where discrimination of any type is alleged.

Equality and the Licensing Policy

The policy directly mentions issues of equality in section 32, page 24.

It states that;

- 32.1 The Equality Act 2010 and section 149, the Public Sector Equality Duty, places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations between persons with the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.**
- 32.2 In seeking to support a community in which diversity is encouraged, the Council will expect all applicants to take steps to ensure that no person is treated differently on the grounds of race, colour, religion, ethnic or**

national origins, age (unless an age-related event), sex (unless a single sex event), sexual orientation (unless a gay or lesbian event), or disability, and that the management and operating practices of licensed premises within the district comply with all race relations, equal opportunities and anti-discrimination legislation.

The Council is not in a position where it can proactively affect the profile of licence holders, but the Policy ensures that the process of obtaining a licence is fair and free of discrimination.

In the Policy, no particular group is given priority over another in relation to implementation of the Policy and how any applicant is dealt with. The Act requires that each application is to be assessed on its individual merits, so all groups should be treated equally. All applicants are required to comply with all of the relevant legislation. In general, it is felt that the Policy has a positive effect on all people who live, work or socialise in the Borough.

On consideration, the overall conclusion of the EIA is that there is no negative impact on any characteristic or group as a result of this Policy. However, there are a number of issues concerning certain groups which are related to licensed premises, if not specific to the Policy itself. These are issues concerning licensed premises which cannot be covered by the Policy as they are outside of its remit – however they are issues which could be considered and perhaps be taken forward proactively by the Council and its partners.

These issues are listed below;

Age

- Age is mentioned throughout the document with regards to the sale of alcohol to children. Protecting children from being harmed by alcohol is a key objective of the policy.
- It is recognised that hot food takeaways may be attractive places for children and young people to congregate. Licensing officers are therefore planning to visit all premises to discuss safeguarding issues and the protection of children with employees, and to circulate relevant information on how to report any concerns for both staff and customers.

Religion/belief

- All applications are dealt with on their merit, irrespective of the religion or beliefs of the applicants. However, licence holders and their staff may be subject to harassment due to this issue eg. staff from some ethnic minority backgrounds at premises offering late night refreshment.

Race

- The majority of Late Night Refreshment licence holders are thought to be from black or ethnic minorities. Whilst each licence application is dealt with on its merits, irrespective of the applicant's race, there may be language problems in communicating with applicants. Where required, interpreter or translation services are available.
- Late Night Refreshment premises may be the focus of hate crime and harassment against customers and employees. In recognition of this Licensing have visited these premises, spoken to staff and left posters to be displayed in the shop with details as to how customers or employees can report instances of hate crime or harassment.

Disability

- The Licensing Policy requires that new premises comply with legislation and guidance with regards to access issues. However, particularly in existing premises there remains an issue with access for disabled people to all parts of the premises. More assistance could be given proactively to customers in order to make the licensed premises a more inclusive and welcoming environment.

Gender/Sexuality

- Hate crime and harassment based on gender, sex or sexuality remains an issue, particularly in premises where alcohol is being consumed. As a condition of licence, many premises, especially in the town centre, are required to have suitable trained door staff. However, more could be done proactively to support victims in these premises, ensuring that the licensed premises are safe places for all.

Conclusion

The conclusion of the EIA is that the Policy does not have any direct adverse impact on any group of society. However, as a result of consultation on the Policy, an action plan has been produced of issues raised at the In Town equality and diversity forum. These issues will be taken forward for proactive areas to be addressed in partnership between the forum, the Purple flag, Licensing, Public Health and town centre redevelopment.

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MEETING:	Cabinet
DATE:	Wednesday, 11 January 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Franklin (for Gardiner), Howard, Miller and Platts

Members in Attendance: Councillors Cherryholme, Frost, David Griffin, Lamb and Saunders

150. Declaration of pecuniary and non-pecuniary interests

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

151. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 14th December, 2016 had been called in.

152. Minutes of the previous meeting held on 14th December, 2016 (Cab.11.1.2017/3)

The minutes of the meeting held on 14th December, 2016 were taken as read and signed by the Chair as a correct record.

153. Decisions of Cabinet Spokespersons (Cab.11.1.2017/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the weeks ending 9th and 16th December, 2016 and 6th January, 2017 were noted.

154. Petitions received under Standing Order 44 (Cab.11.1.2017/5)

It was reported that no petitions had been received under Standing Order 44.

Communities Spokesperson

155. Proposal to introduce both Housing Benefit and Board payments as part of the allowance paid to Shared Lives carers (long term placements) - Consultation Outcome (Cab.11.1.2017/6)

RESOLVED:-

- (i) that the outcome of the consultation on proposals for the introduction of both Housing Benefit and Board payments as part of the allowance paid to Shared Lives carers (long term placements), as detailed in the report now submitted, be noted;

- (ii) that the proposed changes be approved for implementation from 3rd April, 2017; and
- (iii) that the Council adopts the least impactful approach to the collection of both Housing Benefits and Board payments so that the manner in which the Shared Lives Carers Allowance is currently paid remains unchanged.

156. Proposal to Consult on a Pilot Selective Licensing Scheme for Houses in Multiple Occupation (HMOs) (Cab.11.1.2017/7)

RESOLVED:-

- (i) that advanced notification be given of the intention to undertake consultation on additional selective licensing scheme/s, subject to the submission of a further report setting out a robust consultation plan for approval and further data analysis to implement the scheme/s; and
- (ii) that further consideration be given for the use of Additional Licensing as a universal scheme to address the issues in, and surrounding smaller houses of multiple occupancy.

157. Proposal to implement a new charging structure for the mandatory licensing of Houses in Multiple Occupation (HMOs) (Cab.11.1.2017/8)

RESOLVED:-

- (i) that approval be given to implement a new charging structure for mandatory licensed houses in multiple occupation (HMOs) from 1st April, 2017, as detailed in the report now submitted; and
- (ii) that approval be given to the implementation of the new fee of £505 to licence a mandatory licensable house of multiple occupation for a period of 5 years.

