

MEETING:	Full Council
DATE:	Thursday, 4 April 2019
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 (other than those already recorded within the minutes contained within the Minute Book).

2. Minutes (*Pages 5 - 26*)

To approve as a correct record the minutes of the meeting of the Council held on the 7th and 28th February, 2019.

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 Fire and Rescue Authority - 14th January, 2019 (*Pages 27 - 36*)

7. South Yorkshire Fire & Rescue Authority (Draft) - 11th February, 2019 (*Pages 37 - 48*)

8. South Yorkshire Pensions Authority - 17th January, 2019 (*Pages 49 - 52*)

9. Sheffield City Region Combined Authority (Draft) - 28th January, 2019 (*Pages 53 - 60*)

10. Police and Crime Panel (Draft) - 4th February, 2019 (*Pages 61 - 72*)

Minutes of the Regulatory Boards

11. Audit Committee - 23rd January, 2019 *(Pages 73 - 84)*
12. Planning Regulatory Board - 19th February, 2019 *(Pages 85 - 88)*
13. General Licensing Regulatory Board - 20th February, 2019 *(Pages 89 - 92)*
14. Statutory Licensing Regulatory Board - 20th February, 2019 *(Pages 93 - 96)*
15. Audit Committee - 20th March, 2019 *(To Follow)*
16. General Licensing Panel - Various *(Pages 97 - 100)*
17. Appeals, Awards and Standards - Various *(Pages 101 - 102)*

Minutes of the Scrutiny Committees

18. Overview and Scrutiny Committee - 29th January, 2019 *(Pages 103 - 106)*
19. Overview & Scrutiny Committee - 26th February, 2019 *(Pages 107 - 114)*

Minutes of the Area Councils

20. Central Area Council - 14th January, 2019 *(Pages 115 - 118)*
21. North Area Council - 21st January, 2019 *(Pages 119 - 122)*
22. Dearne Area Council - 21st January, 2019 *(Pages 123 - 128)*
23. North East Area Council - 7th February, 2019 *(Pages 129 - 132)*
24. Penistone Area Council - 14th February, 2019 *(Pages 133 - 138)*
25. South Area Council - 28th February, 2019 *(Pages 139 - 144)*

Appointments

26. Appointment Panel (Chief Executive) - 14th & 28th February & 15th March, 2019 *(Pages 145 - 150)*
27. Confirmation of Appointment of Chief Executive *(Pages 151 - 152)*

To consider a report of the Executive Director Core Services seeking the confirmation of the appointment of Ms S Norman as Chief Executive, Head of Paid Service and Proper Officer and Electoral Registration and Returning Officer.

28. Appointment of Director of Adult Social Services *(Pages 153 - 154)*

To consider a report of the Chief Executive to confirm the designation of Wendy Lower (Executive Director Communities) as the Director of Adult Social Services for the financial year 2019/20.

Recommendations to Council

All reports detailed below are subject to Audit Committee and Cabinet recommendation and are available to download from the Council's website. The Chair of the Audit Committee and the Cabinet Spokesperson for the Service in question will respond to any comments or amendments concerning these.

29. Revision of Contract Procedural Rules 2019 (Aud.20/3/2019/7) (Pages 155 - 200)

RECOMMENDED TO COUNCIL that the revisions to the Contract Procedural Rules as detailed within Section 3 of the report now submitted be approved and adopted.

30. Member Representation on the Virtual School Governance Group (Cab.20.3.2019/7) (Pages 201 - 204)

RECOMMENDED TO COUNCIL that the People (Achieving Potential) and People (Safeguarding) Cabinet Spokespersons and the respective Cabinet Support Members be appointed to serve on the Virtual School Governance Group, together with six further Elected Members to be appointed.

31. Implementation of the 2019/20 Pay Policy Statement (Cab.20.3.2019/11) (Pages 205 - 220)

RECOMMENDED TO COUNCIL that approval be given to implement the 2019/20 Pay Policy Statement, contained at Appendix 1 of the report now submitted, with effect from 1st April, 2019.

Minutes of the Cabinet Meetings

32. Cabinet Meeting - 6th February, 2019 (Pages 221 - 228)
33. Cabinet Meeting - 20th February, 2019 (Pages 229 - 232)
34. Cabinet Meeting - 6th March, 2019 (Pages 233 - 238)

(NB. No Cabinet decisions have been called in from these meetings)



Diana Terris
Chief Executive

Wednesday, 27 March 2019

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MEETING:	Full Council
DATE:	Thursday, 7 February 2019
TIME:	10.30 am
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

The Mayor (Councillor S. Green)

- Central Ward - Councillors D. Birkinshaw and Bruff
- Cudworth Ward - Councillors Hayward, 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 Burgess, Cave and Howard
- Dearne North Ward - Councillors Gardiner and Gollick
- Dearne South Ward - Councillors C. Johnson and Noble
- Dodworth Ward - Councillors P. Birkinshaw
- Hoyland Milton Ward - Councillors Franklin and Stowe
- Kingstone Ward - Councillors Mitchell and Williams
- Monk Bretton Ward - Councillors Richardson and Sheard
- North East Ward - Councillors Ennis OBE and Hampson
- Old Town Ward - Councillors Lofts, Newing and Pickering
- Penistone East Ward - Councillors Barnard and Hand-Davis
- Penistone West Ward - Councillors David Griffin, Kitching and Millner
- Rockingham Ward - Councillors Andrews BEM, Lamb and Sumner
- Royston Ward - Councillors Cheetham and Makinson
- St. Helen's Ward - Councillors Platts and Tattersall
- Stairfoot Ward - Councillors Bowler and W. Johnson
- Wombwell Ward - Councillors Frost, Daniel Griffin and R. Wraith
- Worsbrough Ward - Councillors G. Carr and Pourali

168. Declarations of Interests

Councillors Bruff, Carr, Charlesworth and Tattersall declared a non-pecuniary interest in Item 19 on the agenda as they are Members of the Corporate Parenting Panel.

Councillors Coates, Makinson and Pourali declared a non-pecuniary interest in Items 27 and 28 on the agenda as they are Members of Berneslai Homes' Board.

169. Minutes

The minutes of the meetings held on 29th November 2018 and 3rd January 2019 were taken as read and signed by the Chair as a correct record.

170. Communications

(a) Corporate Industry PR Awards

The Chief Executive was pleased to announce that Capital B media working with Barnsley Museums had won the Gold Award for Yorkshire at Corporate Industry PR Awards. This award was for a PR campaign to raise the profile of Worsbrough Mill as a Heritage destination and to attract a new Miller to work at the historic site. The Campaign led to excellent media coverage for the Borough including a feature on Countryfile. Thanks were expressed to Barnsley Museums Commercial Manager Craig Hartley for his work with Capital B Media on this campaign and Simon Dodd was congratulated on his appointment to the position of new Miller. Both were present in the Council Chamber.

The Mayor and Members of the Council expressed their congratulations to Craig, Simon and all concerned in the usual manner.

(b) Best Bar None Awards

The Chief Executive was pleased to announce that Barnsley had won the 'Best New Scheme' award in this year's prestigious 'National Best Bar None Awards' which is a national awards scheme for all licensed premises designed to reward good practice and lead to an enhanced customer experience. So far this year the scheme has signed up 20 venues and introduced a 'best dining experience' category so we can include our new and vibrant restaurant trade.

The National Coordinator for Best Bar None commended Barnsley Council for focusing on regenerating the area to create a modern and vibrant town centre and highlighted that very few schemes are led by the public health agenda and the measures that Barnsley had put in place to adopt a sensible drinking culture to ensure that pubs, bars, and clubs understand their role is admirable.

Garreth Robinson, Public Health Practitioner and scheme coordinator for Barnsley collected the trophy, certificate and £1,000 prize fund earlier in the week and was present in the Council Chamber.

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

171. Questions by Elected Members

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

1. *Many residents purchasing new build houses in the Borough have been affected by the scandal of leasehold ground rents increasing annually at a rate ahead of inflation. The adoption of the local plan means we will be seeing many new housing developments over the next few years. Can the Leader provide an assurance that no new house buyer will have to purchase a house on a leasehold basis?*

The Leader responded by stating that the council has no legal powers to intervene in a private transaction between a housebuilder and a purchaser. It is acknowledged that this is becoming more of a problem and the Council would support a change in the law if that became a reality. The Council will continue to talk to developers to discourage this practice but has no powers through the planning process to prevent it from happening.

Councillor Kitching asked a supplementary question: *One particular developer in Barnsley is known for carrying out this practice. Through the planning process does the Council have any powers to intervene?*

The Leader responded by reiterating that the Council does not have any legal powers to intervene but will support the Government in bringing in any legal changes to prevent this practice in order to support local residents.

2. *In light of much publicised austerity and cuts to local government budgets, how can the Leader continue to justify failing to agree with the other South Yorkshire council leaders to access £30million per year of devolution monies?*

The Leader responded by stating that the money around devolution details nationally is not to provide basic local council services. Barnsley has taken the largest 'hit' in terms of austerity measures, which is shocking given the social and economic challenges which Barnsley faces. Councils across the North have suffered the most in terms of austerity and it is essential that Councils across Yorkshire stand together with one voice to protest against the Government undivided. By standing back from a deal at the moment, the Council is protecting its residents from potentially suffering increased costs or cuts to services, which has happened in other areas in conjunction with a devolution deal.

Councillor Kitching asked a supplementary question: *How can the Leader justify that he spent precious money on a meaningless community poll, the point of which was to give the Council permission to fail to access £30 million for the benefit of residents?*

The Leader responded by stating that the views of the British people and the Barnsley community are never meaningless. All politicians need to remember that they are here to represent the views of the people and not what they may personally think is right or wrong. It is only right that if we are to change governance arrangements which will affect Barnsley for the next 30 to 40 years that the community has a say in those arrangements. This Council will always put Barnsley and the people of Barnsley first. Devolution is about local

people making local decisions. The people of Barnsley have made that decision and this should be respected.

3. *Now that a number of Labour MPs have backed the Government by failing to take no deal off the table, what are the Council's contingency plans for mitigating the worst impacts of a No Deal Brexit for the local area?*

The Leader responded by stating that it is difficult to predict the future and forecast the impact and outcome of any type of deal. However, Barnsley is a responsible Council and will always make contingency plans as part of a risk register of the Council's work which may be affected by any significant changes. That work has been done by a working group of professional officers and has been replicated in other areas. Financial provision has been made to cover any contingencies which may occur when we leave the EU at the end of March.

Councillor Kitching asked a supplementary question: *Will the Council be following in the footsteps of others and publishing a Brexit Risk Assessment to offset some of those concerns?*

The Leader responded by stating that Barnsley is more than happy to share this work with partners and other interested parties.

4. *How does the Council plan to fulfil its statutory duty of informing EU citizens to apply for settled status?*

Councillor Platts responded by stating that the Council plans to fulfil this obligation in a number of different ways including: participating in a nationwide public awareness campaign, engaging with large employers in the borough, engaging with local community groups used by EU nationals including the Polish library. Pending approval from the Home Office an ID verification service will be established within the registrars section and a digital assist service at libraries, using data from the electoral register to contact EU nationals, working directly to apply for settled status on behalf of all looked after children who require it. All Council employees who are EU nationals will be supported to apply for settled status.

5. *Recent press reports have highlighted a shortage of secondary school places in Barnsley. This is something that I have seen in my own ward. How will the council reassure parents that when the new Local Plan is implemented appropriate school infrastructure is put in place before the population increases?*

Councillor Cheetham responded by saying that the Local Plan includes a policy requiring developers to contribute towards any infrastructure needs arising as a result of their developments. This is something which is always raised with developers and over the years Barnsley has been successful in obtaining substantial contributions towards school infrastructure from developers. We will shortly be consulting on a new Supplementary Planning Document that will set out what developers will need to contribute where their proposal will result in a shortage of school places. Any required payment

would have to be made on commencement of development so that we have time to utilise the contributions in advance of the new homes being occupied.

Councillor Kitching asked a supplementary question: *It is evident that this is not working through the planning process. Are we seeing similar pressures on primary school places in the Borough and what plans are being made to tackle or prevent them?*

Councillor Cheetham responded by saying that there is no evidence other than anecdotal that this is not working. The national average for parents receiving their first choice of secondary school is 82%. In Barnsley this is 96%. Barnsley is one of the best performing areas in the country for providing secondary school places of choice. Indeed, only 0.2% (1 in 500) are given an offer of their third choice place, which indicates that the system is indeed working. The pressure on primary school places is slightly different in that for secondary schools we do have the primary school figures to work from, which gives an indication of what the pressures will be, whereas planning for children who are not yet born is more problematic. Nonetheless, the capacity in both secondary and primary schools is good and schools continue to perform well.

6. *What representations did the Council make to the passenger transport executive regarding recent bus fare increases?*

Councillor Roy Miller responded by stating that BMBC recognises that bus services are provided commercially and, therefore, fare levels are outside the control and influence of the Council, with operators entitled to set their fares as they see fit.

Councillor Kitching asked a supplementary question: *Does the Cabinet Member find it acceptable that it is currently cheaper for my family of four to drive in to town than to use public transport. What further representations will he make to ensure that bus travel becomes more affordable and to alleviate congestion that is affecting our local parks?*

Councillor Miller responded by stating that whilst on-going discussions with bus operators via the Barnsley Bus Partnership seek to ensure that services are maintained and that fares offer good value for money to passengers, fare rises are commercial decisions taken solely within that operator's group. As such, no Local Authority nor Passenger Transport Executive is able to set fares for bus services in a commercial environment. The Barnsley Bus Partnership is open to all Members to attend and make representations, should they wish to do so.

7. *Is the development of site MU1 as proposed by the Local Plan dependent on the scheme to build a gyratory road junction on Penny Pie Park going ahead and what effect would the failure to build the gyratory have on the future development of site MU1?*

Councillor Miller responded by stating that it is very difficult and inappropriate to answer this question at this moment in time, given that we are awaiting the result of a call-in notice from the Secretary of State.

Councillor Kitching asked a supplementary question: *Why was the link between these two developmental proposals not referred to in the evidence provided to support the recent planning application relating to the Penny Pie Park gyratory?*

Councillor Miller referred to his previous response, commenting that wherever possible he will always seek to make his views known.

8. *Is the cabinet member aware of the proposals from Berneslai Homes to dissolve the Federation of Tenants and Residents, an organisation created by this very Council to provide an independent voice for tenants and residents in Barnsley*

Councillor Miller responded in the affirmative.

Councillor Kitching asked a supplementary question: *As a long time loyal supporter of the Federation of Tenants and Residents Associations (TARAs), what do you intend to do about the attempted silencing of the independent voice of tenants and residents in Barnsley?*

Councillor Miller responded by stating that this is quite a detailed response, which will be sent to Members after the meeting. He proceeded to explain that last Autumn, Berneslai Homes asked the Tenants Participation and Advisory Service (TPAS) to undertake an independent review of our engagement services. The aim of the review was to ensure they were fulfilling their duties and were effective in doing so; involving tenants in running, monitoring and shaping services; providing opportunities for community based issues to be raised and responding to and supporting and developing communities and volunteers in communities to enhance their neighbourhoods and the lives of residents. This was also a timely review for the following reasons: The Green Paper 'A New Deal for Social Housing' is looking to offer major reform to improve families' quality of life and safety for residents living in social housing; in April 2019 Berneslai Homes is changing its management structure to align with BMBC areas and finally, the Federation of Tenants and Residents Association has reduced membership, and is no longer representative of the tenant population as more and more tenants engage online.

The review report, published in November, made several recommendations to strengthen the tenant voice. Berneslai Homes has gained approval from the Council to implement the recommendations, which include setting up a new tenant body with a much wider remit than the current Federation of Tenants and Residents Association. The proposals recognise the experience, commitment and track record of the current small numbers of the Federation. The proposals maintain all that is good and representative and will further extend these, including a better digital consultation. Berneslai Homes are fully committed to a strong and influential tenants voice and the Cabinet Member supports Berneslai Homes in its aim of strengthening the tenants voice, pushing it more into the localities and ensuring it is fully representative of all tenants.

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

The Chief Executive reported that she had received the following question from Elected Members in accordance with Standing Order No. 12 relating to Joint Authority, Police and Crime Panel and Combined Authority Business:

1. *Can Councillor Lamb explain the reason for the delay in rebuilding Barnsley Fire Station, a project which has been in the capital programme for some time?*

Councillor Lamb responded by explaining that bringing Barnsley Fire Station to the point of starting construction has indeed taken longer than anticipated for a number of reasons. This has been discussed regularly in Joint Authority meetings which are webcast and available for public view. Councillor Clements has continually pushed this issue for many months and thanks should be expressed to him for his dogged and steadfast determination.

Councillor Lamb reported that the application with supplementary information was submitted to the Planning Department yesterday for pre-planning advice. The reasons for the delay include the restructuring and staffing issues in the SYFRS Estates Department and the need to take the time to get the scheme right, given that it represents £6m of expenditure. Significant consultation has taken place with a number of partner agencies and experts to ensure the final build is fit for purpose, is future proofed and represents value for money for the communities of South Yorkshire.

The new station will have three bays, with additional capacity for specialist appliances if required on site, with an excellent standard of office and rest accommodation and community facilities which will enable the fabulous work with young people as part of the Princes Trust and art projects to continue.

Working alongside South Yorkshire Police, a Joint Head of Estates and Facilities has been recruited to bring capital projects forward and seek efficiencies through collaboration. At the end of February interviews will take place for an additional surveyor who will be employed on a short term, consultancy basis to give additional capacity.

Councillor Lamb confirmed that he is satisfied that all is being done to bring this project to fruition as quickly as possible and in a way that will represent value for money for the taxpayer and a facility which will be well used for many years to come.

Councillor Kitching asked a supplementary question: *Are you in a position to give an estimated start date?*

Councillor Lamb responded by stating that if there are no hitches the pre-planning stage will take around five months but this very much depends on how it is received by the local community.

173. South Yorkshire Pensions Authority - 22nd November, 2018

RESOLVED that the minutes be noted.

174. South Yorkshire Fire and Rescue Authority - 26th November, 2018

RESOLVED that the minutes be noted.

175. Police and Crime Panel (Draft) - 3rd December, 2018

Councillor Frost, representative on the Police and Crime Panel, made comment about the current and future funding of the Police force and the impact that this would have on the precept for 2019/20.

RESOLVED that the minutes be noted.

176. Sheffield City Region Combined Authority - 17th December, 2018

RESOLVED that the minutes be noted.

177. Planning Regulatory Board - 20th November, 2018

Moved by Councillor D. Birkinshaw - Seconded by Councillor Richardson; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on 20th November 2018 be received.

178. Audit Committee - 5th December, 2018

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 5th December, 2018 be received.

179. Planning Regulatory Board - 18th December, 2018

Moved by Councillor D. Birkinshaw - Seconded by Councillor Richardson; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on 18th December, 2018 be received.

180. General Licensing Regulatory Board - 19th December, 2018

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the General Licensing Regulatory Board Panel meeting held on 19th December, 2018 be received.

181. Planning Regulatory Board - 22nd January, 2019

Moved by Councillor D. Birkinshaw - Seconded by Councillor Richardson; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on 22nd January 2019 be received.

182. General Licensing Panel - Various

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the various General Licensing Panels be received.

183. Appeals, Awards and Standards - Various

Moved by Councillor Makinson – Seconded by Councillor Tattersall; 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.

184. Health and Wellbeing Board - 4th December, 2018

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 4th December, 2018 be received.

185. Overview and Scrutiny Committee - 27th November, 2018

Moved by Councillor Ennis – Seconded by Councillor Wayne Johnson; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on 27th November, 2018 be received.

186. Overview and Scrutiny Committee - 8th January, 2019

Moved by Councillor Ennis – Seconded by Councillor Wayne Johnson; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Safeguarding Scrutiny Committee held on 8th January, 2019 be received.

187. Central Area Council - 12th November, 2018

Moved by Councillor Bruff - Seconded by Councillor Pourali; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Central Area Council held on 12th November, 2018 be received.

188. North Area Council - 19th November, 2018

Moved by Councillor Lofts – Seconded by Councillor Tattersall; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the North Area Council held on 19th November, 2018 be received.

189. Dearne Area Council - 26th November, 2018

Moved by Councillor Noble – Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on 26th November, 2018 be received.

190. North East Area Council - 29th November, 2018

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 29th November, 2018 be received.

191. Penistone Area Council - 6th December, 2018

Moved by Councillor Barnard – Seconded by Councillor Dave Griffin; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on 6th December, 2018 be received.

192. South Area Council - 14th December, 2018

Moved by Councillor Stowe - Seconded by Councillor Franklin; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the South Area Council held on 14th December, 2018 be received.

193. Criminal Convictions Policy - Update (Gen Lic.19.12.2018/3)

Moved by Councillor C. Wraith MBE – Seconded by Councillor Andrews BEM; and

RESOLVED that Section 6 of the Guideline Policy for Criminal Convictions be amended to read as follows:

Where a Licence has been refused or revoked by the Council (or another Local Authority) a further application will be refused if received within five years from the date of the refusal/revocation, as it will be deemed that the person's circumstances have not changed significantly within that period to make them 'fit and proper'.

194. Representation on Berneslai Homes Board (Cab.9.1.2019/6)

Moved by Councillor Howard – Seconded by Councillor Daniel Griffin; and

RESOLVED that Councillor Makinson be appointed to Berneslai Homes Board.

195. Housing Revenue Account Draft Budget 2019/20 and Housing Capital Investment 2019 - 2024 (Cab.9.1.2019/11)

Moved by Councillor Gardiner - Seconded by Councillor Franklin; and

RESOLVED that:

- (i) the Housing Revenue Account Draft Budget for 2019/20 be approved, with any final amendments / additions being delegated to the Cabinet

Spokesperson for Place and the Executive Director for Place in consultation with the Cabinet Spokesman for Core Services and the Service Director - Finance (S151);

- (ii) a rent reduction in line with Government's rent policy be approved;
- (iii) there is no proposed change to non-dwelling rents, service charges and heating charges;
- (iv) the 2019/20 Berneslai Homes Management Fee at paragraph 4.17 is approved with any final amendments / additions delegated to the Cabinet Spokesperson for Place and the Service Director, Culture & Housing in consultation with the Cabinet Spokesman for Core Services and the Service Director - Finance (S151);
- (v) the 2019/20 Berneslai Homes Management Fee for Gypsy & Traveller Sites, charged to the Authority's General Fund, at paragraph 4.20 is approved;
- (vi) the HRA Medium Term Financial Strategy as set out in Section 5 and Appendix B be noted;
- (vii) the 30 HRA Business Plan as set out in Section 6 be noted;
- (viii) the HRA Reserves Strategy, outlined in Section 7 be noted;
- (ix) the proposed increase in the HRA minimum working balance to £5.2M be approved;
- (x) the Council Housing Capital Investment programme for 2019/20 be approved and the indicative programme for 2020/21 through 2023-24, outlined in Section 8 be noted;
- (xi) approval be given, in principle, to the Housing Growth Investment schemes, funded from a combination of HRA Reserves and BH Surplus, as detailed in Appendix E. (Subject to individual reports in line with the Council's governance arrangements); and
- (xii) individual housing growth schemes are subject to the appropriate planning regulations.

196. Cabinet Meeting - 28th November, 2018

Moved by Councillor Andrews BEM – Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the Cabinet Meeting held on 28th November, 2018 be received.

197. Cabinet Meeting - 12th December, 2018

Moved by Councillor Andrews BEM – Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the Cabinet Meeting held on 12th December, 2018 be received.

198. Cabinet Meeting - 9th January, 2019

Moved by Councillor Andrews BEM – Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the Cabinet Meeting held on 9th January, 2019 be received.

199. Cabinet Meeting - 23rd January, 2019

Moved by Councillor Andrews BEM – Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the Cabinet Meeting held on 23rd January, 2019 be received.

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Chair

MEETING:	Full Council
DATE:	Thursday, 28 February 2019
TIME:	10.30 am
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

The Mayor (Councillor S. Green)

- Central Ward - Councillors D. Birkinshaw, Bruff and M. Dyson
- Cudworth Ward - Councillors Hayward, Houghton CBE and C. Wraith MBE
- Darfield Ward - Councillor Saunders
- Darton East Ward - Councillors Charlesworth, Miller and Spence
- Darton West Ward - Councillors Burgess and Cave
- Dearne North Ward - Councillors Gardiner, Gollick and Phillips
- Dearne South Ward - Councillors C. Johnson and Noble
- Dodworth Ward - Councillors P. Birkinshaw, Riggs and Wright
- Hoyland Milton Ward - Councillors Franklin, Shepherd and Stowe
- Kingstone Ward - Councillor Williams
- Monk Bretton Ward - Councillors Richardson and Sheard
- North East Ward - Councillors Ennis OBE and Hampson
- Old Town Ward - Councillors Lofts and Newing
- Penistone East Ward - Councillors Barnard, Hand-Davis and Wilson
- Penistone West Ward - Councillors David Griffin, Kitching and Millner
- Rockingham Ward - Councillors Andrews BEM, Lamb and Sumner
- Royston Ward - Councillors Cheetham, Clements and Makinson
- St. Helen's Ward - Councillors Platts and Tattersall
- Stairfoot Ward - Councillors Bowler, K. Dyson and W. Johnson
- Wombwell Ward - Councillors Frost, Daniel Griffin and R. Wraith
- Worsbrough Ward - Councillors G. Carr, Clarke and Pourali

200. Declarations of Interests

Councillor Makinson and Pourali declared a non-pecuniary interest in minute number 202 due to their positions as directors of Berneslai Homes.

Councillor Noble declared a non-pecuniary interest in minute number 202 due to tenancy in a Berneslai Homes property.

201. Suspension of Standing Orders

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

RESOLVED that Standing Order No 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.

202. The Council's Medium Term Financial Strategy - 2019/20 Budget Recommendations (Cab.6.2.2019/6)

Minute 202 (A) and (B) were Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

(A) Budget Proposals

RESOLVED:-

- (i) that the Future Council 2020 Strategy at Section 1 of the report now submitted be noted and implemented accordingly;
- (ii) that the report of the Service Director Finance under Section 25 of the Local Government Act 2003 at Section 2 be noted, that the 2019/20 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 plans that ensure the Council's ongoing financial sustainability for 2020/21 and beyond;
- (iii) that the revised Medium Term Financial Strategy and Forecast for 2019/20 to 2021/22 contained at Section 3 and Section 3a (supported by the Capital Investment Strategy at Section 3b and the Financial Resilience position at Section 3d) be noted and monitored as part of the arrangements for the delivery of the Future Council 2020 Strategy;
- (iv) that the Treasury Management Strategy and Policy Statement at Section 3c be noted and the proposed Treasury Management Strategy for 2019/20 be approved including:-
 - the Borrowing Strategy and Prudential and Treasury Indicators;
 - the revised Minimum Revenue Provision Statement; and
 - the Annual Investment Strategy.

- (v) that the Council's current reserves position at Section 4 be noted and monitored as part of the arrangements for the delivery of the Future Council 2020 Strategy;
- (vi) that the budgets for all services and the 2019/20 budget proposals presented at Sections 6A – 6C and Sections 10A – 10E of the report be approved subject to Cabinet receiving detailed implementation reports where appropriate;
- (vii) that the changes to the schools funding formula, including the transfer of funding from the schools block to the high needs block, be approved together with the proposed 2019/20 schools block budget as set out at Section 6D;
- (viii) that the new General Fund capital investment of £23.9m (as outlined at Section 7 Appendix A) and £8.4m (Section 7 Table 5) of specifically funded schemes be included within the capital programme and released subject to further detailed reports on the proposals for their use;
- (vix) that the availability of £1.9m of Housing related reserves to be considered against future housing priorities in 2019/20 as set out at Section 7 Table 3 be noted;
- (x) that approval be given to earmark the remaining unallocated resources of £16.1m at Section 7 Table 3 in view of the ongoing Brexit uncertainty particularly recognising the major economic regeneration initiatives the Council is taking forward;
- (xi) that the detailed proposals for increases to existing fees and charges and new fees and charges be approved and implemented as set out at Section 9;
- (xii) that the efficiency proposals for 2019/20 in Sections 10A to 10E be agreed, subject to consideration of any further Equality Impact Assessments;
- (xiii) that approval be given to the creation of a spot salary for the role of Service Director with effect from 1 June 2019 (see Section 11);
- (xiv) that the existing Elected Members Scheme of Allowances (Section 12) continue and that following consideration of a report from the Council's Independent Remuneration Panel that the indexation formula for the increase in allowances (linked to related increases for officer remuneration) be retained;
- (xv) that the Aggregated Equality Impact Assessment (Section 14) of the proposals be noted and the proposed mitigation actions in the report be approved;
- (xvi) that the cash limited budgets for each service with overall net expenditure for 2019/20 of £169.064m be approved;
- (xvii) that the Chief Executive and SMT, in consultation with the Cabinet Spokespersons, be required to submit reports into Cabinet, as a matter of urgency, in relation to the detailed General Fund Revenue Budget for 2019/20 on any further action required to achieve an appropriately balanced budget in addition to those proposals set out above;

- (xviii) that the Chief Executive and SMT be responsible for managing their respective budgets including ensuring the implementation of savings proposals;
- (xix) 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;
- (xx) that Cabinet and the Section 151 Officer be authorised to make any necessary technical adjustments to form the 2019/20 budget;
- (xxi) 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 2019/20

RESOLVED:-

- (i) that the contents of Section 8 of the report (2019/20 Council Tax options) now submitted, be noted;
- (ii) in respect of the Council Tax 2019/20 calculations:
 - (a) that the Council Tax Collection Fund surplus relating to Barnsley M.B.C. of £2.615M be used to reduce the Council Tax Requirement for 2019/20;
 - (b) that the Band D Council Tax for Barnsley M.B.C.'s services be set at £1,483.48 which includes the cumulative special precept earmarked specifically for Adult Social Care of £105.47; and
 - (c) that the Band D Council Tax for Barnsley M.B.C.'s area be set at £1,750.77 including the Police and Fire precepts as set out in (iii)(c).
- (iii) that, in respect of the Council Tax 2019/20 declaration:
 - (a) that it be noted that at its meeting of its Cabinet on the 9th January 2019 the Council made the following calculations for the year 2019/20 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 64,801.54 (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:-

TABLE 1				
Column	A	B	C	D = C / B

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	97.200	92.340	1,532.00	16.59
Cawthorne	615.600	584.820	20,144.00	34.44
Dunford	251.400	238.830	8,346.00	34.95
Great Houghton	665.000	631.750	22,425.00	35.50
Gunthwaite and Ingbirchworth	291.400	276.830	5,736.00	20.72
High Hoyland	69.490	66.020	-	-
Hunshelf	163.310	155.140	4,800.00	30.94
Langsett	109.000	103.550	3,521.00	34.00
Little Houghton	195.600	185.820	4,359.00	23.46
Oxspring	469.510	446.030	18,930.00	42.44
Penistone	4,414.200	4,193.490	171,220.00	40.83
Shafton	962.600	914.470	36,245.00	39.63
Silkstone	1,213.600	1,152.920	73,365.00	63.63
Stainborough	161.400	153.330	4,700.00	30.65
Tankersley	634.890	603.150	12,209.00	20.24
Thurgoland	754.690	716.960	10,877.00	15.17
Wortley	315.910	300.110	7,596.00	25.31
Barnsley and Other Non-Parish Areas	56,069.450	53,265.980		
Total	67,454.250	64,081.540	406,005.00	

(b) that the following amounts be now calculated by the Council for the year 2019/20 in accordance with Sections 31-36 of the "the Act":-

- (1) £169,470,424.00 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) £71,386,000 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) £2,615,000 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) £95,469,424.00 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) £1,489.81 calculated by the Council as being the amount at (iii)(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) £406,005.00 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 (ii)(a) (2) above

- (7) £1,483.48 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:-

TABLE 2	
Section 34(3) Calculation :	
Part of the Council's Area	
Parish of :-	£
Billingley	1,500.07
Cawthorne	1,517.92
Dunford	1,518.43
Great Houghton	1,518.98
Gunthwaite & Ingbirchworth	1,504.20
High Hoyland	1,483.48
Hunshelf	1,514.42
Langsett	1,517.48
Little Houghton	1,506.94
Oxspring	1,525.92
Penistone	1,524.31
Shafton	1,523.11
Silkstone	1,547.11
Stainborough	1,514.13
Tankersley	1,503.72
Thurgoland	1,498.65
Wortley	1,508.79
This table represents the Council Tax for Barnsley MBC plus Local Parishes for Band D only	

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.

TABLE 3

**Section 36(1) Calculation :
Part of the Council's Area**

Parish of :-	Valuation Bands								
	A-	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£	£
Billingley	833.36	1,000.04	1,166.71	1,333.39	1,500.07	1,833.41	2,166.76	2,500.10	3,000.14
Cawthorne	843.27	1,011.94	1,180.60	1,349.25	1,517.92	1,855.22	2,192.55	2,529.85	3,035.84
Dunford	843.56	1,012.28	1,180.99	1,349.71	1,518.43	1,855.85	2,193.28	2,530.70	3,036.86
Great Houghton	843.86	1,012.65	1,181.42	1,350.20	1,518.98	1,856.52	2,194.08	2,531.62	3,037.96
Gunthwaite & Ingbirchworth	835.65	1,002.79	1,169.93	1,337.06	1,504.20	1,838.45	2,172.73	2,506.98	3,008.40
High Hoyland	824.14	988.98	1,153.81	1,318.64	1,483.48	1,831.13	2,142.80	2,472.45	2,966.96
Hunshelf	841.33	1,009.61	1,177.87	1,346.14	1,514.42	1,850.95	2,187.49	2,524.02	3,028.84
Langsett	843.03	1,011.65	1,180.25	1,348.86	1,517.48	1,854.69	2,191.91	2,529.12	3,034.96
Little Houghton	837.17	1,004.62	1,172.06	1,339.49	1,506.94	1,841.80	2,176.69	2,511.55	3,013.88
Oxspring	847.72	1,017.27	1,186.82	1,356.36	1,525.92	1,865.00	2,204.10	2,543.18	3,051.84
Penistone	846.82	1,016.20	1,185.57	1,354.93	1,524.31	1,863.03	2,201.78	2,540.50	3,048.62
Shafton	846.16	1,015.40	1,184.63	1,353.87	1,523.11	1,861.57	2,200.04	2,538.50	3,046.22
Silkstone	859.49	1,031.40	1,203.30	1,375.20	1,547.11	1,890.90	2,234.71	2,578.50	3,094.22
Stainborough	841.17	1,009.41	1,177.65	1,345.88	1,514.13	1,850.59	2,187.07	2,523.53	3,028.26
Tankersley	835.38	1,002.47	1,169.55	1,336.63	1,503.72	1,837.87	2,172.04	2,506.18	3,007.44
Thurgoland	832.57	999.09	1,165.61	1,332.12	1,498.65	1,831.67	2,164.71	2,497.73	2,997.30
Wortley	838.20	1,005.85	1,173.50	1,341.14	1,508.79	1,844.06	2,179.36	2,514.63	3,017.58
Barnsley and Other Non-Parish Areas	824.14	988.98	1,153.81	1,318.64	1,483.48	1,813.13	2,142.80	2,472.45	2,966.96

**This table shows the total Council Tax for Barnsley MBC and local parishes (excluding Police and Fire Precepts).
The charge for individual valuation bands is calculated as a proportion of a Band D property, as per Section 5 of the Local Government Finance Act 1992.**

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 2019/20 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:-

	Total Precept	TABLE 4 Valuation Bands								
		A-	A	B	C	D	E	F	G	H
Precepting Authority:	£	£	£	£	£	£	£	£	£	£
South Yorkshire Fire Authority	4,686,283	40.63	48.75	56.88	65.00	73.13	89.38	105.63	121.88	146.26
South Yorkshire Police Authority	12,442,072	107.87	129.44	151.01	172.59	194.16	237.31	280.45	323.60	388.32

(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 2019/20 for each of the categories of dwellings shown below:-

Section 30(2) Calculation :

TABLE 5

Part of the Council's Area

Valuation Bands

Parish of :-	A-	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£	£
Billingley	981.86	1,178.23	1,374.60	1,570.98	1,767.36	2,160.10	2,552.84	2,945.58	3,534.72
Cawthorne	991.77	1,190.13	1,388.49	1,586.84	1,785.21	2,181.91	2,578.63	2,975.33	3,570.42
Dunford	992.06	1,190.47	1,388.88	1,587.30	1,785.72	2,182.54	2,579.36	2,976.18	3,571.44
Great Houghton	992.36	1,190.84	1,389.31	1,587.79	1,786.27	2,183.21	2,580.16	2,977.10	3,572.54
Gunthwaite & Ingbirchworth	984.15	1,180.98	1,377.82	1,574.65	1,771.49	2,165.14	2,558.81	2,952.46	3,542.98
High Hoyland	972.64	1,167.17	1,361.70	1,556.23	1,750.77	2,139.82	2,528.88	2,917.93	3,501.54
Hunshelf	989.83	1,187.80	1,385.76	1,583.73	1,781.71	2,177.64	2,573.57	2,969.50	3,563.42
Langsett	991.53	1,189.84	1,388.14	1,586.45	1,784.77	2,181.38	2,577.99	2,974.60	3,569.54
Little Houghton	985.67	1,182.81	1,379.95	1,577.08	1,774.23	2,168.49	2,562.77	2,957.03	3,548.46
Oxspring	996.22	1,195.46	1,394.71	1,593.95	1,793.21	2,191.69	2,590.18	2,988.66	3,586.42
Penistone	995.32	1,194.39	1,393.46	1,592.52	1,791.60	2,189.72	2,587.86	2,985.98	3,583.20
Shafton	994.66	1,193.59	1,392.52	1,591.46	1,790.40	2,188.26	2,586.12	2,983.98	3,580.80
Silkstone	1,007.99	1,209.59	1,411.19	1,612.79	1,814.40	2,217.59	2,620.79	3,023.98	3,628.80
Stainborough	989.67	1,187.60	1,385.54	1,583.47	1,781.42	2,177.28	2,573.15	2,969.01	3,562.84
Tankersley	983.88	1,180.66	1,377.44	1,574.22	1,771.01	2,164.56	2,558.12	2,951.66	3,542.02
Thurgoland	981.07	1,177.28	1,373.50	1,569.71	1,765.94	2,158.36	2,550.79	2,943.21	3,531.88
Wortley	986.70	1,184.04	1,381.39	1,578.73	1,776.08	2,170.75	2,565.44	2,960.11	3,552.16
Barnsley and Other Non-Parish Areas	972.64	1,167.17	1,361.70	1,556.23	1,750.77	2,139.82	2,528.88	2,917.93	3,501.54
This table shows the total Council Tax for Barnsley MBC, local parishes and the Police & Fire Precepts									
The table is the sum of the total Council Tax for Barnsley MBC and local parishes (Table 3) and the precept amounts for the Police and Fire Authorities respectively (Table 4).									

(e) that the Service Director (S151 Officer) 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 Service Director (S151 Officer) 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 2018/19, that Barnsley Metropolitan Borough Council's relevant basic amount of Council Tax for the year 2019/20 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.

Following discussion, Councillor Sir Stephen Houghton CBE put forward a motion in accordance with Standing Order 7(10) that the question now be put, which was seconded by Councillor Andrews BEM and duly carried.

In accordance with the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was then taken on the above items (Minute 202 (A) and (B) refers).