Corporate Services and Place Spokespersons

158. Housing Revenue Account - Draft Budget 2017-18 and Housing Capital Investment Programme 2017-2022 (Cab.11.1.2017/9)

RECOMMENDED TO FULL COUNCIL ON 2ND FEBRUARY, 2017:-

- (i) that the Housing Revenue Account Draft Budget for 2017/18, as detailed in the report now submitted, be approved, with any final amendments/additions being delegated to the Cabinet Spokespersons for Place and the Executive Director for Place;
- (ii) that the Service Charge Proposals for 2017/18, as set out at Appendix D and Sections 3.15 to 3.17, be approved;

- (iii) that the 2017/18 Berneslai Homes Management Fee at Section 3.26 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;
- (iv) that the use of Berneslai Homes Ltd retained surplus, as outlined in Section 3.27, be approved;
- (v) that the investment of the 2017/18 surplus as outlined in Sections 3.7 and 3.23 be approved;
- (vi) that the Council Housing Capital Investment programme for 2021-22, as detailed in the report, be approved;
- (vii) that the Housing Reserves Fund proposed spend as outlined at Section 3.22 of the report be approved;
- (viii) that a rent reduction in line with Government's rent policy be approved; and
- (ix) 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 to be carried out in agreement with the Executive Director Place in consultation with the Cabinet Spokesperson for Place.

Corporate Services Spokesperson

159. Strategic Risk Register Review (Cab.11.1.2017/10)

RESOLVED:-

- (i) that Cabinet confirms that the high level strategic risks articulated within the Strategic Risk Register fully reflect the current position of the Council, as detailed in Appendix 6 of the report now submitted; and
- (ii) that the content of the report be noted and Cabinet continues to commit to support the Corporate Risk Management process and the embedding of a Risk Management culture within the organisation.

160. Council Tax Base Report (Cab.11.1.2017/11)

RESOLVED:-

- (i) that the report of the Director of Finance, Assets and Information Services for the calculation of the Council's Tax Base for the year 2017/18 be approved;
- (ii) that the Council Tax Base for the year 2017/18 shall be 62,346.89. This figure has been calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012; and

- (iii) that calculated in accordance with the above regulations, the Council Tax Base for the year 2017/18 in respect of each Parish be as follows:-

Parish Area (by Area Code)	Band D equivalent chargeable properties	95% of Band D equivalent chargeable properties
Penistone	4,247.10	4,034.75
Billingley	99.10	94.15
Great Houghton	653.00	620.35
Little Houghton	181.80	172.71
Shafton	959.30	911.34
High Hoyland	70.40	66.88
Hunshelf	169.10	160.65
Langsett	107.40	102.03
Cawthorne	613.30	582.64
Dunford	246.70	234.37
Gunthwaite and Ingbirchworth	286.70	272.37
Thurgoland	750.30	712.79
Tankersley	588.80	559.36
Wortley	294.40	279.68
Oxspring	465.00	441.75
Silkstone	1,201.60	1,141.52
Stainborough	165.20	156.94
Barnsley and other Non-Parish areas	54,529.10	51,802.61
Total	65,628.30	62,346.89

161. Business Rates - Calculation of the Authority's Local Share (Cab.11.1.2017/12)

RESOLVED:-

- (i) that the process for estimating the retained Business Rate Local Share for 2017/18, as set out in the report now submitted, be noted, and agree that the 'local share' for Barnsley will be £22.032m (excluding Section 31 Grants) in line with the Council's Medium Term Financial Strategy (MTFS); and
- (ii) that the Director of Finance, Assets and Information Services, in consultation with the Corporate Services Cabinet Spokesperson, be authorised to submit the NNDR1 return when issued by DCLG.

Place and Communities Spokespersons

162. Principal Towns Investment Programme (Cab.11.1.2017/13)

RESOLVED:-

- (i) that Cabinet agrees to the concept of developing a principal town's programme and the commissioning approach, as set out in the report submitted;

- (ii) that approval be given to the full business case, in accordance with Capital Programme requirements;
- (iii) that approval be given to the release of £5m from the 2020 Capital Investment Fund to establish the Principal Towns programme;
- (iv) that further reports be brought forward to Cabinet with recommendations for funding allocations resulting from the Principal Towns programme commissioning process; and
- (v) that the commissioning of works and services under the programme follow the arrangements for Area Council procurement.

Place Spokesperson

163. Pontefract Road, Barnsley - Traffic Regulation Order Objections (Cab.11.1.2017/14)

RESOLVED:-

- (i) that the objections to the proposed Traffic Regulation Order in respect of Pontefract Road and Grove Street, as detailed in the report now submitted, be noted;
- (ii) that the proposals for 'no waiting at any time' restrictions on a section of the eastern side of Grove Street be omitted from the scheme, and dealt with as a separate, Traffic Regulation Order at a later date to allow the shared cycle/footway scheme to be completed on schedule, as detailed in the report; and
- (iii) that the Interim Head of Highways, Engineering and Transportation and the Director of Legal and Governance be authorised to make and implement part of the Traffic Regulation Order relating to the restrictions on Pontefract Road as shown in Appendix 2 of the report submitted.

164. Better Barnsley Regeneration - Metropolitan Centre Business Case (Cab.11.1.2017/15)

RESOLVED:-

- (i) that approval be given to the Metropolitan Centre Business Case, as detailed in the report now submitted and the scheme be implemented;
- (ii) that the proposed rent structure in the main body of the business case, which is subject to final amendments when approval will be sought, be noted; and
- (iii) that the potential ongoing financial implications associated with the development be noted.

**165. Barnsley Town Centre Plan and Site Development Appraisals
(Cab.11.1.2017/16)**

RESOLVED:-

- (i) that the priorities set out within the Town Centre plan, as detailed in the report now submitted, be confirmed and the mechanisms for project development and delivery, be agreed;
- (ii) that the Town Centre Projects, set out in Arup's Barnsley Town Regeneration Plan, and their further development be noted and endorsed;
- (iii) that the principle of development on the Courthouse car park site be agreed and a detailed programme of option appraisals to determine the form, scale and timing of that development be agreed; and
- (iv) that further reports be submitted to Cabinet which provide a business case, including options appraisals for the development of the Courthouse site.