Those in favour of the motion, present at the time of voting

Councillors Andrews BEM, Barnard, D. Birkinshaw, P. Birkinshaw, Bowler, Bruff, Burgess, Carr, Cave, Charlesworth, Cheetham, Clarke, Clements, K. Dyson, M. Dyson, Ennis OBE, Franklin, Frost, Gardiner, Gollick, Green, Daniel Griffin, David Griffin, Hampson, Hand-Davis, Hayward, Sir Stephen Houghton CBE, C. Johnson, W. Johnson, Lofts, Makinson, Miller, Millner, Newing, Noble, Phillips, Platts, Pourali, Richardson, Riggs, Saunders, Sheard, Shepherd, Spence, Stowe, Sumner, Tattersall, Williams, Wilson, C. Wraith MBE, R. Wraith, and Wright.

Those against the motion, present at the time of voting

Councillor Kitching

There were no abstentions.

203. 2019/20 Service and Financial Planning - Redundancy Compensation and Procedures (Cab.6.2.2019/7)

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

RESOLVED:-

- (i) that for the purpose of the 2019/20 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.

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Chair

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Item 6

SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

14 JANUARY 2019

PRESENT: Councillor C Lamb (Chair)
Councillor A Atkin (Vice-Chair)
Councillors: R Taylor, C Ross, S Ayris, M Clements, P Haith,
C Ransome, J Satur, C Hogarth and Dr A Billings

CFO J Courtney, QFSM, T/DCFO A Johnson, T/ACO T Carlin,
S Booth and AM S Helps
(South Yorkshire Fire & Rescue Service)

A Brown, M Potter, N Copley, A Frosdick, M McCarthy, L Noble,
D Cutting, R Bywater and M McCoole
(Barnsley MBC)

M Buttery
(Office of the South Yorkshire Police and Crime Commissioner)

Apologies for absence were received from Councillor T Damms,
Councillor T Hussain, D Terris, S Nicholson and DCFO M Blunden

1 APOLOGIES

Apologies for absence were noted as above.

2 ANNOUNCEMENTS

None.

3 URGENT ITEMS

An item, Minute 12, was subsequently raised within the meeting in relation to the purchase of thermal imaging cameras.

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

None.

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

Councillors Ayris and Atkin declared non-pecuniary interests in relation to Item 13 on the agenda entitled 'HOPE Trauma Support Group SSCR Business Case'. Councillor Ayris was the Chair of the HOPE Board of Trustees and he was an authorised signatory of the HOPE CIO bank account, and Councillor Atkin was a Trustee of the HOPE Board. ACO Johnson and D Cutting were also Trustees of the HOPE Board.

6 REPORTS BY MEMBERS

Members provided a summary of the following visits attended since the last Authority meeting held on 26 November 2018:- LGA Fire Leadership Essentials Course which included speeches from the HMICFRS and an update from the Deputy Mayor of London on the Grenfell Tower Fire, the joint SYFR and South Yorkshire Police (SYP) Carol Service held at Sheffield Cathedral, the Prince's Trust presentation in Rotherham and the 62nd Recruits Graduation Ceremony.

7 RECEIPT OF PETITIONS

None.

8 TO RECEIVE ANY QUESTIONS OR COMMUNICATIONS FROM THE PUBLIC, OR COMMUNICATIONS SUBMITTED BY THE CHAIR OR THE CLERK AND TO PASS SUCH RESOLUTIONS THEREON AS THE STANDING ORDERS PERMIT AND AS MAY BE DEEMED EXPEDIENT

None.

9 MINUTES OF THE AUTHORITY MEETING HELD ON 26 NOVEMBER 2018

Councillor Ross requested an update in relation to the succession planning following DCFO Blunden's appointment to the position of Chief Fire Officer of the Scottish Fire and Rescue Service.

CFO Courtney stated that an advertisement had recently been placed for the position of Deputy Chief Fire Officer, with a closing date of 1 February 2019. SYFR was liaising with colleagues from BMBC on the appointment process. The final interviews were likely to be conducted by the Authority's Appointments Committee during the first week of March 2019. DCFO Blunden's appointment with SYFR would cease with effect from 20 January 2019. From 21 January 2019, ACO Johnson would become the temporary Deputy Chief Fire Officer, AM Carlin would become the temporary Assistant Chief Officer, with appropriate backfilling.

Councillor Taylor queried whether SYFR's Procurement Team had visited the 11 fire and rescue services across the country who engaged with the same organisation as SYFR, to provide firefighting resilience arrangements during periods of industrial action, and he sought confirmation as to whether those arrangements were similar to that of SYFR.

CFO Courtney commented that Securitas had not disclosed the detailed arrangements of the other 11 fire and rescue services that it engaged with. He was unaware whether the arrangements in place with those fire and rescue services were akin to those of SYFR. SYFR has signed a contract with Securitas for a further 12 month period. SYFR's Procurement Team would liaise with those 11 fire and rescue services during the first part of the year, to determine whether there were other competitors within the market which provided the same services as Securitas.

Councillor Lamb highlighted that it had been determined that there were no other competitors within the market at the current time, and that he would like consideration to be given to the possibility of stimulating that market.

Councillor Ransome referred to a former SYFR employee who had contacted her again to indicate that he had still not received his national insurance contribution payments.

Councillor Lamb requested Councillor Ransome to provide S Booth with the individual's details, outside of the meeting.

The Director of Support Services commented that from the New Year, an agency worker had commenced at SYFR, over a 3 month period, to organise the national insurance contribution records for all members of SYFR staff. It was envisaged that all of the issues would be resolved in the near future.

Councillor Ayris queried when a final report in relation to the closure of SSUK would be presented to the Authority, and also a report relating to the detriment claim figures for SYFR staff for Close Proximity Crewing.

The Director of Support Services stated that SSUK had ceased trading on 25 August 2018. An external firm of accountants had prepared the accounts, which had shown a small profit for the year ended 25 August 2018. Work was underway to close down the company, with an anticipated completion date of April 2019.

CFO Courtney reported that the detriment claim issue relating to SYFR staff for Close Proximity Crewing had still not concluded. SYFR had been approached with a possible out of court settlement after the first week of the court hearings. Negotiations were underway and a report would be presented to the Authority to include legal and other associated fees in due course.

RESOLVED – That Members agreed that the minutes of the meeting held on 26 November 2018 be signed by the Chair as a correct record.

10 COLLABORATION UPDATE

A report of the Chief Fire Officer and Chief Executive was submitted providing Members with an update on the progress being made on the current areas of collaboration with South Yorkshire Police; a view on continuing Fire – Fire collaboration and the background information on the Policing and Crime Act 2017.

The SYFR Collaboration Programme Manager had commenced in post over Christmas 2018, with the remit to develop SYFR collaboration within the Yorkshire and Humber and East Midlands areas, including SYP and SYFR collaboration.

Collaboration continued with other fire and rescue services for the purchase of replacement Personal Protective Equipment through a regional approach and the next generation of appliance Mobile Data Terminals orders. SYFR was also in discussions with Nottinghamshire Fire and Rescue Service in relation to the closer working around specialist roles.

Members noted the recent financial savings resulting from the collaboration between SYFR and West Yorkshire Fire and Rescue Service, for the purchase of new rescue equipment for use at road traffic collisions.

AM Helps, Head of Prevention and Protection, continued to oversee the Joint Community Safety Department (JCSD) and to promote the work undertaken. Essex County Fire and Rescue Service and the Police service had recently visited the JCSD to gain learning from the project.

The Joint Vehicle Fleet Management strategy and performance framework was now in place, and consideration was being given to various options to move the SYP bodyshop staff into the Eastwood workshop.

Councillor Ross sought assurance that the collaboration was progressing in a smooth manner; he considered it imperative that the collaboration agenda maintained its momentum.

The Director of Support Services reported on the current position in regard to Estates Management on the priorities for the Service. SYFR was on a journey in terms of Joint Estates and Facilities Management, and progress had been reported to Members each month. Further work would be undertaken on the soft FM, together with the appointment of outside contractors over next 6 months. SYFR would continue to operate singly, as had been accepted by both partners at the outset of the appointment of the Head of Joint Estates and Facilities Management. He was aware of the pressures to realise the potential business benefits of collaboration, which SYFR was keen to be explored at the appropriate time, and in accord with the timeline that had been discussed with the Office of the Police and Crime Commissioner prior to Christmas 2018.

Members noted the collaborative working within the JCSD and the improvements that were being made within the local communities.

CFO Courtney stated that from his perspective, SYFR was a very lean organisation by necessity, not least due to support staff having been subject to two service reviews over the last 2 years. He considered that it would be irresponsible to allow the collaboration programme to detract from the day to day working of SYFR, which at present had a £15m capital commitment.

Councillor Haith welcomed the national recognition received for the JCSD. She requested that future reports included a breakdown of the financial savings.

Dr Billings recognised the pressures faced by SYFR in terms of the capital programme, but he considered that further work was required to reach a solution.

RESOLVED – That Members noted the contents of the report.

11 DRAFT POLICE AND FIRE COLLABORATION BOARD MINUTES OF
29 NOVEMBER 2018

RESOLVED – That Members noted the draft minutes of the Police and Fire Collaboration Board held on 29 November 2018.

12 BUDGET UPDATE 2018/19 QUARTER 3

A report of the Chief Fire Officer/Chief Executive and Clerk and Treasurer was submitted as the third in a series of reports presented to Members. The report included an updated general reserves position statement and an update on the capital programme, alongside a narrative commentary on the key financial changes that were contributing to each of them.

Members noted a total of £50.112m for the 2018/19 operating budget, which included a £0.227m approved budget carry forward as at (25 June 2018). There was a projected net operating spend of £50.056m, based upon the income and expenditure to December 2018, which resulted in an overall operating underspend of £0.056m or 0.1% of the budget.

Councillor Clements expressed his frustration at the lack of progress being made, particularly around the building of the new Barnsley Fire Station. He suggested that quarterly reports should be submitted to the Authority to provide an indication of the schedule.

PLEASE NOTE THAT DUE TO A TECHNICAL ISSUE, THE WEBCASTING FACILITY CEASED TO OPERATE FROM THIS POINT FORWARDS

The Director of Support Services stated that a report would be submitted to the Authority meeting in February 2019, from the Joint Head of Estates and Facilities Management, regarding the new estates plan and a property update for Barnsley Fire Station, to include a revised programme and the planned activity for the refurbishment of the four fire stations at Edlington, Askern, Tankersley and Lowedges. The contractors had signed off a scope of works for each fire station. There was a number of other ongoing projects which included a heating and ventilation review at Fire Headquarters and Dearne Fire Station. The refurbishment of the gymnasiums at Doncaster and Adwick-le-Street had recently been completed. It was envisaged that significant progress would be made in respect of the capital programme over the next 12 month period.

Councillor Ayris queried whether any specific projects were earmarked from the general reserves. He also queried the BMBC service charge to SYFR, the impact of service delivery in light of the reduction of contingency firefighter numbers, and the matters in hand to address the continuing reduction in firefighters.

The Director of Support Services stated that the contribution to the general reserves was just over £1m, with a £316k deficit for the period 2019-20. The intention, in terms of the strategy, had been that it would go into the general reserves or would be utilised for capital investment purposes. He highlighted the need to reflect - in representing the £0.505m general reserves - the identification of Close Proximity Crewing legal costs and the detriment claims which had not been

included; cognisance of this would be taken when reporting back to the Authority. In April 2018, Members had approved the Service Level Agreement (SLA) for BMBC to provide services to both the Authority and SYFR. He would provide L Noble/M McCoole with the exact costings for the services SYFR received from BMBC through the SLA, for circulation to Members.

Councillor Ross queried the £0.075m saving made on smoke alarms, based upon the activity levels during the current financial year, which had resulted from the heightened emergency response during the long dry summer period.

It was agreed that Members would be provided with a copy of the SLA with BMBC, the Authority and SYFR, and he would identify the pertinent sections within it.

Under an Urgent Item, the Director of Support Services sought Authority approval for the purchase of 35 thermal imaging cameras at a cost of £160,000 from the capital programme. It had been the intention to present a report on the matter to the Authority Meeting in February 2019, but this had now become a more urgent issue.

Councillor Lamb stated that, despite the best efforts being made by SYFR, a number of the thermal imaging cameras had begun to fail whilst in operation. This had the potential to hamper firefighting operations. The urgency of the matter had not provided sufficient time for a report to be submitted to the Authority.

Dr Billings suggested that it would have been helpful for Members to have been provided with a brief written submission on the recommendation.

The Authority agreed to the purchase of the 35 thermal imaging cameras. Members noted that six thermal imaging cameras would be based at SYFR's training school for training purposes.

The Director of Support Services referred to the asset tracking project which enabled SYFR to obtain more refined data on all equipment, with the intention to utilise this data to replace equipment before it began to fail.

RESOLVED – That Members:-

- i) Noted and considered the latest estimated revenue performance which was showing an operating underspend of £0.056m for the financial year ended 31 March 2019.
- ii) Noted the latest estimated increase in General Reserves of £0.505m for the financial year ended 31 March 2019 which was broadly in line with expectations when the budget was set by Members in February 2018.
- iii) Noted the likely net impact of known financial risks that were as yet not able to be fully quantified at this stage in the financial year.
- iv) Noted the current capital programme position.

- v) Under consideration as an Urgent Item, approved the purchase of 35 thermal imaging cameras at a cost of £160,000 from the capital programme.

13 HOPE TRAUMA SUPPORT GROUP SSCR BUSINESS CASE

The Deputy Clerk presented a report which outlined the business case for using available funds from the Stronger Safer Communities Reserve (SSCR) to provide transition funding to enable HOPE to move towards becoming an independent organisation and to facilitate a change in the business relationship between SYFR and the charity.

Members queried whether the arrangements had been finalised for Age UK Sheffield to become the host employer for HOPE.

R Bywater stated that discussions were still ongoing, and that the arrangements for a host employer had not yet been finalised.

Dr Billings queried whether those Members that had declared a non-pecuniary interest on the matter should remain in the meeting room whilst the discussion ensued.

The Monitoring Officer commented that local authorities worked under the general principle that an individual who had declared an interest should be permitted to remain in the meeting room whilst the matter was discussed; it would be unusual for an individual to be asked to leave the meeting room for an item of this nature.

Members queried the reason why the annual grant of £5,000 from the SYFR Community Safety budget, which the Authority had approved in 2015, should continue until March 2020, when the SYFR host employer support with HOPE had ceased in December 2018.

CFO Courtney suggested that the arrangement for the £5,000 annual grant was on a financial year basis, hence the reference to March, but could not explain why the recommendation extended to 2020.

Councillor Lamb suggested that the Authority withheld from making a decision on the removal of the £5,000 annual payment to HOPE from the SYFR Community Safety budget, until further clarification had been sought. He requested that a further report be presented to the Authority meeting on 11 February 2019.

Councillor Ransome sought clarification on the state aid threshold. The Monitoring Officer would provide Members with written clarification.

The Authority's HR Advisor made an observation in regard to the person specifications for the Business Development Manager and the Partnerships and Fundraising Manager posts, which was noted.

RESOLVED – That Members:-

- a) Noted the contents of the report.

- b) Approved the £57,376 funding to enable a period of transition for HOPE to continue its work in preventative community action and also the provision of support for people who had suffered bereavement through a fire, road traffic collision (and other fire and emergency service related incidents) or through witnessing a related traumatic fatal incident.
- c) Agreed to withhold giving approval for the removal of the £5,000 annual payment to HOPE from the SYFR Community Safety budget with effect from March 2020, until further clarification had been sought.

14 EMERGENCY SERVICES MOBILE COMMUNICATION PROGRAMME (ESMCP)
PROJECT UPDATE

A report of the Chief Fire Officer and Chief Executive was presented to provide an update to Members on the recent progress made by the programme nationally and the local implications for SYFR. The Emergency Services Mobile Communication Programme (ESMCP) was a Government project to replace the Emergency Services (Airwave) Radio System.

A change of direction to the ESMCP Project had been agreed by the responsible Government Minister, following a number of delays that had been experienced nationally and a full project review that had been undertaken in 2018. It was anticipated that SYFR would receive a full business case within the next 6 weeks, which would enable an understanding of the timelines.

Members noted that the Systel system continued to fulfil the remit that it had been designed for. The ESMCP network would work with all mobilising systems, and Systel was aware of the need for changes to be made to the system in order to function as part of the emergency services network going forwards. Members would be kept informed of the position.

AM Helps commented that the ESMCP project was Government funded. A great deal of background work with IT support would be required in order to transfer to the ESMCP network, and the move would identify grant funding. The regional transition was undertaken on an incremental basis, with funding available to provide support in 2020.

Councillor Clements queried the level of coverage assurance that should be accepted as a minimum, in respect of the rural areas across Barnsley and the surrounding rural areas of South Yorkshire.

AM Helps referred to the new ESM platforms provided by 4G. SYFR was mindful that the coverage assurance would go hand in hand with SYP's coverage assurance, for a coordinated approach. SYFR had been assured that the coverage assurance programme was in the best possible position.

Councillor Ross queried whether the current Airwave network connection, which had been certified to 2022, had the ability to continue to be fully operational until 2022 or beyond.

CFO Courtney reported that the Airwave network connection was owned by Motorola, who was the main contractor for the new system, and they had given a commitment to continue to invest in the system.

RESOLVED – That Members noted and endorsed the information in the report.

15 KEY ISSUES ARISING FROM THE PERFORMANCE AND SCRUTINY BOARD HELD ON 29 NOVEMBER 2018

Members were presented with a key issues paper arising from the Performance and Scrutiny Board held on 29 November 2018.

RESOLVED – That Members noted the key issues paper of the Performance and Scrutiny Board held on 29 November 2018.

16 DRAFT MINUTES OF THE AUDIT AND GOVERNANCE COMMITTEE HELD ON 26 NOVEMBER 2018

RESOLVED – That Members noted the draft minutes of the Audit and Governance Committee held on 26 November 2018.

CHAIR

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Item 7

SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

11 FEBRUARY 2019

PRESENT: Councillor C Lamb (Chair)
Councillor A Atkin (Vice-Chair)
Councillors: R Taylor, T Hussain, S Ayris, M Clements,
T Damms, P Haith, C Hogarth, C Ransome and Dr A Billings

CFO J Courtney, QFSM, T/DCFO A Johnson, T/ACO T Carlin,
S Booth, L Murray and AM S Helps
(South Yorkshire Fire & Rescue Service)

N Copley, A Frosdick, M McCarthy, L Noble, M Potter and
M McCoole
(Barnsley MBC)

M Buttery
(Office of the South Yorkshire Police and Crime Commissioner)

Apologies for absence were received from Councillor C Ross,
Councillor J Satur and D Terris

1 APOLOGIES

Apologies for absence were noted as above.

2 ANNOUNCEMENTS

Councillor Lamb informed Members that the order of today's business would be amended to enable agenda item 16 entitled 'Digital Transformation Roadmap' to be taken directly before consideration of the '2019-20 Annual Revenue Budget and Council Tax Setting' report, owing to the financial implications therein.

3 URGENT ITEMS

None.

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

None.

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

Councillors Ayris and Atkin declared non-pecuniary interests, as Trustees of the HOPE Board, in relation to any related matters that may be discussed during the meeting.

6 REPORTS BY MEMBERS

Councillors Lamb and Haith had attended the recent Middle Managers' Engagement Day held on 6 February 2019 where a variety of topics had been discussed including finance, equality and inclusion.

Councillor Atkin congratulated SYFR and the volunteers involved in enabling Rotherham Fire Station to be utilised as a homeless shelter. He also gave his congratulations to Firefighter Mark Peart, from the Dearne Watch, who had been a successful winner of the 'SAS: Who Dares Wins' television programme.

Councillor Ayris referred to the closure of SYFR Safety Solutions UK Ltd (SSUK Ltd), and the DSO1 form 'Striking off application by a company', that had been submitted to Companies House on 24 January 2019. He added that the DSO1 form stated that the form must be sent to all notifiable parties, including shareholders, within 7 days of the application being made, and that failure to notify the interested parties was an offence. He commented that the DSO1 form also stated that any remaining assets would be passed to the Crown. He did not recall that the DSO1 form had been circulated to Authority Members, and he queried the financial position of the Authority if any profits were passed to the Crown.

The Monitoring Officer stated he would not have expected all Authority Members to have received that notice. He would liaise with the Company Secretary, who would have dealt with the procedures directly.

The Director of Support Services commented that a cash transfer from the SSUK Ltd bank account would be made to move the assets back to the Authority as expected. There was currently £27 remaining in the SSUK Ltd bank account, to cover Barclays Bank charges, which would lead to the clearance of the account. CFO Courtney would be the signatory responsible for closing down the bank account.

RESOLVED – That Members noted that the Monitoring Officer would liaise with the Company Secretary (D Cutting) regarding the circulation of the necessary documentation in relation to SSUK Ltd.

7 RECEIPT OF PETITIONS

None.

8 TO RECEIVE ANY QUESTIONS OR COMMUNICATIONS FROM THE PUBLIC, OR COMMUNICATIONS SUBMITTED BY THE CHAIR OR THE CLERK AND TO PASS SUCH RESOLUTIONS THEREON AS THE STANDING ORDERS PERMIT AND AS MAY BE DEEMED EXPEDIENT

None.

9 MINUTES OF THE AUTHORITY MEETING HELD ON 14 JANUARY 2019

Councillor Ayris queried when a final report in relation to the closure of SSUK Ltd would be presented to the Authority.

The Director of Support Services stated that the DSO1 'Striking Off Application by a Company' form had been submitted to Companies House, and a notice had been placed in the London Gazette on 5 February 2019. The company would be dissolved, provided that no objections were received within a 2 month period. It was intended to present a report to the Authority meeting on 8 April 2019, to summarise the financial position. This had shown a small retained profit for the year ended 25 August 2018 which had been transferred back to the Authority, and a small surplus which would be re-invested back into the Service.

Councillor Ransome requested that the minutes be amended to indicate when the technical failure in the webcasting facility had occurred during the course of the last meeting of the Authority.

M McCarthy highlighted a typographical error within the minutes which should have stated that the removal of the £5,000 annual payment to HOPE from the SYFR Community Safety budget was with effect from March 2019 and not March 2020.

RESOLVED – That subject to the above amendments, Members agreed that the minutes of the meeting held on 14 January 2019 be signed by the Chair as a correct record.

10 COLLABORATION UPDATE

A report of the Chief Fire Officer and Chief Executive was submitted providing Members with an update on the progress made on current areas of collaboration with South Yorkshire Police (SYP).

The SYFR Collaboration Programme Manager had now commenced in post to support the collaboration contacts and opportunities, together with the continued support for the SYP collaboration and the SYFR – Fire collaborations where appropriate. SYFR continued to chair the regional PPE collaboration group, which was attended by all Yorkshire and the Humber Fire and Rescue Services.

Members noted the SYP and SYFR lower level collaborations that were ongoing alongside the larger project work. SYFR's Blue Lights Champions had attended the SYP Wellbeing Conference held on 25 January 2019, which had proved useful to staff and had led to additional meetings with ACC Hartley and the SYP Wellbeing lead. Within the Yorkshire and Humber region, Fire – Fire collaboration continued, together with liaison with Nottingham Fire and Rescue Service regarding further resilience and closer working with specialist roles. SYFR staff were being trained to deliver fire education packages across the districts. The Joint Community Safety Department (JCSD) was in the process of finalising the legal schedule, and the budget management had now been established and shared with SYP and SYFR's legal teams; a closure report had been submitted to the Police and Fire Delivery Board on 31 January 2019. Other fire and rescue services including

Lincolnshire, Essex and Nottinghamshire, continued to express an interest in the JCSD, and how this had been set up.

T/DCFO Johnson referred to the presentation given by AM Helps to the Police and Fire Delivery Board held on 31 January 2019, which detailed the successes and achievements of the department. She suggested that the presentation be given to a future Corporate Advisory Group meeting.

Staff engagement continued in respect of the re-location of SYP body shop staff to the Eastwood workshop; 4 options had been mapped and costed. The interim SYFR Estates and Facilities Management team had now been identified, with ongoing work to manage the urgent SYFR estates and facilities activities.

Councillor Hogarth requested an update on the Pulse Survey.

T/DCFO Johnson stated that she would ascertain when the Pulse Survey would take place.

Councillor Ayris queried the reason why an interim Estates and Facilities Management team had been created, and when this would be made permanent.

The Head of Joint Estates, SYFR and SYP stated that an interim Estates and Facilities Management team had been created until both teams from SYFR and SYP could be fully integrated.

Councillor Hussain queried whether there was – or would be – collaboration with Yorkshire Ambulance Service (YAS).

T/DCFO Johnson referred to the previous attempts that had been made to engage with YAS. It has proved difficult due to a change in their management structures and the different pressures faced by YAS. SYFR was still open to collaborative working with YAS, but this was not currently progressing.

Councillor Lamb requested an update on the appointment of an additional surveyor, in order to provide further capacity within Estates and Facilities Management.

The Head of Joint Estates, SYFR and SYP referred to the engagement made with a number of agencies for the appointment of an additional surveyor. It was anticipated that interviews for the position would be held during the last week of February 2019.

RESOLVED – That Members noted the report.

11 DIGITAL TRANSFORMATION ROADMAP

A report of the Chief Fire Officer and Chief Executive was presented to seek the Authority's permission to progress and implement the deliverables in the Road Map and, in doing so, further utilise the Invest to Save Reserve to meet the estimated one off development and implementation cost of £0.683m. The Reserve, if approved, would facilitate and accelerate the modernisation and continuous

improvement in the efficiency and effectiveness of functions and services within SYFR.

Members recalled that the Authority had previously approved the utilisation of up to £70,000 from the Authority's Invest to Save Transformation Reserve, to enable a forensic analysis and review of SYFR's current operational and business processes across all service areas to be undertaken. The review was now complete and had provided the Executive and Senior Management with a clear Road Map for the continuance of professional services, and to ensure that they were as efficient and effective as possible.

The Director of Support Services reported that the actual cost for the procurement of the analysis and the review of the current operational and business processes across all service areas had totalled just short of £60,000 including reimbursables.

Councillor Ransome stated that she was pleased to observe the procurement process undertaken. She queried the number of companies that were in the market, the training programme to be undertaken, and the companies which actually provided the systems to SYFR.

The Director of Support Services stated that there were various transport systems available, and that SYFR used those systems which were the most suitable and fit for purpose for the Service. There was a training budget within the Human Resources' Organisational Development Team. Following the restructure of ICT services, arrangements had been made for the retained services of an individual that provided ICT training nationally, on 2 year fixed term contract, with the remit to identify specific training packages for individuals within each department that operated systems i.e. Microsoft Office.

Councillor Ayris stated that the request for £0.683m from the Invest to Save Reserve was a significant amount of money, and he highlighted that Members would need to consider this in the context of the Medium Term Financial Strategy and the new IRMP. He requested that Members be provided with regular updates.

The Director of Support Services stated updates on the digital transformation project would continue to be provided to the Authority. A further report would be presented to the Authority meeting on 8 April 2019. SYFR was leading the Yorkshire and Humber procurement on behalf of the four fire and rescue services. He gave Members the commitment that the procurement would be fully compliant with the Contract Standing Orders.

Councillor Ayris commented that he would like the reports to include the savings that had been made from the investment.

Councillor Haith made reference to SYFR being very reliant on a few key individuals within ICT, and she queried how this would be addressed in the future.

The Director of Support Services stated that this had been identified following an external review into SYFR's cyber security threat. The ICT structure and resources had since been reviewed to ascertain how greater resilience could be achieved. A

Deputy ICT Manager was now in post, who would be accountable to take on the roles and responsibilities in the absence of the ICT Manager.

Dr Billings queried whether SYFR could call upon any other fire and rescue service within the UK that was leading the way on the matter. He presumed that SYFR was liaising with SYP, who had made progress in a number of areas.

The Director of Support Services commented that SYFR was ahead of most other fire and rescue services in the UK in terms of expertise in this area; there were only a few other fire and rescue services that had such accreditation. He believed that SYFR had the internal resources available to work with external consultants to achieve the options for resilience. Members noted the professional view around the challenge of moving to more cloud based systems and disaster recovery. The cheapest option was to refrain from the cloud based systems, and for this to be retained within SYFR's secondary data; a financial case would be presented to the Corporate Management Board. SYFR was liaising with SYP in relation to the fleet management system, and the Techforge system, which was the same platform used by SYFR, to ensure the same data structures were adopted to enable information to be held in a similar format across SYFR, and to future proof the organisation.

RESOLVED – That Members:-

- a) Noted the report.
- b) Endorsed the Digital Transformation Road Map (the Road Map) as a key enabler for modernising and facilitating improvements in the efficiency and effectiveness of SYFR.
- c) Agreed to use £0.683m of the uncommitted Invest to Save Reserve to meet the development and implementation costs relating to the delivery of the Digital Road Map.
- d) Agreed to receive periodic updates on the delivery of the Road Map as part of the regular financial performance reports.

12 2019-20 ANNUAL REVENUE BUDGET AND COUNCIL TAX SETTING

A report of the Clerk and Treasurer and Chief Fire Officer/Chief Executive was submitted to seek Authority approval to the 2019/20 revenue budget and to set the Council Tax and precept by 28 February 2019.

Councillor Lamb referred to the importance of producing a balanced budget. He gave thanks to S Booth, N Copley and his team for the work undertaken.

Dr Billings gave thanks for the comprehensive report presented. From his perspective the report mirrored the issues raised around the Police Force settlement, the continuation of the Government policy which had been disguised by austerity, and the ongoing shift over the last 10 years of the burden of paying for the public services from central Government to the local Council Tax payers. He noted that BMBC were 40% down and DMBC were 38.1% down on the amount of

Government funding received during the period, and they were amongst the top three local authorities within the UK which had been hit with a reduction in Government funding. The SYP precept had been set at a 14% increase due to the Government's guidance in relation to taking the maximum advantage of the precept flexibility. SYP required special grant assistance for the legacy issues in relation to the civil claims arising from the Hillsborough Disaster, Rotherham CSE and the cost of the CSE National Crime Agency investigations into those non-recent CSE cases. In relation to SYP, it had to be assumed that the pension costs were covered for the coming year, and would be covered within the comprehensive spending review. He assumed that the Government would act upon pensions moving forwards which would impact on all authorities. In order for the SYP precept to be set, a consultation exercise had been conducted with the general public, the four SY Leaders' and Councillors. This had indicated an acceptance for an increase in the precept, but with the comment that they wanted to be able to observe a return to neighbourhood policing and a more visible police presence on the streets. He suggested that in relation to SYFR, the general public would want to observe a visible improvement to the service provided if the increase was approved.

Councillor Lamb stated that his greatest concern was the increasing precept. He commented that the suggested 2.99% Council Tax increase equated to an additional charge of 4 pence per week, per property. He considered that the people of South Yorkshire would agree to take on such an increase in the knowledge that they would receive a first class service from SYFR. Improvements would start to be observed in the fabric of SYFR's buildings, and the investments would begin to come to fruition this year and into 2020.

Councillor Ayris stated that he did not agree with a number of the comments made by Dr Billings. He considered that the Council Tax payers had taken a hard hit in recent times, in terms of the Council Tax increase. He considered that very little savings had been achieved in terms of smarter working for procurement, and it was still unclear as to whether the Authority would have to pay the full legal fees for the detriment claims in relation to Close Proximity Crewing. He would have preferred the report to outline some of the savings that had been quantified from the smarter working practices that had been introduced. He stated that he would not be supporting the recommendations outlined within the report.

Councillor Ransome commented that she would also be voting against the recommendations outlined within the report. She considered that SYFR could work smarter and that some unnecessary expenditure had been incurred.

Councillor Lamb assured Members that SYFR Managers were constantly reminded of the need to make efficiencies where possible, and this was frequently shown within the minutes of the Executive meetings. He was satisfied that the managers were doing everything possible to reduce the expenditure figures on an ongoing basis.

RESOLVED – That Members:-

- a) Approved the Authority's 2019/20 Revenue Budget at Appendix A to the report.

All Members voted in favour of the Authority's 2019/20 Revenue Budget, with the exception of Councillors Ransome and Ayris, who voted against the decision.

- b) Approved the Capital Investment Strategy including the updated 2018/19 to 2020/21 Capital Programme as set out in Appendix B to the report.

All Members voted in favour of the Capital Investment Strategy including the updated 2018/19 to 2020/21 Capital Programme, with the exception of Councillors Ransome and Ayris, who voted against the decision.

- c) Approved the Treasury Management and Investment Strategy at Appendix C to the report.

All Members voted in favour of the Treasury Management and Investment Strategy, with the exception of Councillors Ransome and Ayris, who voted against the decision.

- d) Approved the fees and charges schedule for 2019/20 at Appendix D to the report.

All Members voted in favour of the fees and charges schedule for 2019/20, with the exception of Councillors Ransome and Ayris, who voted against the decision.

- e) Approved a Council Tax Increase of 2.99% for 2019/20.

All Members voted in favour of a Council Tax Increase of 2.99% for 2019/20, with the exception of Councillors Ransome and Ayris, who voted against the decision.

13 SSCR SPRINKLER FUND - RAILWAY HOUSING APPROVAL

A report of the Chief Fire Officer and Chief Executive was presented to provide the details of a further bid to the Sprinkler Fund, in line with the Safer Stronger Community Reserve, for the Authority to consider supporting.

An application had been made from Railway Housing, which was a Sheltered Social Care facility run by a not for profit organisation. This would be the first time that the housing association would have installed a sprinkler system within the property. The total cost of the systems including training in maintenance and installation was £4,686.00, with an SYFR contribution of £2,343.00.

Councillor Hogarth queried whether local companies would be utilised for the installation of the sprinkler system.

AM Helps stated that SYFR would support applicants in procuring services. He would ascertain which companies across the UK had been used for the installation of the sprinkler systems, and inform Members accordingly.

Councillor Lamb commented that it was beneficial for the Authority to award such grants. He suggested that local ethical suppliers should be utilised for the installation of the sprinkler systems, but consideration would also need to be given to obtaining value for money for the local tax payers.

RESOLVED – That Members agreed to fund the following Fire Sprinkler Project from the Stronger Safer Community Reserve Sprinkler Fund. The total cost being £4,686.00 with a contribution from South Yorkshire Fire and Rescue of £2,343.00.

14 SSCR SPRINKLER FUND - SYHA 911 PROJECT APPROVAL

A report of the Chief Fire Officer and Chief Executive was presented to provide details of a further bid to the Sprinkler Fund, in line with the Safer Stronger Community Reserve (SSCR), for the Authority to consider supporting.

An application had been made from South Yorkshire Housing Association (SYHA) for the 911 Project which, for over 25 years, has provided supported housing to the most vulnerable and hard to reach people, and those who were deemed as 'multi-exclusion homeless' within the Sheffield City region. It was intended to install the sprinkler systems across 9 different properties with a total of 25 flats. The total cost being £64,320.00, with a contribution from SYFR of £44,160.00 and a contribution from SYHA of £20,160.00.

Councillor Damms stated that he had been a member of the SYHA some years ago, which had many projects that provided support to similar hard to reach individuals. He queried whether the Authority should anticipate additional sprinkler applications in future years.

AM Helps commented that the investment of the SSCR had been utilised as a platform to help support the local sector housing to introduce sprinkler systems. It was envisaged that the sector would take note of the benefits that had been achieved and would look to invest their own funding for future sprinkler system installation. Once the SSCR funding had ceased, it would be the responsibility of the individual properties to be self-sufficient in installing the sprinkler systems.

AM Helps would ascertain the exact remaining funding available within SSCR, and inform Members accordingly.

Councillor Clements commented that he welcomed the application presented. He had recently attended a SYHA meeting in Barnsley, which had 1,200 properties within the Barnsley area. He queried the possibility of further applications from SYHA for properties elsewhere within South Yorkshire.

AM Helps stated that SYFR had regularly requested Members to communicate the details of the SSCR funding that was available to their respective local authorities. SYFR looked forward to further applications being received.

RESOLVED – That Members agreed to fund the following Fire Sprinkler Project from the Stronger Safer Community Reserve Sprinkler Fund. The total cost being £64,320.00, with a contribution from South Yorkshire Fire and Rescue (SYFR) of £44,160.00 and a contribution from South Yorkshire Housing Association (SYHA) of £20,160.00.

15 PROGRESS REPORT ON ESTATES AND FACILITIES SERVICE IMPROVEMENTS

A report of the Chief Fire Officer and Chief Executive was presented, as the latest in a series of reports, to provide the details on progress to improve the Estates and Facilities Service within SYFR, together with the major work and projects that were underway and their present status. Positive and significant progress continued to be made towards the Service becoming fit for purpose.

The Head of Joint Estates, SYFR and SYP stated that a revised structure for the Estates and Facilities Team had now been agreed, with three long-term temporary members of staff being made permanent. In addition, an RICS qualified officer would be appointed on a fixed term basis, a Facilities Officer post would be advertised within the next few days, and a short-term appointment be made to increase capacity. She would continue to monitor the progress of the Action Plan, which she proposed to present to the Authority on a 6 monthly basis.

Members noted that the initial plans for the new Barnsley Fire Station had now been finalised, and approved by the Executive Team on 20 December 2018. The project would now move onto the RIBA Stage 2, which would enable a more detailed design process to be undertaken and engagement with potential contractors. The new build would comprise of a three bay station with a separate building to be utilised as a community room and for the Prince's Trust functions. SYFR had liaised with BMBC regarding the OPE4 works within the area, and discussions with Greenacre School and other parties were underway. A completion date for the development was Summer 2020, although it was envisaged to progress matters as quickly as possible to bring forward the design process.

Councillor Clements gave thanks for the comprehensive report presented. He referred to the building works for the new Barnsley Fire Station and he queried whether tenders would still have to be awarded under European Union legislation following Brexit on 29 March 2019. He also queried whether it would be best practice to replace the boiler systems at the same time as the refurbishment works at the CPC stations.

The Head of Joint Estates, SYFR and SYP stated that, in terms of procurement, the European Union legislation would be mirrored and therefore the same tendering process would be undertaken, which would enable local companies to submit tenders. She would ascertain the position in relation to the replacement of boilers at the CPC stations.

Councillor Ayris queried whether the 2019 dates outlined within the Action Plan would be achievable. He also queried whether the Estates Plan 2018 – 2025 document would be published on the Authority's website. He referred to the

structure chart for SYFR Estates and Facilities (Property Services) and he queried how many of the posts were temporary or interim positions, and when those specific posts would be made permanent.

The Head of Joint Estates, SYFR and SYP stated that the fixed term contracts related to the Senior Building Surveyor post which would be recruited to at the end of February 2019, together with the Contracts and Performance Officer post. She stated that the posts had been on fixed term contracts to enable flexibility before both SYP and SYFR teams were integrated. She had carefully reviewed the deadlines for the Estates Plan 2018 – 2025, which would be published on the Authority's website, and she considered that the dates outlined within the Action Plan were achievable.

Councillor Taylor queried what arrangements had been put in place for resources and personnel during the demolition of Barnsley Fire Station.

The Head of Joint Estates, SYFR and SYP commented that a temporary facility would be required and options were currently being identified, to ensure that it met the needs of operational crews. The additional cost for the temporary facility had been incorporated within the overall budget of the project.

Councillor Haith queried whether there would be any environmental elements within the new Barnsley Fire Station.

The Head of Joint Estates, SYFR and SYP stated that this would be dependent upon discussions with BMBC's Planning Department. SYFR was looking for a planning application which included a number of environmental elements.

Councillor Lamb queried whether the new community building at Barnsley Fire Station would be traditional or modular in design.

The Head of Joint Estates, SYFR and SYP stated that all options were being considered. It was envisaged that the new Barnsley Fire Station would be of traditional construction, and consideration was being given to a modular design for the new community building.