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
168	Paragraph 3

Place Spokesperson

167. Better Barnsley Phase 2 (Cab.11.1.2017/18)

RESOLVED:-

- (i) that approval be given to the business plan for phase 2 of the Better Barnsley Scheme, as detailed in the report now submitted and to be known as The Glass Works;
- (ii) that the revised costs of the phase 2 scheme be noted as well as the options being considered to fund the scheme with the final decision on how the development will be progressed to be proposed via a future report;
- (iii) that the additional resources for the predevelopment works to deliver the business plan be approved;

- (iv) that the disposal by way of a headlease of approximately 4 ha of assets on Cheapside, May Day Green and Kendray Street (as shown in Appendix B of the report) be agreed, on terms agreed by the Executive Director Legal and Governance, in consultation with the Cabinet Spokesperson for Corporate Services and the Director of Finance, Assets and Information Services. These terms will be detailed in a future report;
- (v) that the Director of Legal and Governance, in consultation with the Cabinet Spokesperson for Corporate Services and the Director of Finance, Assets and Information Services, be authorised to enter into an agreement to sublease for those assets required by the Council for the future provision of Barnsley Markets;
- (vi) that the Director of Legal and Governance, in consultation with the Cabinet Spokesperson for Corporate Services, the Executive Director Place and the Director of Finance, Assets and Information Services, be authorised to enter into agreements to lease with commercial operators taking leisure/retail units in the new Glass Works scheme; and
- (vii) that working with the Council's Strategic Procurement Unit and NPS Barnsley, the development of a procurement process be authorised if needed to secure an investor/developer for phase 2 of Better Barnsley. The details of the process will be the subject of a further report.

168. J36 Strategic Business Park - Proposed Acquisition of HCA land at Rockingham Hoyland (Cab.11.1.2017/19)

RESOLVED:-

- (i) that the Service Director Assets be authorised to negotiate Heads of Terms for an acquisition of the Homes and Communities Agency (HCA) land at Rockingham, Hoyland, as identified in the report now submitted;
- (ii) that the Director of Legal and Governance be authorised to complete the acquisition from the HCA, subject to the independent valuation being within tolerance and the ground conditions being acceptable to the Council;
- (iii) that, if approved by the Sheffield City Region Combined Authority (SCR CA), funding from Sheffield City Region finance for the acquisition and associated costs, set out in the report, be accepted;
- (iv) that the principles of the SCR CA grant funding agreement be agreed and accepted, and that final approval be delegated to the Executive Director Place in consultation with the Director of Legal and Governance and the Director of Finance, Assets and Information Services;
- (v) that approval be given to the full business case in accordance with Capital Programme requirements;

- (vi) that the release of £0.361m of funding in 2016/17 from the 2020 Capital Investment Fund, to acquire the HCA land at Rockingham, Hoyland, be approved;
- (vii) that the subsequent onward sale of the site be through a competitive tender process and a development agreement be negotiated as part of this transaction to secure the delivery of floor space on this part of employment site within an acceptable time frame;
- (viii) that, if additional professional assistance be required, to appoint external consultants as appropriate, within the current procurement rules; and
- (ix) that, subject to receiving acceptable offers for the onward sale of the site and a development agreement being in place, the Director of Legal and Governance be authorised to complete all necessary legal documentation for the proposed onward disposal, subject to all necessary planning consents being obtained by the developer before completion.

.....
Chair

MEETING:	Cabinet
DATE:	Wednesday, 25 January 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cherryholme (for Cheetham), Gardiner, Howard, Miller and Platts

Members in Attendance: Councillors Franklin, Frost, David Griffin, Lamb, Saunders and Sheard

169. Declaration of pecuniary and non-pecuniary interests

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

170. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 11th January, 2017 had been called in.

171. Minutes of the previous meeting held on 11th January 2017 (Cab.25.1.2017/3)

The minutes of the meeting held on 17th January, 2017 were taken as read and signed by the Chair as a correct record.

172. Decisions of Cabinet Spokespersons (Cab.25.1.2017/4)

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

173. Action Taken Under Paragraph B6 of the Responsibility for Executive Functions - Officer Delegations Contained in the Council Constitution (Cab.25.1.2017/5)

RESOLVED:-

that the action taken under Paragraph B6 of the Responsibility for Executive Functions – Officer Delegations, as contained with the Appendix attached to the report now submitted and detailed below, be noted:

Decision of the Executive Director Place, after consultation with the Cabinet Spokesperson for Place to accept the clause within the Heads of Terms, that once solicitors have been instructed, the Council agree to pay a specified amount to the cinema operator, should the Council not exchange an agreement to lease with the said cinema operator as part of the Better Barnsley Scheme. At the point of exchange of the agreement to lease this clause falls away.

174. Petitions received under Standing Order 44 (Cab.25.1.2017/6)

It was reported that no petitions had been received under Standing Order 44.

Communities Spokesperson

175. Disabled Facilities Grant Policy (Cab.25.1.2017/7)

RESOLVED that the proposed revised Disabled Facilities Grant Policy 2016, as set out in Appendix 1 of the report now submitted, be approved and adopted by the Council.

Cabinet Support Member for People (Achieving Potential) Spokesperson

176. Admission Arrangements for Community and Voluntary Controlled Primary and Secondary Schools for the 2018-19 School Year (Cab.25.1.2017/8)

RESOLVED that the proposed admission arrangements for Community and Voluntary Controlled Primary and Secondary Schools for the 2018-2019 school year, as detailed in the report now submitted, be approved.

177. Co-ordinated Scheme for Admission to Primary and Secondary Schools for the 2018-19 School Year (Cab.25.1.2017/9)

RESOLVED that the proposed scheme for Co-ordinating the Admission to Primary and Secondary Schools for the 2018-2019 school year, as detailed in the report now submitted, be approved.

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Chair

Item 33



MEETING:	Cabinet
DATE:	Wednesday, 8 February 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 Cherryholme, Franklin, Frost, David Griffin, Saunders and Sheard

178. Declaration of pecuniary and non-pecuniary interests

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

179. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 25th January, 2017 had been called in.

180. Minutes of the previous meeting held on 25th January, 2017 (Cab.8.2.2017/3)

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

181. Minutes of the BDR Joint Waste Board held on 30th September, 2016 (Cab.8.2.2017/4)

The minutes of the BDR Joint Waste Board meeting held on 30th September, 2016 were noted.

182. Decisions of Cabinet Spokespersons (Cab.8.2.2017/5)

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

183. Petitions received under Standing Order 44 (Cab.8.2.2017/6)

It was reported that no petitions had been received under Standing Order 44.