Councillor Lamb gave thanks for the comprehensive report presented.

RESOLVED – That Members:-

- a) Noted the contents of the report.
- b) Endorsed the ongoing, positive progress and improvements made so far in Estates and Facilities as part of the service's improvement journey towards becoming an effective and efficient support service of SYFR.
- c) Approved the content and format of the Estates Plan.

16 PAY POLICY STATEMENT

A report of the Chief Fire Officer and Chief Executive was submitted which provided details of the revised Pay Policy Statement for the Authority for 2018/19 for consideration by the Authority, as required under the Localism Act 2011.

T/DCFO Johnson stated that in comparison to other metropolitan brigades, the Authority's Pay Policy Statement was slightly lower to those other Fire and Rescue Authorities.

RESOLVED – That Members approved the Pay Policy Statement.

17 DRAFT MINUTES OF THE AUDIT AND GOVERNANCE COMMITTEE HELD ON 14 JANUARY 2019

RESOLVED – That Members noted the draft minutes of the Audit and Governance Committee held on 14 January 2019.

18 DRAFT MINUTES OF THE YORKSHIRE AND HUMBER EMPLOYERS ASSOCIATION HELD ON 10 JANUARY 2019

RESOLVED – That Members noted the draft minutes of the Yorkshire and Humber Employers Association held on 10 January 2019.

CHAIR

Item 8

SOUTH YORKSHIRE PENSIONS AUTHORITY

17 JANUARY 2019

PRESENT: Councillor S Ellis (Chair)
Councillor M Stowe (Vice-Chair)
Councillors: A Bainbridge, S Cox, A Hurst, J Mounsey,
A Sangar, I Saunders, A Teal, R Wraith and K Wyatt

Trade Unions: N Doolan-Hamer (Unison), D Patterson
(UNITE) and G Warwick (GMB)

Officers: J Bailey (Head of Pensions Administration),
B Clarkson (Head of Finance), N Copley (Treasurer),
A Frosdick (Monitoring Officer), G Graham (Fund Director) and
G Richards (Senior Democratic Services Officer)

Apologies for absence were received from M McCarthy

1 APOLOGIES

The Chair welcomed everyone to the meeting. Apologies were noted as above.

2 ANNOUNCEMENTS

There was no announcements.

3 URGENT ITEMS

None.

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

None.

5 DECLARATIONS OF INTEREST.

There was no declarations of interest.

6 MINUTES OF THE AUTHORITY MEETING HELD ON 22 NOVEMBER 2018

RESOLVED: That the minutes of the Authority meeting held on 22 November 2018 be agreed and signed by the Chair as a correct record.

7 DRAFT MINUTES OF THE MEETING OF THE INVESTMENT BOARD HELD ON 13 DECEMBER 2018

RESOLVED: That the minutes of the meeting of the Investment Board held on 13 December 2018 be noted.

8 WORK PROGRAMME

The Authority considered its Work Programme.

The Fund Director reported that at the next Authority meeting there would be a comprehensive Work Programme for the whole municipal year which would reflect the changes in the governance arrangements.

RESOLVED: That the Work Programme be noted.

9 SECTION 41 FEEDBACK FROM DISTRICT COUNCILS

None.

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

A report was submitted to update Members on the CIPFA Code of Practice on public service pensions finance knowledge and skills and the self-assessment against the Principles for Investment Governance.

Members were reminded that the Regulations did not now make for provision to report against the principles but the Authority had previously decided to continue with self-assessment to evidence that the principles of good governance were being maintained.

RESOLVED:

- i) That the Authority note the contents of the report.
- ii) That Members confirm their commitment to the self-assessment process.
- iii) That Members agree to any development needs arising from the results.

11 REVENUE ESTIMATES 2019/20

A report was submitted to request the Authority to formally confirm the draft budget proposals that had previously been considered at its meeting on 22 November 2018.

B Clarkson informed Members that the key elements of the proposals had been the subject of consultations with various interested parties; no changes had been suggested.

The report was only concerned with the Authority's operating budget. The report presented in November also contained a forecast for the Fund Account over the coming year which reflected those costs, such as management fees, charged directly to the Pension Fund. This forecast was being updated to reflect the final Border to Coast budget proposals which were currently going through the shareholder approval process. The final proposals result in no material change to the bottom line forecast for the Fund Account.

The Chair commented that the new format for the report was not easy to read, and while appreciating the enhanced transparency of the report, requested that the format be looked at again.

RESOLVED: That the Authority formally confirm the budget proposals and approve the budget of £5,445,600 for 2019/20.

12 MEETINGS OF THE AUTHORITY IN 2019/20

A report was submitted to consider the proposed schedule of Authority meetings for 2019/20.

The schedule reflected the changes to the governance arrangements and also included Member seminars and external training events and conferences.

RESOLVED: That the schedule of Authority meetings for 2019/20 be approved.

CHAIR

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SHEFFIELD CITY REGION COMBINED AUTHORITY

CONFERENCE ROOM 0.25 - NATIONAL COLLEGE FOR HIGH SPEED RAIL

MINUTES OF THE MEETING HELD ON 28 JANUARY 2019

PRESENT:

Mayor Dan Jarvis MBE, Sheffield City Region (Chair)
Councillor Chris Read, Rotherham MBC (Vice Chair)

Councillor Julie Dore, Sheffield CC
Councillor Sir Steve Houghton CBE, Barnsley MBC
Councillor Glyn Jones, Doncaster MBC
Councillor Lewis Rose OBE, Derbyshire Dales DC
James Muir, SCR LEP

Councillor Chris Furness, Peak Park NPA (Observer)

Ruth Adams, SCR Exec Team
Fiona Boden, SCR Exec Team
Steve Edwards, SYPTE
Jeni Harvey, SCR Exec Team
Justin Homer, BEIS
Claire James, SCR Executive Team
Sharon Kemp, Rotherham MBC
Mark Lynam, SCR Exec Team
Martin McCarthy, South Yorkshire Joint Authorities
John Mothersole, Sheffield CC
Jo Miller, Doncaster MBC
Keith Noyland, SYPTE
Mel Dei Rossi, SCR Exec Team
Dave Smith, SCR Exec Team
Chloe Shepherd, SCR Exec Team
Craig Tyler, Joint Authorities Governance Unit

Apologies for absence were received from Councillor G Baxter, Councillor T Gilby, Councillor S Greaves, Mayor R Jones CBE, Councillor A Syrett, H Bowen, A Frosdick, D Swaine, N Taylor, D Terris, E Walker and P Wilson

Chair's Introduction

The Chair provided members with updates on matters of pertinence to the SCR.

Regarding Brexit, the Chair commented on the current impasse between the Government and Parliament, suggesting this continues to present significant challenges for local businesses. It was suggested the SCR is working hard to provide as much support and assistance to businesses as we can and noted possible mitigation measures for businesses were explored at the last LEP Board meeting.

The Chair suggested that irrespective of the outcome of Brexit, the SCR still faces the fundamental issues of decades of systematic underinvestment in our communities, and therefore there is a need to make sure the region gets its fair share of public investment.

The Chair informed Members he continues to make that point to government and last week, was in the Cabinet Office with Ministers and other Metro Mayors to discuss Brexit and the issue that we are still waiting for the Government to set out its position in respect of the UK Shared Prosperity Fund.

The Chair noted he had also tabled a debate on the future of the UK Shared Prosperity Fund and had met with the to seek his assurance that he will look into the issue of fairer funding for infrastructure projects across the North more generally.

The Chair commented on matters pertaining to the government's LEP review.

The Chair provided Members with an update on the SCR's Transforming Cities Fund bid. It was noted the 'tranche 1' bid (worth £10m and covering six schemes across Barnsley, Doncaster, Rotherham and Sheffield) had been submitted. It was noted that if successful, the funding will play a crucial role developing our transport networks across the region.

It was reported that last week, a milestone for the SCR's "Working Win" initiative was met with more than 2,000 people now taking part. Members were reminded that Working Win is a pioneering health-led research trial that investigates whether a new type of support for people who are struggling with work due to health issues, is better than other services which are already on offer.

1 SCRMCA 19/001 APOLOGIES

Members' apologies were noted as above.

2 SCRMCA 19/002 ANNOUNCEMENTS

The Chair welcomed the new SCR LEP Board chair to the meeting, James Muir, noting he is an outstanding candidate for the job and brings with him a wealth of experience from the automotive industry.

The Chair noted James lives in Sheffield and has demonstrated a commitment to the local community through his voluntary work.

Members were reminded of intentions to recruit an Active Travel Commissioner to lead on a strategy to promote and support the delivery of active travel projects across the Region.

The Chair informed Members we are currently in the process of forming the Sheffield City Region's Youth Combined Authority and have been working closely with youth groups from across the Region to inform the process of nominating representatives from each area. It was noted the first meeting is scheduled for the middle of February.

3 SCRMCA 19/003 URGENT ITEMS

No items noted.

4 SCRMCA 19/004 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

5 SCRMCA 19/005 VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS

It was agreed that voting rights could not be conferred on the non-Constituent Members for item 13 (SCRMCA 19/013 South Yorkshire Transport Budget) as the matter concerns the Constituent Members only.

It was agreed there were no further items on which voting rights could not be conferred on the non-Constituent Members.

6 SCRMCA 19/006 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

The Chair declared interests in matters to be addressed at item 16 - LGF Programme Approvals in respect of the Glassworks and Digital Media Centre 2 schemes by virtue of being the serving Member of Parliament for the schemes' geography.

Cllr Houghton declared interests in matters to be addressed at item 16 - LGF Programme Approvals in respect of the Glassworks, Digital Media Centre 2 and M1 j36 Economic Growth Corridor Goldthorpe schemes by virtue of being the Leader of the sponsoring Local Authority.

Cllr Dore declared an interest in the matters to be considered item 16 - LGF Programme Approvals in respect of the Parkwood Springs Ski Village scheme by virtue of being the Leader of the sponsoring Authority.

7 SCRMCA 19/007 REPORTS FROM AND QUESTIONS BY MEMBERS

None.

8 SCRMCA 19/008 RECEIPT OF PETITIONS

Cllr Emma Hoddinott (lead petitioner) presented the meeting with a 40+ signature petition opposing changes to services 10/10a removing them from Markfield Drive. Addressing the meeting, Cllr Hoddinott proposed the changes would impact negatively on elderly service users

In response, Cllr Read noted he was disappointed with how the consultation exercise undertaken to inform service changes in Rotherham had been undertaken and that some good recommendations from service users were not heeded. It was further suggested the changes would reduce services to local shops and hospitals and thus reduce the quality of life of service users.

The meeting received a 600+ signature petition on behalf on Mr Barry Kaye (lead petitioner for the Kimberworth Park Community Partnership) opposing the proposed rerouting of services 139 and 140 away from Oxclose Avenue and Kimberworth Park Road.

The meeting received a 200+ signature petition from Mr Paul Hunton (Lead petitioner for the Wentworth Residents Association) opposing the proposed changes to service 227, which will be partially replaced by the new service 136 via Thorpe Hesley, which will not serve Nether Haugh and along Cortworth Lane.

The Chair directed PTE officers to investigate the matters highlighted by the petitions and respond to the petitioners on the Authority's behalf.

The Chair informed the meeting of intentions to undertaken a review of how public transport services operate across the SCR.

9 SCRMCA 19/009 PUBLIC QUESTIONS

None received.

10 SCRMCA 19/010 MINUTES OF THE MEETING HELD ON 17TH DECEMBER 2018

RESOLVED, that the minutes of the meeting of the SCR Mayoral Combined Authority held on 17th December are agreed to be an accurate record of the meeting.

11 SCRMCA 19/011 TRANSPORT STRATEGY

A report was received to present Members with the Sheffield City Region Transport Strategy, noting this is associated with the Mayor's Vision for Transport which was adopted by the MCA on the 17th December 2018.

The Chair thanked officers for their work in producing the Strategy and noted a formal Strategy launch would be held in the near future.

It was noted the Strategy had been informed by public and stakeholder consultation and drafted to encompass the Mayor's manifesto commitments for transport.

It was confirmed that following comments by Members, the Strategy would be annotated to include a more explicit reference to the SCR' ambition for a parkway station on the main HS2 line.

Cllr Dore sought an assurance the Strategy had been written mindful of interdependencies with Transport for the North (TfN). It was duly confirmed the Strategy was fully accordant with the TfN Strategic Transport Plan (STP).

RESOLVED, that the Members approve the Transport Strategy for publication, subject to the inclusion of the explicit reference to a parkway station on the HS2 main line.

12 SCRMCA 19/012 REVENUE AND CAPITAL BUDGET MONITORING

A report was received to provide the Q3 position for the revenue and capital programme of the Sheffield City Region (SCR) Mayoral Combined Authority (MCA) for the financial year 2018/19.

RESOLVED, that the Combined Authority:

1. Notes the forecast underspend of £482k on the MCA/LEP Revenue Budget
2. Notes the forecast slippage of £855k on the MCA/LEP Revenue Programmes budget
3. Notes the forecast underspend of £698k on the South Yorkshire Transport Revenue Budget
4. Notes the forecast slippage of £2.693m on the South Yorkshire Transport Capital Programme in respect of the BDR Pot and likelihood that slippage will arise on Integrated Transport Block and Highways Capital Maintenance
5. Approves the capital budget variation request to re-allocate £600k of Rotherham's existing BDR Pot funding to part-fund the detailed design of the £42m Parkway widening (to Catcliffe) scheme.

13 SCRMCA 19/013 SOUTH YORKSHIRE TRANSPORT BUDGET

A report was received to present the final proposals for the South Yorkshire Transport Revenue Budget and Capital Programme for financial year 2019/20.

The revenue budget also presented the proposed resource requirement for the South Yorkshire Passenger Transport Executive to deliver the South Yorkshire Transport Plan, to be resourced through a levy on the South Yorkshire partners.

Members were advised that to meet statutory deadlines, this transport levy must be set at this meeting.

RESOLVED, that the Combined Authority:

1. Approves the 2019/20 Transport Levy at £54.365m, noting that this represents a 2.5% reduction on the financial year 2018/19
2. Approves the 2019/20 South Yorkshire Revenue Budget with net expenditure of £60.440m
3. Approves the 2019/20 South Yorkshire Capital Programme with planned expenditure of £31.776m

14 SCRMCA 19/014 REVISED CONSTITUTION

A report was received to request the approval of the amendments to the Mayoral Combined Authority Constitution, following the approval of the governance changes at the Authority meeting of 17th December 2018.

Members were advised the Constitution had been amended to reflect the proposals agreed at the previous in respect of the 5 thematic Executive Boards.

It was noted a proposed amendment is to give each thematic Executive Board delegated authority to approve tender awards up to £200,000.00 that are related to its area of responsibility, provided the proposed spend is within budget.

It was noted a further amendment would clarify how grants offered to the Authority are approved for acceptance, in that grant offers up to £100,000 can be accepted by the Finance Director (s.73 Officer); grant offers up to £2m can be accepted by the relevant thematic Executive Boards subject to s.73 Officer agreeing the terms and conditions of the grant offer; and grant offers over £2m can only be accepted by the Authority subject to s.73 Officer agreeing the terms and conditions of the grant offer.

The Chair welcomed this new means of working and suggested it presented a number of challenges and opportunities. It was proposed to undertake a review of the new procedures after the first 6 months of operation.

It was confirmed a further amendment would be made to explain the terms 'independent person' and 'appropriate person' in relation to Committee chairing procedures.

RESOLVED, that the Members approve the amendments to the Constitution.

15 SCRMCA 19/015 LGF PROGRAMME MONITORING

A report was received seeking approval to delegate year-end decisions on LGF funding (in the interests of maximising in-year spend). The report also provided an update on the current LGF Capital Programme.

Members considered the significant proportion of the annual programme that is still to be spent in Q4 and were provided with an assurance that 100% spend profiles are still forecast.

Members were assured that any decisions on funding would only be taken within the thresholds of existing scheme approval levels.

RESOLVED, that the Authority:

1. Notes the LGF Programme update.
2. Approves delegated authority to Head of Paid Service and Section 73 Officer to authorise in year spend variations specifically where a project is able to change expenditure from another financial year into the current year and where that project already has full approval and is in contract (noting the MCA will be informed when these delegated approvals take place).
3. Approves delegated authority to Head of Paid Service and Section 73 Officer in conjunction with the Monitoring Officer to maximise the outturn spend position at year end to mitigate against any potential loss of funding (noting the MCA will be informed when these delegated approvals take place).

16 SCRMCA 19/016 LGF PROGRAMME APPROVALS

A report was received requesting approvals for five schemes, and seeking delegated authority be given to the Head of Paid Service in consultation with the S73 and Monitoring Officer to enter into legal agreements for the schemes.

RESOLVED, that the Authority:

1. Approves the progression of Digital Campus – Digital Media Centre 2 to full approval and award of £2.13m grant to BMBC from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.
2. Approves the progression of Parkwood Springs – Ski Village National Attraction (Phase 1a and 1b) to full approval and award of £4.8m loan to Sheffield City Council from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.
3. Approves the progression of The Glass Works, Barnsley to full approval and award of £7.43m grant to BMBC from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.
4. Approves the progression of M1 Junction 36 – Economic Growth Corridor Goldthorpe – Phase 2 to full approval and award of £7.32m grant to BMBC from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.
5. Approves the progression of Doncaster Sheffield Airport Passenger Capacity Expansion Car Park to full approval and award of £3.5m loan to Doncaster Sheffield Airport Limited from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.

6. Delegates Authority to the Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer, to enter into the contractual arrangements required as a result of the above approvals.

17 SCRMCA 19/017 DELEGATED AUTHORITY REPORT

RESOLVED, that the Authority notes the decisions made under delegation in respect of CA approved recommendations that have been acted upon in the last period.

CHAIR



SOUTH YORKSHIRE POLICE AND CRIME PANEL

IN MEETING ROOM 14, TOWN HALL, CHURCH STREET, BARNSELEY, S70 2TA

4 FEBRUARY 2019

PRESENT: Councillor A Khayum (Sheffield City Council) (Chair)

Councillor S Sansome (Rotherham MBC) (Vice-Chair)

Councillors: R Frost (Barnsley MBC), D Nevett (Doncaster MBC), P Short (Rotherham MBC), J Otten (Sheffield City Council) and S Wilkinson (Doncaster MBC)

Independent Co-opted Members: Mr A Carter and Mr S Chu

Dr A Billings (South Yorkshire Police and Crime Commissioner), M Buttery (Office of the South Yorkshire Police and Crime Commissioner), M Clements (Office of the South Yorkshire Police and Crime Commissioner), F Topliss (Office of the South Yorkshire Police and Crime Commissioner) and K Wright (Office of the South Yorkshire Police and Crime Commissioner)

Officers: D Cutting, M McCarthy, L Noble and A Shirt (Barnsley MBC)

Apologies for absence were received from Councillor M Dyson (Barnsley MBC), Councillor B Johnson (Sheffield City Council) and Councillor M O'Rourke (Sheffield CC)

1 APOLOGIES FOR ABSENCE

Apologies for absence were noted as above.

2 ANNOUNCEMENTS

None.

3 URGENT ITEMS

None.

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

None.

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

None.

6 PUBLIC QUESTIONS:-

6A TO THE POLICE AND CRIME COMMISSIONER

S Chu reported that he had submitted a written question to the Commissioner in advance of today's meeting where he had asked if the Commissioner had been consulted before South Yorkshire Police asked for Sheffield derby football matches to be played in midweek in future. What did the Commissioner believe this says for the reputation of the Force, and confidence in it, when football derbies in Manchester, Liverpool and Glasgow have either bigger crowds or greater risk of violence, are routinely played at weekends?

It was noted that the Commissioner had provided a response to state that this was an operational decision and included information about the costs of policing football matches in South Yorkshire.

In accordance with the Panel's Rules of Procedure, S Chu was granted permission by the Chair to ask a supplementary question to the Commissioner.

S Chu stated that he was interested to know what the Commissioner believed this said about the reputation of the Force, and trust and confidence in it, given that Forces in Manchester, Strathclyde and Merseyside appeared to have much more high profile games and were able to accommodate these at weekends.

The Commissioner replied that he was unsure of the street configurations of the areas highlighted; this was an operational matter for the Chief Constable.

The Commissioner added that South Yorkshire Police had established a Football Supporters Independent Advisory Group (IAG). He suggested that this issue could be discussed and debated at the IAG.

6B TO THE POLICE AND CRIME PANEL

D Cutting reported that the Panel had received one question, which he had reviewed under the Panel's Rules of Procedure. He confirmed that the question related to an individual's case and was therefore outside of the Panel's area of responsibility.

7 MINUTES OF THE MEETING HELD ON 3RD DECEMBER 2018

RESOLVED – That the minutes of the Police and Crime Panel held on 3 December 2018 be agreed and signed by the Chair as a correct record.

8 SOUTH YORKSHIRE POLICE AND CRIME PLAN RENEWAL 2019 / 2020

The Commissioner introduced his renewed Police and Crime Plan, informing Members that he had entitled the Plan 'Keeping Safe' based on discussions with the public.

The Commissioner confirmed that his key priorities would remain the same as last year, based on public consultation about policing and crime in South Yorkshire.

Councillor Wilkinson made reference to the Quarterly Police and Crime Plan Performance report which stated that, 'trust and confidence in police and crime services refers to treating everyone fairly and in accordance with their police and crime needs'.

However, it was noted that the Doncaster District was employing a triage process to focus upon offences with the highest solvability factors, thus, she felt that crimes were not all investigated in the same way. She asked the Commissioner what the Force's criteria were to prioritise crimes, if there was a geographical criterion and if there was a procedure in place for dealing with vulnerable people.

The Commissioner replied that he understood Councillor Wilkinson's concerns; he confirmed that, all crimes would be recorded, but, crimes would be investigated according to judgements around the evidence that was likely to be available.

He provided Members with an example of when it would not be feasible for the Police to investigate a crime and the triage process followed. It was confirmed that there was no geographical criteria, providing that a crime was solvable. Officers would use discretion when dealing with a vulnerable victim of crime. The Commissioner stated that it was important for the Force to provide victims of crime with a careful explanation of the action that would be taken / not taken and provide a follow-up to victims of crime.

Councillor Otten asked the Commissioner if he was aware of the concerns that had been raised around the value for money of his YOYO initiative, the project not focusing on the schools that were most in need, and a possible conflict of interest in the commercial relationship between Bauer Academy and Hallam FM.

The Commissioner replied that he was aware of the concerns raised; he explained to the Panel his reasoning behind support for the YOYO initiative and why the initiative was different to other projects.

In relation to knife crime, Councillor Sansome asked the Commissioner what action he and the Force were taking across South Yorkshire to communicate use of the 'Glasgow Model' to members of the public.

The Commissioner replied that knife crime in South Yorkshire had fallen by 12% last year, and he was keen to understand why knife crime had fallen in South Yorkshire, where in other parts of the country it had increased. In relation to communications with the public, the Commissioner stated that this had to be a two

way approach with the Force being tough on crime and tough on the causes of crime.

Furthermore, this was the message which the Commissioner wanted to communicate to the residents of South Yorkshire.

There also needed to be emphasis on prevention of crimes by working together with partner agencies, if the public health model was to be put into operation.

Following discussion, Members asked if the following amendments could be made to the Renewed Police and Crime Plan:

- i) Page 22 of the PCP agenda pack – paragraph in italics which starts: “*In the coming year ...*” – to include reference to the voluntary sector where partnerships are mentioned.
- ii) Small Grants Scheme (page 32 of the PCP agenda pack) – to add a link to the Grants Scheme and more details around how to apply etc.
- iii) The Role of the Police and Crime Panel (page 38 of the PCP agenda pack) – to add a link to the PCP’s website - <http://www.southyorks.gov.uk/webcomponents/jsec.aspx>

The Commissioner thanked Members for their amendments. He also wished to place on record his thanks to the various voluntary and community groups, which organisations in South Yorkshire and the public sector had become more reliant upon following cuts within the public sector.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Received the PCC’s Draft Police and Crime Plan 2017 to 2021 – Renewed 2019/2020, attached at Appendix A to the report.
- ii) Would provide comments to the PCC by 11 February 2019.
- iii) Requested that the amendments set out above be incorporated into the final Police and Crime Plan 2017 to 2021 – Renewed 2019/2020.

9 PROPOSED COUNCIL TAX PRECEPT AND REVENUE BUDGET FOR 2019/20

A report of the Chief Finance and Commissioning Officer, OPCC was presented to notify the Police and Crime Panel of the South Yorkshire Police and Crime Commissioner’s proposed Council Tax precept for 2019/20.

The Commissioner provided the Panel with context to his proposal, he stated that he acknowledged the residents of South Yorkshire’s financial hardship, but that he also needed to finance policing. The Government had stated that if PCCs did not raise the precept by the maximum amount for 2019/20, there was the potential for this to put at risk future years’ Grants for both legacy and pensions.

Members noted that the 2019/20 funding settlement announced additional funding of £823m for local policing, with 62% of this expected to come from increased local taxation, which was a one year settlement only. The Home Office could not confirm if all of the increased grant would be recurrent.

M Clements outlined the proposed budget for 2019/20, which reflected £19.5m of new pressures for South Yorkshire Police, including inflation of £5.1m, £9.8 of unavoidable cost pressures including £5.8m increased pension costs and £4.6m of growth proposals.

The increase in employers' contribution rates for police officer pensions, to tackle the scheme's unfunded deficit would be met in full by increased grant in 2019/20.

The proposed 2019/20 budget of £264m included the investment of an increase in police officers of 55, including an additional 40 police officers in neighbourhood policing.

Savings plans totalling approximately £4.0m were proposed for 2019/20.

The cost of legacy issues between 2018/19 and 2023/24 was forecast to be £179m. Under current rules, £149m of Special Grant could be claimed from the Home Office, leaving a funding gap of £30m to be met from the budget. The 2019/20 funding gap was expected to be £7.1m, requiring the use of reserves to balance the budget overall.

The PCC's proposal was to levy an annual increase in the precept equivalent to £24 on a Band D property. The annual increase for a Band A property would be equivalent to £16.00 and £18.67 for a Band B property. With the £24 Band D precept increase, the 2019/20 budget would have a net £2.6m deficit after legacy costs, requiring the use of reserves to balance.

Members noted the reserves forecast over the life of the Medium Term Revenue Strategy (MTRS) to 2023/24.

The Panel asked the Commissioner a series of questions which related to his precept proposal, legacy costs, underspends, trust and confidence issues in South Yorkshire Police and visibility of police officers. Detailed answers were provided to the Panel by the Commissioner, M Buttery and M Clements.

Councillor Sansome introduced a statement approved by Panel Members following the recent informed Budget Familiarisation briefing and indicated a desire to veto the Precept proposal unless a further 90 neighbourhood officers were recruited. This was clarified after questions from the PCC, and the statement read aloud.

On behalf of the Panel's Budget Working Group, Councillor Sansome thanked M Clements and his colleagues for providing a response to Members' questions throughout the year, and his support for the Budget Working Group.

On behalf of all Panel Members, Councillor Sansome read out the following statement:

“Due to the savage cuts by the Tory government, under the guise of austerity, and the previous Chief Constable removing neighbourhood policing without any consultation, our residents have seen a drastic reduction in the numbers of visible police officers.

Anti-Social Behaviour, burglary, gun and knife crime are all rising while detection rates are falling. People feel, in some areas, afraid to venture out into their neighbourhoods.

Residents who have been burgled rarely receive a visit from an officer or CID, they are simply issued with a crime number for their insurance.

And the Panel are all well aware of the failings of the 101 service.

Trust and confidence in South Yorkshire Police is disappearing at a rate of knots, despite dedicated officers working tirelessly within their local communities.

Many times when the Police and Crime Commissioner had visited areas across South Yorkshire there was one common theme - residents want to see more ‘bobbies on the beat’.

The Panel appreciate that for 5 consecutive years South Yorkshire Police had been forced to move any underspends into legacy reserves and at the same time make savings.

The Panel commend the Commissioner for the return of neighbourhood policing and we welcome that, for the first time in many years, Members had the chance of seeing officer numbers in neighbourhoods increase.

As in previous years, the Police and Crime Plan contains aspirations that cover many aspects of keeping people safe, for the Panel your aspirations with the recruitment of only 40 additional officers to neighbourhood policing is not achievable.

What level of comfort will the residents of Rotherham feel from having less than 10 officers across the 3 teams, less than 1 per team when rota patterns, holiday or absence is factored in?

During the recent consultation 60 to 70% of residents said they would be prepared to pay a little more to see more officers in their neighbourhoods, to have the luxury of feeling safer.

But the Panel must also bear in mind that when they are seeing increased levels of poverty and homelessness and use of foodbanks was soaring any increase to council tax must not be taken lightly.

Commissioner, all Members of the Panel, whatever political party, agree with the principle of the precept rise, but we cannot agree with the meagre recruitment proposal of only 40 additional officers for neighbourhood policing.

Our proposals would see a total of 90 new officers, an extra 50 in addition to your proposed 40.

I think we can all agree that what is important is working together to do everything within our power to make our communities safer and tackle these rises in crimes”.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Voted unanimously to accept the PCC’s increase in the Council Tax precept for 2019/20 of £24 for a Band D property (a 14% increase) to £194.16. For Band A properties this equated to an annual increase of £16.00 and £18.67 for Band B properties be approved.
- ii) Recommended that the PCC would explore with the Chief Constable the recruitment of an additional 50 operational staff, in addition to the proposed 55 (40 of which would be deployed into neighbourhood policing).
- iii) Requested that the PCC provide the commitment to speak to the Chief Constable and to the Panel in writing, along with updates on progress.

10 MONITORING DELIVERY OF THE POLICE AND CRIME PLAN - QUARTERLY REPORT (OCTOBER - DECEMBER 2018)

A report of the Police and Crime Commissioner was submitted to present the Quarterly Report for the period October to December 2018, produced from the developing Police and Crime Commissioner’s (PCC’s) Police and Partners Performance Framework. The report provided information about how the police and partners as well as the Office of the PCC are working to achieve the outcome and priorities set out in the Police and Crime Plan for South Yorkshire.

Councillor Wilkinson noted that Domestic Abuse crimes were higher in 2017/18 than 2016/17 with an increasing trend since February 2018. She asked if this was due to an increase in reporting, or if instances of domestic abuse were increasing. She also asked if Members could receive a breakdown detailing the ethnicity of the victims reporting Domestic Abuse crimes.

The Commissioner replied that people were getting more confident in reporting Domestic Abuse crimes and that, the Police were getting better at recording crimes.

In relation to the ethnicity of the victims reporting Domestic Abuse crimes, K Wright agreed to either include this information in future reports or provide the information separately to the Panel.

Councillor Frost referred to trust and confidence in police services and the number of complaints regarding the 101 non-emergency call system. He asked if there were any plans in place to communicate to the public about the correct use of the 101 system.

The Commissioner replied that SMART contact had now gone live. As the call-back facility became fully functional he expected that the Force would begin to inform the public about the functionality of the system. To date, the Commissioner was unsure when communications would be issued.

Councillor Sansome asked why residential burglary had increased over the winter months. He also asked how the Commissioner was holding the Chief Constable to account in this area without increasing police officer numbers.

The Commissioner explained that the trend in residential burglary was seasonal to some degree. Over the long term, the trend in residential burglaries was falling.

M Buttery informed Members that a member of the OPCC did attend Force performance meetings on behalf of the Commissioner to provide assurance around Force performance and if timescales for improvement were acceptable to the Commissioner.

Councillor Sansome asked if detailed reports on the action being taken by the Commissioner to hold the Chief Constable to account in relation to improving performance on domestic abuse crimes and victim satisfaction could be presented at the next meeting.

On behalf of the Commissioner, K Wright acknowledged the request.

Members were informed that the new OPCC website would contain additional performance information.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the contents of the report and commented on any matters arising.
- ii) Requested that detailed reports on the action being taken by the Commissioner to hold the Chief Constable to account in relation to improving performance on domestic abuse crimes and victim satisfaction be presented at the next meeting.

11 REOFFENDING WITHIN SOUTH YORKSHIRE

A report of the Police and Crime Commissioner was presented to provide the Panel with an overview of Reoffending statistics for South Yorkshire, including information regarding recent changes to the way in which those statistics are produced by the Ministry of Justice. The report also provided the Panel with a brief update on proposed changes to the probation landscape, that may result in some changes to the way in which probation services are provided within South Yorkshire.

Councillor Sansome suggested that it would be very useful for communities to be informed of the restrictions and conditions of reoffenders to enable them to play a part in the enforcement of their conditions.

The Commissioner suggested that it may be appropriate, and of interest to the Panel, to receive a report at a later date on offender management in the community.

M Buttery added that, she had, had previous correspondence with Councillor Sansome about Community Impact Statements but this was about disclosure of information about offenders to communities, post-sentence. It was stated that, if an offender was at risk to communities then the Police would have to resolve issues of data protection and confidentiality in order to share information lawfully on a need-to-know basis.

In relation to Councillor Sansome's suggestion it was agreed that this issue should be discussed with the Local Criminal Justice Board, partnerships and through South Yorkshire Police with those involved in offender management.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the most recent reoffending performance across South Yorkshire.
- ii) Noted the latest position in relation to proposed changes to the way in which probation services are delivered locally.
- iii) Noted that Councillor Sansome's suggestion regarding offender management in communities would be discussed with the Local Criminal Justice Board, partnerships and through South Yorkshire Police with those involved in offender management.
- iv) Would receive a report on Offender Management at an appropriate time in the work programme.

12 NEW TECHNOLOGY IN POLICING

A report of the Police and Crime Commissioner was presented to provide Members of the Police and Crime Panel with an update on the new technology in policing.

Members noted that the Commissioner had asked the Independent Ethics Panel (IEP) to consider ethical issues raised by the introduction of policing of new technology, and report any exceptions / areas of concern to him.

At the IEP meeting held on 13 November 2018, the Panel had received a presentation on the Evidence Based Investigation Tool (EBIT). Additionally, the Panel had also discussed the potential use of algorithm-assisted decision making in policing and the ethical dilemmas surrounding this. IEP Members had felt it would be useful to obtain a better understanding of the legal framework around this.

A Carter thanked the Commissioner for his report. He asked if the Panel could receive regular updates on Artificial Intelligence in Policing.

The Commissioner acknowledged the request. He thanked A Carter for his interest in this highly important area of policing.

Councillor Otten asked for assurances that the IEP had the capacity to be able to examine issues, and if the membership of the IEP had the appropriate skills set to be able to evaluate the information provided. Additionally, he asked if the conclusions of the Policy that the Force is asked to adopt with regards to an issue such as racial profiling by proxy could be reported back to the Panel.

The Commissioner provided the Panel with details of the membership of the IEP and gave assurances that members of the IEP had the appropriate skills set to be able to ask these detailed questions.

Councillor Sansome asked if new technology in policing was an area that HMICFRS would look at during their inspections of the Force.

M Buttery stated that she would raise this question with HMICFRS and report back to Members.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the contents of the report and commented upon any matters arising.
- ii) Noted that M Buttery would ask HMICFRS if new technology was an area that they would be looking at during their inspections of the Force.
- iii) That the next report to the Panel (in six months' time) would include the findings of the IEP on the use of drones etc.

13 HUMAN RESOURCE SERVICE

A report of the Commissioner's Chief Executive and Solicitor was submitted to inform Members about the collaborative arrangements previously in place for the provision of a shared Human Resource Service between South Yorkshire Police and Humberside Police, and the recent decision to end those arrangements.

Councillor Sansome asked if the transition costs involved in ending the arrangements could be included in future budget reports on a quarterly basis.

M Buttery acknowledged the request, she added that M Clements would include tracking of the transition costs to the end of the review.

Councillor Khayum asked if Members could be provided with the timescale of when there would be complete separation of the two HR functions.

M Buttery informed the Panel that the timescales would be dependent upon the conclusion of consultation exercises with staff. She agreed to provide further details outside of today's meeting.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the contents of the report.

- ii) Noted that future budget reports would include tracking of the transition costs to the end of the review.
- iii) Noted that M Buttery would provide Members with the timescales of when there would be complete separation of the two HR functions.

14 PCC DECISIONS

A report of the Police and Crime Commissioner was presented to provide Members of the Panel with information on the decisions taken by the Commissioner since the last meeting.

A Carter asked if Panel Members could be provided with details of those organisations that had been successful / unsuccessful in their bids or requests for funding from the Commissioner's Community Grant Scheme 2018/19.

The Commissioner agreed to provide this information, in confidence, to Members.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the contents of the report and commented on any matters arising.
- ii) Noted that the Commissioner's Office would provide details of those organisations that had been successful / unsuccessful in their bids or requests for funding from the Commissioner's Community Grant Scheme 2018/19.

15 LEARNING AND DEVELOPMENT UPDATE

L Noble provided Members with a verbal update on forthcoming events and meetings which Members may be interested in.

Firstly, the Commissioner's Public Accountability Board meetings provide Members with a good source of operational knowledge. There had been some changes to the Force District performance updates, which would now be presented on a quarterly basis. Dates had been provided to Members.

The OPCC would keep the Panel informed of any dates for future YOYO sessions.

A Yorkshire and Humberside Regional PFCP Network was due to be arranged by Frontline Consulting in Spring; a report back to the Panel would be provided.

A National Problem Solving Conference would be held on 27th – 29th March in Burton-on-Trent, hosted by South Yorkshire's Chief Constable. Details would be circulated to Panel Members.

And finally, in April an additional session would be held, facilitated by Frontline Consulting to look back on the Panel's year, and work programme for the forthcoming year. The session would be widened out to include key officers from the OPCC.

Councillor Khayum asked Members to prioritise their attendance at the session.

RESOLVED – That Members of the Police and Crime Panel noted the update.

16 WORK PROGRAMME / PAB DATES & ROTA

Members considered the 2019 Work Programme and were reminded that they could submit issues for the Work Programme that fall within the Panel's statutory role in supporting and / or holding the Commissioner to account.

All issues would be given full consideration by the Chair, Vice-Chair and Commissioner at the pre-agenda planning meetings.

Additionally, Members were encouraged to attend meetings of the Commissioner's Public Accountability Board (PAB) to increase their operational knowledge.

RESOLVED – That Members of the Police and Crime Panel noted the contents of the 2019 Work Programme.

17 DATE AND TIME OF THE NEXT MEETING

RESOLVED – That the next meeting of the Panel be held on Monday 1st April 2019, 1:00 pm in Meeting Room 14, Town Hall, Church Street, Barnsley.

CHAIR

MEETING:	Audit Committee
DATE:	Wednesday, 23 January 2019
TIME:	4.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Richardson (Chair), Barnard and Lofts together with Independent Members - Ms D Brown, Mr S Gill, Mr P Johnson and Mr M Marks

47. DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no declarations of interest from Members in respect of items on the agenda.

48. MINUTES

The minutes of the meeting held on the 5th December, 2018 were taken as read and signed by the Chair as a correct record.

49. DEVELOPMENT DAY FOR LOCAL AUTHORITY AUDIT COMMITTEES

Mr P Johnson (Independent Member) made a presentation on his attendance, together with the Head of Internal Audit and Corporate Anti-Fraud, at a CIPFA Workshop/Development Day for Local Authority Audit Committees held in London in November, 2018 and highlighting the key points covered at that session.

The day had been led by Diana Melville Legal Advisor from CIPFA and had covered the following four topics:

- a) Developing the Effectiveness of the Audit Committee
- b) A Briefing on Current Governance, Audit and Risk
- c) The Audit Committee and Internal Audit – this had been delivered by the team from Barnsley and, therefore, it was not intended to be covered as part of this presentation
- d) Assurance over Financial Resilience

There had been a variety of attendees who had many different perspectives.