Corporate Services Spokesperson

184. Service and Financial Planning 2017/18 - Revenue Budget, Capital Programme and Council Tax (Cab.8.2.2017/7)

RECOMMENDED TO COUNCIL ON 23RD FEBRUARY, 2017:-

- (i) that the report of the Director of Finance, Assets and Information Services under Section 25 of the Local Government Act 2003 at Section 1 be noted and that the 2017/18 budget proposals be agreed on the basis that the Chief Executive and Senior Management Team (SMT), in consultation with Cabinet Spokespersons, submit for early consideration detailed proposals from the ongoing activity in order that the potential budget gaps in 2018/19 and the longer term be closed;
- (ii) that the Overview of Financial Planning for 2020 report and forecast budget positions for 2017/18 to 2019/20 contained in Section 2 be noted and monitored as part of the arrangements for the delivery of the Future Council 2020;
- (iii) that the budget proposals for all services for 2017/18 – 2019/20, as detailed in Sections 4 and 5 of the report submitted, be approved, subject to the submission of detailed implementation reports, as appropriate;
- (iv) that the 2020 Directorate spending plans outlined in Section 6 be noted;
- (v) that the proposed savings in 2018/19 and 2019/20 be agreed subject to further consideration in future budget processes taking account of any further Equality Impact Assessments;
- (vi) that the total additional specific funded capital investment of £23.1m as outlined at Section 7 be included within the capital programme and released subject to further detailed reports on the proposals for its use;
- (vii) that the future Council Investment requirements as outlined in Table 1 at Section 7 be agreed to progress to full business cases and be considered by Cabinet on a case by case basis. At this stage approval up to the resources currently available of £31.7m be considered;
- (viii) that the fees and charges set out in Appendix 1 of Section 8 of the report be approved from 1st April, 2017 or later in 2017/18 as applicable;
- (ix) that Section 10 (Position on Reserves, Provisions and Balances) be noted;
- (x) that the Aggregated Equality Impact Assessment at Section 11 of the proposals be noted and the proposed mitigation actions in the report be approved;
- (xi) that the cash limited budgets for each service with overall net expenditure for 2017/18 of £166.201m, as detailed at Section 4, be approved;
- (xii) that the Chief Executive and SMT, in consultation with the Cabinet Spokespersons as appropriate, be required to submit reports into Cabinet as a matter of urgency, in relation to the detailed General Fund Revenue Budget for 2017/18 including recommendations on any action further to that set out above required to achieve an appropriately balanced budget for that financial year;
- (xiii) that the Chief Executive and SMT be responsible for managing their respective budgets including ensuring the implementation of savings proposals;

- (xiv) that the Chief Executive and SMT, in consultation with the appropriate Cabinet Spokesperson, be required to submit regular reports as necessary on the implementation of proposals into Cabinet as a matter of urgency to resolve any outstanding issues in relation to their budgets and deal with any consequential effects;
- (xv) that the Authority's SMT be charged with ensuring that the budget remains in balance and report regularly into Cabinet on budget/savings monitoring including any action required;
- (xvi) that Cabinet be authorised to make any necessary technical adjustments to form the 2017/18 budget; and
- (xvii) that appropriate consultation on the agreed budget proposals takes place with the Trade Unions and representatives of Non-Domestic Ratepayers and that the views of consultees be considered by Cabinet and the Council.

(B) Council Tax 2017/18

RECOMMENDED TO COUNCIL ON 23RD FEBRUARY, 2017:-

- (i) that the contents of Section 9 of the report (2017/18 Council Tax calculation) of the Director of Finance, Assets and Information Services now submitted, be noted;
- (ii) that the Council Tax Collection Fund net surplus as at 31st March 2016 relating to BMBC of £1.615M be used to reduce the 2017/18 Council Tax requirement, in line with statute;
- (iii) that the 2017/18 Band D Council Tax increase for Barnsley MBC's services be set at 4.9% (1.9% for Barnsley MBC services and an additional 3% for the Chancellor's Adult Social Care levy);
- (iv) that the Band D Council Tax for Barnsley MBC's areas be determined following confirmation of the South Yorkshire Police Authority and South Yorkshire Fire Authority precepts for 2017/18; and
- (v) that the Band D Council Tax for areas of the Borough with Parish/Town Councils be determined following confirmation of individual parish precepts for 2017/18.

185. 2017/18 Treasury Management Policy and Strategy Statement (Cab.8.2.2017/8)

RECOMMENDED TO FULL COUNCIL ON 23RD FEBRUARY, 2017:-

- (i) that the main Treasury Management Policies, as outlined in the Treasury Policy Statement at Annex A of the report now submitted, be noted; and
- (ii) that the Treasury Management Strategy Statement for 2017/18, as detailed at Annex B of the report, be approved, including:-

- The revised Minimum Revenue Position (MRP) Statement at Appendix E; and
- The Annual Investment Strategy for 2017/18 at Section 4 of the Treasury Management Strategy Statement.

186. Prudential Indicators 2017/18 (Cab.8.2.2017/9)

RECOMMENDED TO FULL COUNCIL ON 23RD FEBRUARY, 2017:-

- that the Prudential Indicators for the financial year 2017/18 to 2019/20, as set out at Appendix B of the report now submitted, be approved; and
- that further monitoring reports be submitted on the indicators during the year as necessary.

187. Redundancy Compensation and Procedures 2017/18 (Cab.8.2.2017/10)

RECOMMENDED TO FULL COUNCIL ON 23RD FEBRUARY, 2017:-

- that for the purpose of the 2017/18 budget procedures, payments in accordance with the Discretionary Compensation Regulations 2006 be up to a maximum of 30 weeks actual pay based on the Statutory Redundancy Scheme; and
- that any employee (excluding Teachers) declared redundant be afforded the maximum of 12 weeks' notice of termination of employment.

188. Census 2021 - Trialling of Questions in Barnsley (Cab.8.2.2017/11)

RESOLVED that the mandatory Census Test be supported and residents be encouraged to complete the Census Test questionnaire and return it to the Office for National Statistics (ONS).

Place Spokesperson

189. Sports Facilities and Playing Pitch Strategy (Cab.8.2.2017/12)

RESOLVED:-

- that the Playing Pitch and Sports Facility Strategy 2016-2019 be adopted; and
- that the Strategy be updated every 3-5 years to comply with Planning Policy reviews.

People (Achieving Potential) Spokesperson

190. Proposed School Term and Holiday Dates 2018-19 (Cab.8.2.2017/13)

RESOLVED:-

- (i) that the continuation of the current 'traditional' pattern of school term and holiday dates of a long summer be adopted for the academic year 2018-2019, as detailed at Option 2 in Appendix 2 of the report now submitted; and
- (ii) that the balanced view of parents/carers regarding the change to the long summer break be noted and the Executive Director People challenge schools to consider alternative approaches to address issues of attendance, attainment and behaviour, if the traditional school holiday pattern is to be retained.

Communities Spokesperson

191. Unauthorised and Illegal Encampment Protocol (Cab.8.2.2017/14)

RESOLVED that the Unauthorised and Illegal Encampment Protocol, detailed at Appendix 1 of the report now submitted, be approved.

192. 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>
193	Paragraph 3

Corporate Services Spokesperson

193. Building Schools for the Future Re-Financing Position (Cab.8.2.2017/16)

RESOLVED:-

- (i) that the terms for refinancing the Phase 2 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 the Directors of Finance, Assets and Information Services and Legal and Governance, 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;

- (iv) that the Director of Legal and Governance 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 (iii) above;
- (v) that Cabinet receive further updates on the refinancing/amendment to the Change in Law risk, where necessary; and
- (vi) that Cabinet receive reports on the Phase 1 PFI project agreement and Phase 3 PFI project agreement refinancings in due course.

(Note:

- (a) 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; and
- (b) In accordance with the Call-in procedures set out in the Council's Constitution the Chair of the Overview and Scrutiny Committee had been consulted and given his agreement to the request to waive the Call-in provision in respect of this matter on urgency grounds).

.....
Chair

MEETING:	Cabinet
DATE:	Wednesday, 8 February 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 Cherryholme, Franklin, Frost, David Griffin, Saunders and Sheard

178. Declaration of pecuniary and non-pecuniary interests

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

179. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 25th January, 2017 had been called in.

180. Minutes of the previous meeting held on 25th January, 2017 (Cab.8.2.2017/3)

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

181. Minutes of the BDR Joint Waste Board held on 30th September, 2016 (Cab.8.2.2017/4)

The minutes of the BDR Joint Waste Board meeting held on 30th September, 2016 were noted.

182. Decisions of Cabinet Spokespersons (Cab.8.2.2017/5)

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

183. Petitions received under Standing Order 44 (Cab.8.2.2017/6)

It was reported that no petitions had been received under Standing Order 44.

Corporate Services Spokesperson

184. Service and Financial Planning 2017/18 - Revenue Budget, Capital Programme and Council Tax (Cab.8.2.2017/7)

RECOMMENDED TO COUNCIL ON 23RD FEBRUARY, 2017:-

- (i) that the report of the Director of Finance, Assets and Information Services under Section 25 of the Local Government Act 2003 at Section 1 be noted and that the 2017/18 budget proposals be agreed on the basis that the Chief Executive and Senior Management Team (SMT), in consultation with Cabinet Spokespersons, submit for early consideration detailed proposals from the ongoing activity in order that the potential budget gaps in 2018/19 and the longer term be closed;
- (ii) that the Overview of Financial Planning for 2020 report and forecast budget positions for 2017/18 to 2019/20 contained in Section 2 be noted and monitored as part of the arrangements for the delivery of the Future Council 2020;
- (iii) that the budget proposals for all services for 2017/18 – 2019/20, as detailed in Sections 4 and 5 of the report submitted, be approved, subject to the submission of detailed implementation reports, as appropriate;
- (iv) that the 2020 Directorate spending plans outlined in Section 6 be noted;
- (v) that the proposed savings in 2018/19 and 2019/20 be agreed subject to further consideration in future budget processes taking account of any further Equality Impact Assessments;
- (vi) that the total additional specific funded capital investment of £23.1m as outlined at Section 7 be included within the capital programme and released subject to further detailed reports on the proposals for its use;
- (vii) that the future Council Investment requirements as outlined in Table 1 at Section 7 be agreed to progress to full business cases and be considered by Cabinet on a case by case basis. At this stage approval up to the resources currently available of £31.7m be considered;
- (viii) that the fees and charges set out in Appendix 1 of Section 8 of the report be approved from 1st April, 2017 or later in 2017/18 as applicable;
- (ix) that Section 10 (Position on Reserves, Provisions and Balances) be noted;
- (x) that the Aggregated Equality Impact Assessment at Section 11 of the proposals be noted and the proposed mitigation actions in the report be approved;
- (xi) that the cash limited budgets for each service with overall net expenditure for 2017/18 of £166.201m, as detailed at Section 4, be approved;
- (xii) that the Chief Executive and SMT, in consultation with the Cabinet Spokespersons as appropriate, be required to submit reports into Cabinet as a matter of urgency, in relation to the detailed General Fund Revenue Budget for 2017/18 including recommendations on any action further to that set out above required to achieve an appropriately balanced budget for that financial year;
- (xiii) that the Chief Executive and SMT be responsible for managing their respective budgets including ensuring the implementation of savings proposals;

- (xiv) that the Chief Executive and SMT, in consultation with the appropriate Cabinet Spokesperson, be required to submit regular reports as necessary on the implementation of proposals into Cabinet as a matter of urgency to resolve any outstanding issues in relation to their budgets and deal with any consequential effects;
- (xv) that the Authority's SMT be charged with ensuring that the budget remains in balance and report regularly into Cabinet on budget/savings monitoring including any action required;
- (xvi) that Cabinet be authorised to make any necessary technical adjustments to form the 2017/18 budget; and
- (xvii) that appropriate consultation on the agreed budget proposals takes place with the Trade Unions and representatives of Non-Domestic Ratepayers and that the views of consultees be considered by Cabinet and the Council.

(B) Council Tax 2017/18

RECOMMENDED TO COUNCIL ON 23RD FEBRUARY, 2017:-

- (i) that the contents of Section 9 of the report (2017/18 Council Tax calculation) of the Director of Finance, Assets and Information Services now submitted, be noted;
- (ii) that the Council Tax Collection Fund net surplus as at 31st March 2016 relating to BMBC of £1.615M be used to reduce the 2017/18 Council Tax requirement, in line with statute;
- (iii) that the 2017/18 Band D Council Tax increase for Barnsley MBC's services be set at 4.9% (1.9% for Barnsley MBC services and an additional 3% for the Chancellor's Adult Social Care levy);
- (iv) that the Band D Council Tax for Barnsley MBC's areas be determined following confirmation of the South Yorkshire Police Authority and South Yorkshire Fire Authority precepts for 2017/18; and
- (v) that the Band D Council Tax for areas of the Borough with Parish/Town Councils be determined following confirmation of individual parish precepts for 2017/18.