Particular reference was made to the following

- (a) Developing the Effectiveness of the Audit Committee
 - The role of the Co-opted Independent Member
 - A 2016 CIPFA survey in 2016 had indicated that throughout the UK, 39% of Audit Committees had such members, however, these were mandatory for Welsh Councils and Combined Authorities.

- Reference was then made to their role in reinforcing independence and objectivity, supplementing knowledge and experience and providing continuity.
- CIPFA Knowledge and Skills Framework - This assisted in the building the effectiveness of Audit Committee Members particularly in relation to the following which were referred to by Mr Johnson in some detail:
 - roles and responsibilities
 - core skills
 - core knowledge
- where the Committee can influence and add value. It was suggested that an influential Audit Committee could support:
 - good governance and decision making
 - effective risk management
 - improving value for money
 - achievement of goals
 - effective internal controls
 - effective audit assurance
 - embedding ethical values and countering fraud
 - improving public reporting and accountability

(b) Briefing on Governance, Audit and Risk

- A report was provided on the results of auditors work in 2017/18 – reference was made to the number of reports issued within the statutory deadlines but it was noted that the number of reports in relation to Value for Money was significantly lower
- Current risks and resources – particular reference in this regard was made to the following – most of these had already been identified within Barnsley:
 - Commercial Investments with reference to the CIPFA warning on borrowing in advance of need and investments in commercial properties; the security of funds being the primary policy objective of the Treasury Management Activities; and CIPFA concerns that commercial investments should be consistent with the requirements of the Prudential Code and Treasury Management Code
 - Outsourcing and Market risks including provider failure; market fragility; supply chain; and capacity and capability
 - Action for Audit Committees – the importance of ensuring that commissioning procurement and contracting risks are identified and that appropriate mitigations are in place

(c) Assurance over Financial Resilience

- The Challenge for the future included:
 - The continuing pressure on funding
 - The increasing demand pressures particularly in relation to social care, and homelessness
 - The removal of the local authority pay cap
 - How realistic any 'efficiency savings' were in reality
 - Income generation options

- Maintaining acceptable levels of service
- The need to realise the ambitions for the local area
- Staffing pressures and vacancies
- Public concerns
- Ofsted and other external inspections which could impact on the financial resources available for Councils
- The additional assurance that Audit Committees might look for including:
 - The realism of and implementation of savings plans
 - Data quality particularly around critical data on demand
 - The use of benchmarking
 - The viability of business cases and transformation plans
 - The approach to value for money
 - Budget management and reporting
 - Controls over outsourced or commercial arrangements
 - Governance – decision making

The presentation engendered a discussion during which the following matters were raised:

- It was noted that Barnsley was at the vanguard and almost unique in the country with having more independent Members on the Audit Committee. It was surprising that the use of such members had not been made mandatory, however, it was anticipated that External Audit would take a dim view of any authorities which did not use Independent Members as this questioned the degree of independence such Committees had
- Arising out of the above, the Head of Internal Audit and Corporate Anti-Fraud commended on the recent publication of a National Audit Office report which, amongst other things, picked up issues about the efficiency of Audit Committees including the use of Independent Members
- In response to specific questioning, the Service Director Finance commented on the Authority's position with regard to borrowing for commercial purposes. In relation to Financial Resources/Resilience, he commented that CIPFA had produced a useful tool which assisted him and Senior Leadership. The Council had already undertaken work on most of the factors raised in relation to Financial Resilience and appropriate comparisons had also been made with neighbouring authorities. A paper had already been prepared as part of the current budgetary considerations which could be shared with the Committee
- In the light of recent financial difficulties faced by some Authorities, there was a discussion of ways in which such issues could be picked up by Government/External Audit, and of the action that could be taken to address issues identified
- The External Auditor reminded Members that Value for Money was one of the topics that would be covered at the Local Authority Audit Committee Chair and Members event to be held in Leeds on Tuesday 26th February, 2019 to which all Members were invited

RESOLVED that Mr P Johnson be thanked for his most informative presentation.

50. CYBER SECURITY UPDATE

Ms S Hydon (Head of ICT Service Management) and Mr S Marshall (ICT Technical Security Lead) made a presentation updating the Committee on Cyber Security.

Ms Hydon reminded the Committee that following a previous presentation to the Committee prior to Christmas she had been requested to update Members on the current position with regard to Cyber Security. This presentation, therefore, outlined the controls currently in place and those proposed to combat such threats together with the investment opportunities being adopted and strategies being implemented to improve the Authority's Cyber Security arrangements in the future.

Mr Marshall then reported on the following:

- An LGA Cyber Security Stocktake had been undertaken in 2018. This was an independent review and provided feedback under five headings of Leadership, Governance, Partnerships, Technology and Training. The Authority had received an amber rating for, amongst other things, its security measures and the maturity of those measures that were in place
- Based on the outcome of that feedback 4 bids had been submitted for Government Funding to support cyber security improvements, developments and solutions including training and details of these bids were outlined
- Specific training was being prepared for Elected Members as in the past they had been using slightly remodelled training from that delivered to staff
- The Committee was then shown a video which showed how an effective ransomware attack came together and why councils and businesses required effective security controls
- Reference was made to recent social engineering effects and examples were given of the ways in which this could impact on the Council with particular reference in this respect was made to:
 - The recent USA Elections
 - The potential smearing and reputational damage to the Council
 - The impact of the loss of personal and sensitive data
 - The loss of services/productivity
 - Potential implications for Ransom/blackmail
 - Dynamic progression of threat
- A summary of the 'attempts' and 'attacks' the Council had received between 1st January – 31st December, 2018 was provided. This worryingly indicated that the number of attacks was on the increase. It was also pointed out that currently the Authority rejected more emails than it actually received
- A quick reference guide for Information Security Incident reporting was provided. An Information security incident was one which involved the actual or potential failure to meet the requirements of the Data Protection Act 2018, General Data Protection Regulations and/or common law duty of confidentiality
- The Council had currently undertaken work in the following areas
 - There had been an investment in Self Learning Software
 - Vulnerability Scanning was undertaken in order to find and close loopholes
 - Training, awareness and testing was continuing

- Partnership working was undertaken both internally within the Council and with external partners and neighbouring Councils
- The Service was working with National Government Cyber Security programmes from the National Cyber Security Centre and Ministry of Housing, Communities and Local Government
- The Committee was then given an example of the action taken to an actual Phishing Email received by a member of staff. This included, amongst other things:
 - Blocking web links to protect staff and other users
 - Contacting the companies involved
 - Getting content removed
 - Using education to advise how phishing emails could have been spotted
 - Reviewing processes and training to try and prevent or stop this in future

In the ensuing discussion, the following matters were highlighted:

- It was noted that phishing emails came from a variety of sources and countries. Appropriate action was taken as soon as an 'attack' was identified
- Reference was made to the way in which accounts were deleted following a member of staff leaving. Arising out of this reference was made to the 'auto population' of an email address in email clients such as 'Outlook' which may give an indication that an account was still 'live' when in fact it was not. If examples were provided on email addresses/accounts being active when they should have been deleted, this would be investigated by the IT Service Desk as a matter of urgency and action taken to remedy the situation
- Ms Hydon stressed that once a member of staff left the Authority or a Councillor ceased to be a Member of the Authority, accounts were immediately suspended. This information came via individual services or, as a backstop, via SAP employee leavers records

RESOLVED that Ms Hydon and Mr Marshall be thanked for a most informative presentation.

51. INTERNAL AUDIT PROGRESS REPORT - 2018/19

The Head of Internal Audit and Corporate Anti-Fraud submitted a report providing a summary of the Internal Audit Activity completed and key issues arising from it for the period 1st November to 31st December, 2018.

The report, which was presented by Mrs L Booth, Audit Manager, outlined:

- The progress of the internal audit plan up to the end of December analysed by the number of plan assignments producing a report and audit days delivered by the Directorate/Service
- There was a variance of four assignments completed against those planned but these were in the draft stage and meetings were scheduled with officers to discuss outcomes
- There had been no amendments to the Internal Audit Plan over the period

- One audit had been finalised since the last meeting and copies of all final reports were available upon request. A summary of assurances and the number and categorisation of recommendations included in the report was outlined and an Appendix to the report included the definitions of the grading for the assurance opinion together with the recommendations
- A summary of the key issues included in audit reports finalised during the period providing a Limited or No Assurance was provided
- Details were provided of the outcome of other Internal Audit activities concluded not producing a specific assurance opinion
- Tables detailed the other Internal Audit Work undertaken as well as work in progress
- Information on the status of internal audit management actions by directorate due for completion was provided. It was pleasing to note that officers were actively engaging with the service and this was demonstrated by improving statistics
- Details of Internal Audit performance against Performance Indicators indicated that performance was exceeding target levels with only the percentage of final audit reports being issued within 10 days currently not meeting the agreed target. This was largely due to officer availability during the summer period and this would be picked up through the remainder of the year
- Based on the audits reported during the period an overall adequate assurance was considered to be appropriate and this had remained the same in the two previous quarters

In the ensuing discussion particular reference was made to the following:

- There was some concern at the lack of management response in relation to reports for Maintained Schools. It was noted that a meeting had been scheduled with the Executive Director (People) who was following this matter up. Arising out of this reference was made to the responsibilities of Governing Bodies in this respect and, in the light of this, to the action that the Authority could take if Governing Bodies failed to act appropriately
- It was noted that the number of audit days delivered was lower than anticipated in respect of the external clients which was a cause of some concern. The reasons for this were highlighted and appropriate action would be taken

RESOLVED:

- (i) that the issues arising from the completed internal audit work for the period along with the responses received from management be noted;
- (ii) that the assurance opinion on the adequacy and effectiveness of the Authority's Internal Control Framework based on the work of Internal Audit in the period to the end of December, 2018 be noted;
- (iii) that the progress against the Internal Audit Plan for 2018/19 for the period to the end of December, 2018 be noted; and
- (iv) that the performance of the Internal Audit Division for the second quarter be noted.

52. CORPORATE ANTI-FRAUD TEAM PROGRESS REPORT

The Head of Internal Audit and Corporate Anti-Fraud submitted a report providing an account of the work of the Corporate Anti-Fraud Team for the period 1st April to 31st December, 2018.

The report gave details of the action taken and outcome of investigations undertaken in relation:

- Council Tax Support Investigations
- Council Tax Liability Claims
- Right to Buy investigations
- Insurance Checks
- Corporate Investigations

Data matching work was continuing in relation to the National Fraud Initiative and a breakdown of the work undertaken was provided. It was noted that to the end of December, 2018 the total monetary value of the fraud and error identified amounted to £272,081.74. The National Fraud Initiative was a biennial data matching exercise that all UK authorities were required to participate in. An analysis of the NFI outcomes for the four exercises covering the period 2010/11 to 2016/17 was provided.

The Team continued to support an investigative support service to Berneslai Homes to identify potential fraudulent tenancies and a summary of alleged tenancy fraud referrals received for investigation during the period was provided. It was noted that the total amount of cases had doubled when compared to the previous year. In addition, three further complex cases that had been opened in 2016 which were delayed due to legal investigations and technical issues and had yet to be concluded.

Work had been undertaken in relation to Fraud Awareness and the first ever Fraud Awareness Week had been held between the 17th and 21st September, 2018. Due to its success it was hoped that this could be repeated this year involving more teams within the Council.

Training continued to be an important element of the work of the Team and Anti Bribery and Whistleblowing Training Courses had been developed which would be delivered via the Council's online training facility.

Whilst the primary focus of the Team was the Council, it offered a service to the Internal Audit's External Clients where this was in the best interests of both the external client and Council in respect of competing priorities and resources.

In the ensuing discussion, particular reference was made to the following:

- In response to specific questioning, it was noted that information on the Benefits, Taxation and Income Department Single Person Discount review could be provided
- Information was provided in relation to the support given to management in respect of 9 cases investigated. It was noted that these largely related to time

recording for which a Written Warning had been issued. The Head of Internal Audit and Corporate Anti-Fraud outlined the way in which the Team worked with management on such issues and stated that advice would be given to Services if it was thought that a sanction was not appropriate

- In relation to the National Fraud Initiative, reference was made to the overpayments particularly in relation to residential care homes. The reasons for this were outlined and it was noted that the amounts had been fully recovered. Appropriate action had now been taken to minimise the risk of this reoccurring

RESOLVED:

- (i) That the progress made in the development of effective arrangements and measures to minimise the risk of fraud and corruption be noted; and
- (ii) That further regular reports be submitted on internal and external fraud investigated by the Corporate Anti-Fraud Team.

53. CORPORATE WHISTLEBLOWING POLICY - ANNUAL REPORT

The Executive Director Core Services submitted his annual report reviewing the activities and current issues regarding the Council's Corporate Whistleblowing Policy and supporting procedures.

The report, in outlining the background to the development of the policy, indicated that it was timely to undertake a fundamental review alongside the wider review of other ethical framework policies such as the Employee Code of Conduct and the procedures for investigations. The Committee would be kept informed of progress on this review.

The specific whistleblowing arrangements were, of course, only one means of raising concerns and, therefore, the degree and extent of the use of the policy was not considered significant. What was important was to ensure that there were a number of clear and understood routes for raising concerns and that there were suitable resources and arrangements in place to ensure appropriate investigations were undertaken.

With regard to the arrangements during 2017/18 and 2018/19 there had been six referrals. Two of those remained the subject of investigation, 3 had been investigated but closed due to insufficient evidence and 1 had been investigated and remedial action taken. This had not involved the conduct of a specific employee. Of the 6 referrals, 2 had been made anonymously, one of which had not been proven and the other was one of the live cases.

It was noted that whilst this figure was low, it was nevertheless difficult to speculate what would be an appropriate figure.

In the ensuing discussion the following matters were highlighted:

- There was a discussion of the ways in which Whistleblowing referrals could be submitted

- There was a discussion of the reasons for the low number of referrals and the reasons for this. It was noted that there were alternative options for submitting concerns which could be one of the reasons for the low figure. The Head of Internal Audit and Corporate Anti-Fraud commented that referrals could be received via phone call and via the Corporate Anti-Fraud Team. From his perspective, he felt that the culture of the organisation was such that employees felt empowered to raise and discuss their concerns
- In response to questioning about the awareness of the Whistleblowing arrangements it was noted that there was a need to undertake a cultural audit around ethical awareness. The Head of Internal Audit and Corporate Anti-Fraud commented, however, that all new employees were given an induction which included reference to the Whistleblowing arrangements and, in addition, all staff notice boards had posters 'advertising' the arrangements. He felt, therefore, that there was a high level of awareness
- The Audit Manager commented that an internal training course was being developed and would be available via the Authority's online training facility
- There was no evidence to suggest that referrals were vexatious or were not raised in good faith. In addition, employees were always made aware that their anonymity could not be guaranteed (dependent upon the issues investigated)
- It was noted that as part of the planned review, Internal Audit were planning to undertake work around culture and testing the extent to which policies were known about within the Council and particularly if they were trusted. It was hoped that the findings of this review would confirm that what was thought about the current arrangements was correct

RESOLVED:

- (i) that the report, and the assurances that it provides be noted; and
- (ii) that the Committee confirms its commitment to continue to support the Council's overall counter fraud culture and the work of the Corporate Anti-Fraud Team.

54. EXTERNAL AUDIT PLAN 2018/19

The Committee received a report from the External Auditor providing an overview of the planned scope and timing of the statutory audit of the Council.

It was noted that the Council was required to prepare group financial statements that consolidated the financial information for Bernesali Homes.

In relation to significant risks, the External Auditor would communicate any significant findings in relation to Management override of control, Valuation of the Pension Fund Liability and Valuation of land and buildings as well as other significant matters arising from the audit in their Audit Findings Report in July, 2019.

The planning materiality had been determined to be £10m for the Group and £9.9m for the Council's single entity statements which equated to 1.8% of the gross expenditure on the cost of services in the previous year. They would also continue to report uncorrected omissions and misstatements.

Significant Value for Money risks had been identified and this was a key area of focus given the significant financial pressures facing the authority as well as the Glass Woks development which was one of the largest projects undertaken by the Council.

The Interim visit would take place in February, 2019 with the final accounts being presented in June and July. Initial meetings had already taken place with the Service Director Finance and with staff from the Finance Team. The key deliverables were outlined in the Audit Plan and the Audit Findings report and the fee had been set at £104,718 (a reduction from £135,998 in the previous year) but was subject to the Council meeting their requirements.

In response to specific questioning the External Auditor explained the process for finalising reports. Meetings were arranged with appropriate staff and any issues discussed prior to publication.

RESOLVED that the External Audit Plan 2018/19 be noted and, insofar as this Committee is concerned, the action to be taken be supported.

55. EXTERNAL AUDIT - CERTIFICATION OF CLAIMS AND RETURNS - ANNUAL REPORT 2017/18

The Committee received the annual report of the External Auditor summarising the work undertaken on the Council's 2017/18 grant claims and returns and outlining the fees for undertaking this work.

RESOLVED that the annual report be received.

56. AUDIT COMMITTEE WORK PLAN 2018/19

The Committee received a report providing the indicative work plan for the Committee for its proposed scheduled meetings for the remainder of the 2018/19 municipal year and for 2019/20.

The Executive Director Core Services informed Members of the Committee that Ms D Terris (Chief Executive) was to leave the Council at the end of May 2019. Arrangements were, therefore, in hand to recruit to her replacement.

It was noted that it was proposed that the meeting scheduled for the 19th July, 2019 be held at 4.00 pm on Monday 22nd July, 2019. This was due to the change of arrangements for approving the final accounts and receiving the External Audit Governance Report. Prior to that meeting at 3.00pm the Council's External Auditor would present a briefing on the External Audit Governance Report (ISO 260).

The Chair reported that he was unable to attend the meeting scheduled for the 18th September, 2019 as he was attending the Arnhem 75th Commemoration event and he sought permission, therefore, to move that meeting to the 11th September, 2019.

RESOLVED:

- (i) that the core work plan for the remainder of the 2018/19 municipal year and for 2019/20 meetings of the Audit Committee be approved and reviewed on a regular basis;
- (ii) that the following changes to dates of future meetings be approved:
 - **19th July be moved to 22nd July, 2019 at 4.00 pm**
 - **18th September be moved to 11th September, 2019 at 4.00 pm**

.....
Chair

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MEETING:	Planning Regulatory Board
DATE:	Tuesday, 19 February 2019
TIME:	2.00 pm
VENUE:	Council Chamber, Town Hall, Barnsley

MINUTES

Present

Councillors D. Birkinshaw (Chair), Franklin, David Griffin, Hampson, Hayward, Noble, Pickering, Richardson, Riggs, Saunders, Spence, Stowe, Tattersall and R. Wraith

83. Declarations of Interest

There were no declarations of pecuniary or non-pecuniary interest with regard to any of the items on the agenda.

84. Minutes

The minutes of the meeting held on 22nd January 2019 were taken as read and signed by the Chair as a correct record.

85. Barnsley Markets and adjoining land, Cheapside, Barnsley - 2018/1569 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2018/1569** (Variation of condition 2 (approved plans) of planning permission 2017/0586 to enable changes to the design of the multi storey car park and its access arrangements – mixed use development of land adjoining Barnsley Markets following demolition of part of existing market hall and multi storey car park to provide new retail/food and drink (Use Classes A1, A3), cinema and leisure use (Use Class D2), new multi storey car park and service road, with access to/from Lambra Road, Barnsley Markets and adjoining land, Cheapside, Barnsley)

RESOLVED that the application be granted in accordance with the Officer recommendation which included an amendment to the published version of condition 2 to refer to revision number 7 as the most up to date elevation plan reference numbers.