185. 2017/18 Treasury Management Policy and Strategy Statement (Cab.8.2.2017/8)

RECOMMENDED TO FULL COUNCIL ON 23RD FEBRUARY, 2017:-

- (i) that the main Treasury Management Policies, as outlined in the Treasury Policy Statement at Annex A of the report now submitted, be noted; and
- (ii) that the Treasury Management Strategy Statement for 2017/18, as detailed at Annex B of the report, be approved, including:-

- The revised Minimum Revenue Position (MRP) Statement at Appendix E; and
- The Annual Investment Strategy for 2017/18 at Section 4 of the Treasury Management Strategy Statement.

186. Prudential Indicators 2017/18 (Cab.8.2.2017/9)

RECOMMENDED TO FULL COUNCIL ON 23RD FEBRUARY, 2017:-

- that the Prudential Indicators for the financial year 2017/18 to 2019/20, as set out at Appendix B of the report now submitted, be approved; and
- that further monitoring reports be submitted on the indicators during the year as necessary.

187. Redundancy Compensation and Procedures 2017/18 (Cab.8.2.2017/10)

RECOMMENDED TO FULL COUNCIL ON 23RD FEBRUARY, 2017:-

- that for the purpose of the 2017/18 budget procedures, payments in accordance with the Discretionary Compensation Regulations 2006 be up to a maximum of 30 weeks actual pay based on the Statutory Redundancy Scheme; and
- that any employee (excluding Teachers) declared redundant be afforded the maximum of 12 weeks' notice of termination of employment.

188. Census 2021 - Trialling of Questions in Barnsley (Cab.8.2.2017/11)

RESOLVED that the mandatory Census Test be supported and residents be encouraged to complete the Census Test questionnaire and return it to the Office for National Statistics (ONS).

Place Spokesperson

189. Sports Facilities and Playing Pitch Strategy (Cab.8.2.2017/12)

RESOLVED:-

- that the Playing Pitch and Sports Facility Strategy 2016-2019 be adopted; and
- that the Strategy be updated every 3-5 years to comply with Planning Policy reviews.

People (Achieving Potential) Spokesperson

190. Proposed School Term and Holiday Dates 2018-19 (Cab.8.2.2017/13)

RESOLVED:-

- (i) that the continuation of the current 'traditional' pattern of school term and holiday dates of a long summer be adopted for the academic year 2018-2019, as detailed at Option 2 in Appendix 2 of the report now submitted; and
- (ii) that the balanced view of parents/carers regarding the change to the long summer break be noted and the Executive Director People challenge schools to consider alternative approaches to address issues of attendance, attainment and behaviour, if the traditional school holiday pattern is to be retained.

Communities Spokesperson

191. Unauthorised and Illegal Encampment Protocol (Cab.8.2.2017/14)

RESOLVED that the Unauthorised and Illegal Encampment Protocol, detailed at Appendix 1 of the report now submitted, be approved.

192. 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>
193	Paragraph 3

Corporate Services Spokesperson

193. Building Schools for the Future Re-Financing Position (Cab.8.2.2017/16)

RESOLVED:-

- (i) that the terms for refinancing the Phase 2 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 the Directors of Finance, Assets and Information Services and Legal and Governance, 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;

- (iv) that the Director of Legal and Governance 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 (iii) above;
- (v) that Cabinet receive further updates on the refinancing/amendment to the Change in Law risk, where necessary; and
- (vi) that Cabinet receive reports on the Phase 1 PFI project agreement and Phase 3 PFI project agreement refinancings in due course.

(Note:

- (a) 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; and
- (b) In accordance with the Call-in procedures set out in the Council's Constitution the Chair of the Overview and Scrutiny Committee had been consulted and given his agreement to the request to waive the Call-in provision in respect of this matter on urgency grounds).

.....
Chair

Item 34



MEETING:	Cabinet
DATE:	Wednesday, 22 February 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Andrews BEM (Chair), Bruff, Cheetham, Gardiner, Howard, Miller and Platts

Members in Attendance: Councillors Franklin, Frost, David Griffin, Lamb, Saunders and Shepherd

194. Declaration of pecuniary and non-pecuniary interests

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

195. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 8th February, 2017 had been called in.

196. Minutes of the previous meeting held on 8th February 2017 (Cab.22.2.2017/3)

The minutes of the meeting held on 8th February, 2017 were taken as read and signed by the Chair as a correct record.

197. Decisions of Cabinet Spokespersons (Cab.22.2.2017/4)

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

198. Petitions received under Standing Order 44 (Cab.22.2.2017/5)

It was reported that no petitions had been received under Standing Order 44.

Corporate Services Spokesperson

199. 2017/18 Pay Policy Statement (Cab.22.2.2017/6)

RECOMMENDED TO FULL COUNCIL ON 30TH MARCH, 2017 that the 2017/18 Pay Policy Statement contained at Appendix 1 to the report now submitted be approved for implementation with effect from 1st April, 2017.

Place Spokesperson

200. Arrangements for Sustainable Drainage Systems (SuDS) Associated with new Major Developments (Cab.22.2.2017/7)

RESOLVED:-

- (i) that the Council does not adopt and therefore will not undertake the liability for maintenance of Sustainable Drainage Systems (SuDS) for new major developments within the Borough, immediately following their construction, with the exception that a SuDS is required to be adopted as part of the formal highways adoption process;
- (ii) that, if as part of a planning application, there is a proposal to provide a SuDS solution to serve properties (i.e. not a SuDS within a property's boundary), that the responsibility for the long term maintenance of the SuDs should remain with the landowner; this responsibility may be discharged directly by the landowner (initially likely to be the developer) or transferred to a 3rd party, such as a Management Company; should the maintenance responsibilities fail to be performed, the ultimate responsibility will still remain with the owner of the land, on which the SuDS is located;
- (iii) that, in order to safeguard the ongoing maintenance of the SuDS, in the event that the established maintenance regime fails, the Director of Legal and Governance will seek to ensure the longer term maintenance of SuDS by agreeing appropriate clauses within a S106 agreement pursuant to the Town and Country Planning Act 1990; Upon failure of the established maintenance regime, the Council will seek to ensure it has the power to undertake maintenance of the SuDS directly, with the costs of this undertaking being funded by property owners on the development which the SuDS serves making periodic payments;
- (iv) that the Director of Finance, Assets and Information Services be authorised to collect and process any periodic charges that arise through implementation of any S106 agreement; and
- (v) that the Service Directors of Environment and Transportation and Economic Regeneration be authorised to create a Guidance Document for SuDS for developers of new major developments; Upon adoption of the Local Plan, a formal Supplementary Planning Document will be produced to replace the Guidance Document.

201. Chapel Field Lane and High Street Area, Penistone - Proposed Waiting Restrictions (Cab.22.2.2017/8)

RESOLVED:-

- (i) that, for the reasons set out in the report now submitted, objections received to the proposals be overruled and the objectors informed accordingly; and

- (ii) that the Head of Highways, Engineering and Transportation and the Director of Legal and Governance be authorised to make and implement the Traffic Regulation Order.

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Chair

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MEETING:	Cabinet
DATE:	Wednesday, 22 February 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Andrews BEM (Chair), Bruff, Cheetham, Gardiner, Howard, Miller and Platts

Members in Attendance: Councillors Franklin, Frost, David Griffin, Lamb, Saunders and Shepherd

194. Declaration of pecuniary and non-pecuniary interests

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

195. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 8th February, 2017 had been called in.

196. Minutes of the previous meeting held on 8th February 2017 (Cab.22.2.2017/3)

The minutes of the meeting held on 8th February, 2017 were taken as read and signed by the Chair as a correct record.

197. Decisions of Cabinet Spokespersons (Cab.22.2.2017/4)

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

198. Petitions received under Standing Order 44 (Cab.22.2.2017/5)

It was reported that no petitions had been received under Standing Order 44.

Corporate Services Spokesperson

199. 2017/18 Pay Policy Statement (Cab.22.2.2017/6)

RECOMMENDED TO FULL COUNCIL ON 30TH MARCH, 2017 that the 2017/18 Pay Policy Statement contained at Appendix 1 to the report now submitted be approved for implementation with effect from 1st April, 2017.

Place Spokesperson

200. Arrangements for Sustainable Drainage Systems (SuDS) Associated with new Major Developments (Cab.22.2.2017/7)

RESOLVED:-

- (i) that the Council does not adopt and therefore will not undertake the liability for maintenance of Sustainable Drainage Systems (SuDS) for new major developments within the Borough, immediately following their construction, with the exception that a SuDS is required to be adopted as part of the formal highways adoption process;
- (ii) that, if as part of a planning application, there is a proposal to provide a SuDS solution to serve properties (i.e. not a SuDS within a property's boundary), that the responsibility for the long term maintenance of the SuDs should remain with the landowner; this responsibility may be discharged directly by the landowner (initially likely to be the developer) or transferred to a 3rd party, such as a Management Company; should the maintenance responsibilities fail to be performed, the ultimate responsibility will still remain with the owner of the land, on which the SuDS is located;
- (iii) that, in order to safeguard the ongoing maintenance of the SuDS, in the event that the established maintenance regime fails, the Director of Legal and Governance will seek to ensure the longer term maintenance of SuDS by agreeing appropriate clauses within a S106 agreement pursuant to the Town and Country Planning Act 1990; Upon failure of the established maintenance regime, the Council will seek to ensure it has the power to undertake maintenance of the SuDS directly, with the costs of this undertaking being funded by property owners on the development which the SuDS serves making periodic payments;
- (iv) that the Director of Finance, Assets and Information Services be authorised to collect and process any periodic charges that arise through implementation of any S106 agreement; and
- (v) that the Service Directors of Environment and Transportation and Economic Regeneration be authorised to create a Guidance Document for SuDS for developers of new major developments; Upon adoption of the Local Plan, a formal Supplementary Planning Document will be produced to replace the Guidance Document.

201. Chapel Field Lane and High Street Area, Penistone - Proposed Waiting Restrictions (Cab.22.2.2017/8)

RESOLVED:-

- (i) that, for the reasons set out in the report now submitted, objections received to the proposals be overruled and the objectors informed accordingly; and

- (ii) that the Head of Highways, Engineering and Transportation and the Director of Legal and Governance be authorised to make and implement the Traffic Regulation Order.

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Chair

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Item 35



MEETING:	Cabinet
DATE:	Wednesday, 8 March 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller and Platts

Members in Attendance: Councillors Cherryholme, Frost and Saunders and Sheard

202. Declaration of pecuniary and non-pecuniary interests

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

203. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 22nd February, 2017 had been called in.

204. Minutes of the previous meeting held on 22nd February, 2017 (Cab.8.3.2017/3)

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

205. Decisions of Cabinet Spokespersons (Cab.8.3.2017/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 24th February, 2017 were noted.

206. Petitions received under Standing Order 44 (Cab.8.3.2017/5)

It was reported that no petitions had been received under Standing Order 44.

Communities Spokesperson

207. Community Consultation - Grange Lane Emergency Stopping Site for Gypsy and Travellers (Cab.8.3.2017/6)

RESOLVED:-

- (i) that the feedback from the consultation on the proposed Grange Lane Emergency Stopping Site undertaken with local Elected Members and local residents, as detailed in the report now submitted, be noted; and
- (ii) that the Emergency Stopping Site at Grange Lane be opened from 13th March, 2017.

Corporate Services Spokesperson

208. Corporate Performance Report, Quarter ending 31st December, 2016 (Cab.8.3.2017/7)

RESOLVED:-

- (i) that the contents of the Corporate Plan Performance Report for Quarter 3 2016/17, as set out in the report now submitted, be noted;
- (ii) that follow-up reports be received at a future date arising from the report:-

Areas for Improvement

- Be Well Barnsley: Number of people who achieved their personal health goal
- Excess Weight across the Life Course
- Independent Living at Home
- Improving Employment Opportunities for Adults with Learning Disabilities

Areas of Achievement

- Homelessness Prevention
- Children's Social Care Assessments; and

- (iii) that the report be shared with the Overview and Scrutiny Committee to inform and support their ongoing work programme.

209. Corporate Finance Performance, Quarter 3 ending 31st December, 2016 (Cab.8.3.2017/8)

RESOLVED:-

- (i) that the contents of the Corporate Financial Performance Report for Quarter Ending 31st December, 2016, now submitted, be noted;
- (ii) that Executive Directors/Directors (where appropriate) be requested to provide detailed plans on how their forecast overspends will be brought back into line with existing budgets on a recurrent basis;
- (iii) that the continued overspends on Place's 2017/18 budget to reflect the non-delivery of existing 2015-17 Key Lines of Enquiries that will not be fully corrected before the year end be noted;
- (iv) that approval be given to write off £2.5m of historic bad debts as shown at paragraph 6.3;
- (v) that the budget virements listed in Appendix 1 be approved;
- (vi) that the potential impact of the Quarter 3 monitoring position on the Council's Medium Term Financial Strategy (MTFS) detailed at paragraph 7 be noted and a further report be requested on the demographic pressures to determine how this will be reflected in the Council's MTFS in future;

- (vii) that the updated reserves position as outlined at paragraph 8.2 be noted and the transfer to strategic reserves at year end when the final position is known be noted; and
- (viii) that the further Invest to Grow schemes totalling £1.05m provided at Section 8 of the report be approved.

**210. Capital Programme Performance, Quarter 3 ending 31st December, 2016
(Cab.8.3.2017/9)**

RESOLVED:-

- (i) that both the Capital Programme Performance for Quarter Ending 31st December, 2016 and the overall five year Capital Programme positions, as set out in the report now submitted, be noted;
- (ii) that the 2016/17 scheme slippage totalling -£4.284m and scheme re-phasing totalling £2.631m (as detailed in paragraphs 4.4, 4.5 and Appendix B) be approved;
- (iii) that approval be given to the total net decrease in scheme costs in 2016/17 of -£1.187m, (paragraph 4.6 and Appendix B refer); the net increase in scheme costs in future years totalling £0.003m; and the adjustments to the capital programme plans to reflect these changes;
- (iv) that the anticipated increase in the costs for the Town Centre Redevelopment scheme of £3.100m, which is currently reported as unfunded, be noted. However it is expected that this will be brought back into line by identifying additional resources/savings. Future reports will update on this position accordingly (paragraph 4.7 refers);
- (v) that the four new proposed schemes totalling £4.001m, as described in paragraphs 5.1 to 5.9 including formal acceptance of HLF grant totalling £2.925m, split between £2.058m capital (paragraph 5.5 refers) and £0.867m revenue be approved; and
- (vi) that the monies for these schemes be released once appropriate approvals have been obtained.

**211. Treasury Management Activities, Quarter 3 ending 31st December, 2016
(Cab.8.3.2017/10)**

RESOLVED:-

- (i) that the Treasury Management Activities undertaken for the period ending 31st December, 2016 and compliance with the Prudential Indicators, as set out in the report now submitted, be noted;
- (ii) that the Authority's Capital Programme Funding Position be noted; and
- (iii) that the performance of the Authority's investments for the reported quarter be noted.

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Chair

Item 36



MEETING:	Cabinet
DATE:	Thursday, 9 March 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner and Miller

Members in Attendance: Councillors Cherryholme, David Griffin and Saunders and Shepherd

212. Declaration of pecuniary and non-pecuniary interests

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

213. 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>
214	Paragraph 3

Place Spokesperson

214. Better Barnsley Phase 2 Funding (Cab.9.3.2017/3)

RECOMMENDED TO FULL COUNCIL ON 30TH MARCH, 2017:-

- (i) that the robust option appraisal work that has been carried out on Phase 2 of the Better Barnsley Scheme, as detailed in the report now submitted, be noted;
- (ii) that the proposal to fund the development of Phase 2 with a total estimated cost of £70.1m be agreed, with the exact funding method to be agreed prior to awarding the main works contract at which time more concrete cost and income projections will be available;
- (iii) that approval be given to a procurement exercise for a main works contractor for Phase 2 of the Better Barnsley Scheme with contractor appointment being subject to a further Cabinet report;
- (iv) that approval be given to a procurement exercise for further development management services for Phase 2 of the Better Barnsley Scheme with contractor appointment being subject to a further Cabinet report;

- (v) that approval be given to the procurement of additional design services for Phase 2 of the Better Barnsley Scheme with contractor appointment being subject to a further Cabinet report;
- (vi) that approval be given to the use of £0.2m of the £14m earmarked for the Better Barnsley Phase 2 Development to fund the cost of the procurement exercises highlighted above together with earmarking an additional £4.2m to fund the estimated early year's annual operating costs prior to development becoming fully operational. The remaining £9.6m to be held as a contingency to ensure as far as is possible that no revenue budgetary impact arises as a result of progressing the scheme;
- (vii) that the recently approved Treasury Management Strategy and Prudential Indicators be updated to reflect the investment required within the Better Barnsley Phase 2 Scheme as highlighted in Section 7 and attached at Appendix C; and
- (viii) that a variation to the Council's Minimum Reserve Provision statement be approved in respect of the Better Barnsley Phase 2 Scheme to allow debt for that Scheme to be repaid over a 25 year repayment period.

(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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of the Local Government Act 1972.

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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>			
Cllr Franklin	68	Planning Application No. 2016/1414 – 24 The Market Inn, Wentworth Road, Elsecar	Non-Pecuniary – Involvement with Milton Hall
Cllr Tattersall	69	Planning Application No. 2016/1039 – 418 Carlton Road, Carlton, Barnsley	Non-Pecuniary – Lives in the vicinity of the application
Cllr Unsworth	82	4 Orchard Terrace, Cawthorne, Barnsley	Non-Pecuniary – Member of Berneslai Homes Board
<u>Central Area Council</u>			
Cllr Williams	28	Procurement and Financial Update	Non-Pecuniary - insofar as the discussion related to the YMCA Member of the Association
Cllr D. Green	28	Procurement and Financial Update	Pecuniary – insofar as the discussion related to the YMCA due to her employment by Lifeline insofar as the discussion related to her employer
<u>South Area Council</u>			
Cllrs Franklin, Lamb and Shepherd	32	Report on the use of Ward Alliance funds	Non-Pecuniary – insofar as the as the discussion related to Forge Community Partnership
Cllrs Franklin, Lamb and Shepherd	33	Performance report	Non-Pecuniary – insofar as the as the discussion related to Forge Community Partnership

<u>Councillor</u>	<u>Minute No.</u>	<u>Subject</u>	<u>Interest</u>
North East Area Council			
Cllr Higginbottom	50	Let Grow Great Houghton Pilot Allotment Project	Non-Pecuniary – Due to her involvement with the project