86. Broadstone Farm, Whitley Common. For approval - 2018/0960 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2018/0960** (Erection of combined indoor equestrian arena and agricultural storage barn at Broadstone Farm, Browns Edge Road, Whitley Common, Barnsley S36 7GR)

RESOLVED that the application be granted in accordance with the Officer recommendation subject to referral to the Secretary of State to determine whether or not they would wish to call it in for his determination; and the addition of an

informative requiring the applicant to contact the LPA for advice prior to hosting any events.

87. 52 Tower Street, Worsbrough Common, Barnsley, S70 1QS - 2018/1399 - For approval.

The Head of Planning and Building Control submitted a report on **Planning Application 2018/1399** (Erection of 2 no. detached dwellings at land adjacent 52 Tower Street, Worsborough Common, Barnsley S70 1QS)

RESOLVED that the application be granted in accordance with the Officer recommendation and subject to signing of S106 agreement requiring the payment of £3000 as compensation for loss of greenspace land affecting one of the plots.

88. Georgie's Yard, 233 Park Road, Barnsley, S70 1QW - 2018/1271 - For approval

The Head of Planning and Building Control submitted a report on **Planning Application 2018/1271** (Change of use of basement of residential property into a business associated with the making and selling of seasonal crafts and soft furnishing plus tea parties and events, maximum 12 people and 3 hour duration at Georgies Yard, 233 Park Road, Barnsley S70 1QW)

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

89. Planning Appeals - 1st January to 31st January, 2019

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2018/19.

The report indicated that 3 appeals were received in January 2019, no appeals were withdrawn and 5 appeals were decided.

It was reported that 19 appeals have been decided since 1st April 2018, 14 of which (74%) have been dismissed and 5 of which (26%) have been allowed.

RESOLVED that the update report be noted.

90. Enforcement Update QTR 3 2018/19

The Head of Planning and Building Control provided Elected Members with an update on Planning Enforcement service activity covering the Quarter 3 Period of this reporting year 2018/2019 (October – December 2018).

The report highlighted that 51 service requests were received in October 2018, 21 in November 2018 and 17 in December 2018. Of the 89 cases received, 41 were investigated/resolved and 48 remain under consideration.

RESOLVED that the update report be noted.

Chair

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MEETING:	General Licensing Regulatory Board
DATE:	Wednesday, 20 February 2019
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors C. Wraith MBE (Chair), Daniel Griffin, C. Johnson, Kitching, Lamb, Lofts, Markham, Millner, Newing, Saunders, Shepherd, Sumner, Tattersall, Williams and Wilson

41 Declaration of Interests

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

42 Minutes

The minutes of the meeting held on the 19th December, 2018 were taken as read and signed by the Chair as a correct record.

43 Enforcement Update

The Service Director Legal Services submitted a report providing an overview of the work of Licensing Enforcement Officers undertaken recently.

Licensing Enforcement Officers had proactively embarked on one taxi licensing enforcement operation on the 31st January, 2019. Licensing Enforcement Officers working alongside Vehicle Examiners from the Smithies Lane Depot had taken part in Operation Duxford as part of a Police led operation accompanied by the DVSO and Customs and Exercise within Barnsley Town Centre at which the Chair, Councillor C Wraith MBE, had been in attendance.

In total, 9 licensed private hire vehicles had been inspected 8 of which had been found to be fully compliant. One vehicle had been found to be not displaying the correct door signs in contravention of Condition 5 of the Licensing Conditions and the driver had been issued with a Written Warning.

In addition, three drivers had received Written Warnings for failing to complete their daily check books.

Whilst it was particularly pleasing to note that 8 out of the 9 vehicles stopped were fully compliant vehicle compliance continued to be an issue and at the forefront of every enforcement operation and with every Vehicle Examiner whilst undertaking vehicle inspections. Defective vehicles were not acceptable and could not be excused and this, coupled with failing to complete basic vehicle inspection sheets was a continuing concern as not only had the Trade requested this, but it was a valuable tool that ensured the safety of the licensed vehicle.

Further proactive enforcement operations would continue to be undertaken to ensure that drivers, operators and vehicle proprietors took responsibility for their failures and

made appropriate changes as this was key to ensuring the safety of the travelling public.

RESOLVED that the report be noted and the Board place on record its thanks and appreciation to the staff within the Licensing Service and Smithies Lane Depot for all their hard work in undertaking enforcement activities and ensuring the continued safety of the travelling public and for the outstanding results currently being achieved.

44 CCTV in Licensed Vehicles

The Service Director Legal Services submitted a report providing an update of the work Licensing Officers had undertaken to appraise the case for the mandatory implementation of CCTV in Licensed Vehicles following the request of Cabinet on the 5th November, 2019 to examine whether or not this was feasible through the development of a business case.

It was noted that Local Government Association Guidance issued in January, 2019 reflected on approaches taken by Authorities that already mandated the use of CCTV Cameras and on the importance of balancing passenger safety and privacy as well as the position of the Information Commissioner and Surveillance Camera Commissioner as regulators. It was noted, however, that out of over 300 local authorities across the country, only 12 had a mandatory requirement for CCTV

The Guidance indicated that a number of matters required to be considered when implementing the mandatory use of CCTV and these were outlined within the report. Having considered this Guidance, however, it had been concluded that at present the Service would not be able to put forward a strong evidence base to justify the mandatory introduction of such cameras. Whilst Licensing Officers received a small number of complaints where CCTV would have assisted in helping to resolve issues, this in itself was not considered to be strong enough to justify their mandatory introduction.

The Service had also considered the cost implications, which could be significant for drivers/owners both for purchase, installation and maintenance and whilst CCTV provided an added safeguarding tool for both drivers and passengers it was felt that a strong evidence base was required before a sufficiently robust business case could be brought forward. It was acknowledged that public protection was paramount but it should be recognised and celebrated that there was no identified or pressing need for mandatory CCTV within Barnsley and that its introduction as a mandatory requirement could be seen as being excessively disproportionate.

It was proposed that Licensing Officers would actively monitor and record all requests for service where CCTV in a licensed vehicle would have been beneficial. This would be undertaken over a 12 month period and the results presented to Members for further consideration.

The report engendered a full and frank discussion during which matters of a detailed and general nature were raised and answers given to Members questions where appropriate.

Members noted that as part of the DoT consultation on Taxis and Private Hire Vehicle Licensing, which was to be discussed at the next agenda item, consideration

was to be given to the possible introduction of CCTV nationally. If implemented, mandatory requirements would be introduced which, at present were unknown. Members were encouraged to submit their comments on the consultation document to the Licensing Officer who would consolidate them as a formal response on behalf of the Authority. Taking account of this consultation as well as the evidence presented within the report, the general consensus was that whilst the introduction of CCTV would be welcomed there was currently no justification to require it as to do so could leave the Authority open to challenge. This view was not, however, shared by all Members present.

It was noted that a number of drivers had already installed their own CCTV in their vehicles. Several Members felt that drivers should be encouraged rather than mandated to introduce CCTV. It was suggested, however, that such an approach could lead to a 'two tier' approach which it was felt was inappropriate given the rigorous procedures in place to ensure that all drivers were fit and proper. Other members disagreed as they felt that this could lead to improvements in service provision and driving standards and that companies/drivers could use this as a marketing tool by being able to demonstrate that they went over and above the legal minimum required by the Authority.

Arising out of the above discussion, reference was also made to the safeguarding training provided for drivers. It was noted that whilst all drivers had received appropriate training and that this was also a mandatory requirement for all new drivers, there was currently no refresher training for existing drivers which, it was felt, should be considered.

RESOLVED that the active monitoring of complaints and investigations by Licensing Officers be approved with a view to assessing the need for the mandatory requirement for CCTV to be installed in all licensed vehicles.

45 Taxi and Private Hire DoT Consultation

The Service Director Legal Services submitted a report informing Members and seeking views on the draft Statutory Guidance issued to Taxi and Private Hire Vehicle Licensing Authorities on the use of licensing powers to protect children and vulnerable adults.

Members were asked to submit their comments to the Licensing by no later than 6th March, 2019 in order that a consolidated response could be submitted on behalf of the Authority. It was also reported that Members could submit their own individual comments on the consultation but in such circumstances they were still asked to submit their response to the Licensing Service so that these could also be incorporated.

Once the response was complete it would be copied to all Members of the Board for information.

RESOLVED that Members of the Board submit their comments on the consultation document to the Licensing Officer by no later than 6th March, 2019.

Chair

MEETING:	Statutory Licensing Regulatory Board
DATE:	Wednesday, 20 February 2019
TIME:	3.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors C. Wraith MBE (Chair), Daniel Griffin, W. Johnson, Lamb, Lofts, Newing, Saunders, Shepherd, Sumner, Tattersall, Williams and Wilson

9 Declaration of Interests

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

10 Minutes

The minutes of the meeting held on the 25th April, 2018 were taken as read and signed by the Chair as a correct record.

11 Enforcement Update

The Service Director Legal Services providing an overview of the work of Licensing Enforcement Officers undertaken recently in relation to the Licensing Act 2003.

(a) Immigration checks in Licensing Premises

In December 2018 Licensing Officers accompanied by Immigration Enforcement Officers had inspected two premises where intelligence had suggested that illegal immigrants may have been working and living on the premises and also to ensure that there was appropriate compliance with the Licensing Act 2003.

One of the premises had been fully compliant but three individuals had been arrested for working at the other and who were believed to be illegal immigrants.

It was likely that following the receipt of additional information from the Home Office that the premises involved may be subject to a licence review hearing.

(b) Illicit Tobacco

Licensing Officers together with Trading Standards Officers had visited a Town Centres licensed premises and had found a small amount of illegal cigarettes. This matter had been brought to the attention of the premises licence holder who had dismissed the member of staff concerned.

(c) Best Bar None

It was pleasing to note that Barnsley had been awarded for 'Best New Scheme' in this years prestigious 'National Best Bar None Awards' that had taken place at a special parliamentary reception at the House of Lords.

The Barnsley Scheme had been launched in 2017 following a significant investment by the Council to redevelop the area and create a modern and vibrant town centre for residents and visitors.

Judges had felt that the Barnsley focus on public health was commendable and initiatives in this vein had included awarding bonus points to licensed premises for offering five low sugar non-alcoholic options as well as signposting local drug and alcohol support services. Barnsley had also introduced a People's Choice award to give customers the chance to engage with the scheme and vote for their favourite pub .

The National Co-ordinator had said 'Barnsley Council is clearly focused on regenerating the area to create a modern and vibrant town centre and Best Bar Non plays a crucial part in that strategy. Very few schemes are led by the public health agenda and the measures that Barnsley has put in place to adopt a sensible drinking culture and to ensure that pubs, bars and clubs understand their role in that is admirable. We look forward to seeing the scheme go from strength to strength'.

(d) Pubwatch

Information was provided on the aims, objectives and operation of this scheme which promoted partnership working to tackle the offenders whose actions could cause real damage to the night time economy.

The Town Centre currently had about seventy individuals on its barring list which demonstrated that licensees were proactively tackling the problem behaviour and individuals and working to make the night time economy a better and safer environment for all involved.

In the ensuing discussion, the following matters were raised:

- With regard to the Best Bar None Scheme
 - It was disappointing that neither Licensing Officers nor the Chair of the Committee had been informed of the Best Bar None Awards that had taken place at the House of Lords given the amount of time, effort and work put into this scheme by the service. The Licensing Officer stated that these views would be made known so that this could be prevented in future
 - Members were reminded that all the training for the 2018 scheme had been undertaken in the Reception Room in the Town Hall
 - It was noted that arrangements were being made for the Best Bar None Scheme 2019. Further details of the launch would be made available shortly. With regard to the current
- There was a discussion of the terminology used in relation to immigrants which it was felt should be further clarified to determine whether or not they were illegal entrants to the UK or if they were immigrants working illegally.
- In relation to training in general, it was noted that a training course with an external provider was to be held on the 14th March, 2019. It was suggested

that investigations be made as to whether or not the training could be video recorded so that those unable to attend on the 14th could have access to at a later date. Thereafter, training would be provided 'in house' and further such training would be provided in May 2019 following the Municipal Elections and the allocation of places to Regulatory Boards at the Annual Council meeting.

- Arising out of the above, reference was made to whether or not 'immigrants' were working out of their own volition or whether this could be classed as 'modern slavery'. In this respect Members attention was drawn to training which was to be made available as part of the Safeguarding Awareness Week to be held in June, 2019
- There was a discussion of the illegal tobacco operation and to the fact that a recent BBC radio broadcast had indicated that some shops may be the 'front' for larger scale operations or organised crime. It was further reported that a large scale operation had taken place at a warehouse in Shafton
- The Board noted the success of the Pubwatch scheme and for the continued proactive enforcement that was undertaken throughout the year. Further details of the operation of the scheme would be made available within the next update report

RESOLVED:

- (i) That the Board place on record their thanks and appreciation to the staff within the Licensing Service for all their hard work in undertaking enforcement activities and ensuring the continued safety of the public and for the outstanding results achieved; and
- (ii) that update reports on all enforcement activity continue to be submitted to the Regulatory Board on a regular basis.

Chair

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Item 16

NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL

5th February, 2019

Present: Councillors C Wraith MBE (Chair), Daniel Griffin and Kitching together with Councillor Newing (Reserve Member).

Members of the Public and Press were excluded from all meetings.

1 Declarations of Interests

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

2 Hackney Carriage and Private Hire Driver's Licence – Determination – Mr S D

The Panel considered a report of the Service Director Legal Services requesting the determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr S D.

Mr S D was in attendance together with Mr M C (Hackney Carriage Association) who gave evidence in support of his case. The driver also submitted a written submission by Mr D W (Licensing Consultant) which gave evidence in support.

After considering all the information and representations made the Panel decided that the driver be allowed to retain his licence but that:

- The licence be suspended for one month
- He be required to undertake and pass (within three months at his own expense) the Council's Knowledge Test
- He be issued with a Final Written Warning which will be kept on file as to his future conduct

The decision of the Panel was unanimous

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

The Panel considered a report of the Service Director Legal Services on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr S C.

Mr S C was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided that the application be refused on the following grounds:

- The number, type and frequency of the offences committed including violent, drug, drink and driving related offences

- Whilst the applicant did not deny any of the offences, the Panel felt that in explaining the situation of each offence, he had been evasive and it took a lot of probing to find out what occurred on each occasion
- He had 7 convictions recorded on his DBS including 3 violent offences
- In committing these offences the applicant stated that these were not premeditated, they were, nevertheless, as a result of him reacting to situations. When dealing with a licence application, the main issue the Panel had to consider in ensuring public safety was how he would react to similar stressful situations
- Whilst the Panel gave him credit in that he presented himself well and for what he had done in the community, he nevertheless fell short of the Council's Guideline Policy and was not deemed 'fit and proper'

The decision of the Panel was unanimous.

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

The Panel considered a report of the Service Director Legal Services on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr P A.

Mr P A was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided that in view of the evidence submitted and, taking account of the manner in which the applicant presented himself, the applicant was a fit and proper person to hold such an licence and the application was granted for 6 months with review at the end of that period 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
- He entered the country as an asylum seeker in 2015
- He became a naturalised citizen in 2015 and, as such, had the right to live and work in the UK and he had undertaken employment whilst in the country
- He had an excellent command of the English Language
- Whilst resident in his country of origin he confirmed that he had no criminal convictions recorded against him
- His Enhanced DBS check had come back clear and had been since he came into the UK

The decision of the Panel was unanimous.

5th March, 2019

Present: Councillors C Wraith MBE (Chair), Daniel Griffin and Newing together with Councillor C Johnson (Reserve Member).

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

The Panel considered a report of the Service Director Legal Services on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr M R.

Mr M R was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided that in view of the evidence submitted and, taking account of the manner in which the applicant presented himself, the applicant was a fit and proper person to hold such an 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
- He entered the country as an asylum seeker in 2010 at the age of 17
- He became a naturalised citizen in 2017 and, as such, had the right to live and work in the UK
- He had an excellent command of the English Language
- He had held positions of employment and had attended and undertaken courses of study at College and one year at University
- Whilst resident in his country of origin he confirmed that he had no criminal convictions recorded against him
- His Enhanced DBS check had indicated that he had not accumulated any serious convictions and his only offence was a speeding offence in 2015 which was now spent

The decision of the Panel was unanimous.

6 Hackney carriage and Private Hire Driver's Licence – Application – Mr G K

The Panel considered a report of the Service Director Legal Services on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr G K.

Mr G K was in attendance and gave evidence in support of his case. He also submitted a report on Article 31 of the 1951 Convention relating to the Status of Refugees which the Panel deemed irrelevant in determining the case.

After considering all the information and representations made together with the limited information provided by the applicant the Panel decided that the application be refused on the following grounds:

- Whilst he confirmed that he had no criminal convictions recorded against him as a resident in his country of origin there was, nevertheless, insufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions in relation to migrant workers
- He had three dishonesty offences and a serious driving conviction, an offence which the Panel viewed as being extremely serious

- In relation to the three dishonesty offences, the Panel understood the reasons for this and whilst these were serious offences, the Panel gave less weight to them when arriving at its decision
- The Panel noted that with regard to the driving conviction, he would not meet the Council's Policy for being eligible for a Hackney Carriage and Private Hire Driver's Licence until December 2020

The decision of the Panel was unanimous.

7 House to House Collectors Licence – Application

The Service Director Legal Services submitted a report on an application for the grant of a House to House Collectors Licence by A.Ltd.

After considering all the evidence presented and, in the absence of any representations from the Company at the hearing to present information to support their case the Panel decided that the application be refused on the following grounds:

- In accordance with the House to House Collections Act 1939, the total amount to be applied for charitable purposes as a result of the collection (12%) was inadequate in proportion to the value of the proceeds likely to be received. The Local Authority would normally expect at least 95% of the proceeds to be given to charity or 90% if this was the first collection (allowing for set up costs) unless there were good reasons for an alternative percentage to be given
- The public were likely to be misled as to the purposes of the collection and the proposed costs to be paid from the proceeds of that collection bearing in mind that they would be donating in good faith and believe that the majority of the money or products donated would directly benefit the charity concerned
- The Company had not sufficiently explained how the collectors would be identified to households or whether or not they would be able to produce a letter of authorisation.

The decision of the Panel was unanimous.

Item 17

APPEALS, AWARDS AND STANDARDS REGULATORY BOARD

- (a) **School Admission Appeals Panel – 29th January, 2019**
- | | |
|------------------|------------------------|
| Birkwood Primary | 1 Allowed |
| Barnsley Academy | 2 Allowed
2 Refused |
- (b) **School Admission Appeals Panel – 1st February, 2019**
- | | |
|---------------------|-------------|
| Penistone Grammar | 3 Allowed |
| Burton Road Primary | 2 Withdrawn |
- (c) **School Admission Appeal Panels – 6th February, 2019**
- | | |
|----------------------|-----------|
| Joseph Locke Primary | 2 Refused |
| Oakwell Rise Primary | 1 Refused |
- (d) **School Admission Appeals Panel – 12th February, 2019**
- | | |
|---------------------|------------------------|
| Queens Road Academy | 1 Allowed
1 Refused |
|---------------------|------------------------|
- (e) **School Admission Appeals Panel – 7th March, 2019**
- | | |
|-------------------|------------------------|
| Lacewood Primary | 1 Allowed
2 Refused |
| High View Primary | 1 Refused |
- (g) **School Admission Appeals Panel – 8th March, 2019**
- | | |
|-------------------|-----------|
| Holy Rood Primary | 1 Refused |
|-------------------|-----------|
- (g) **Exclusion Review – 11th March, 2019**
- | | |
|--------------|-------------|
| Holy Trinity | 1 Adjourned |
|--------------|-------------|
- (h) **School Admission Appeals Panel – 13th March, 2019**
- | | |
|-------------------------|-------------|
| Outwood Academy Shafton | 1 Withdrawn |
| Outwood Academy Carlton | 1 Refused |

(i) School Admission Appeals Panel – 14th March, 2019

Holy Trinity

1 Refused
1 Allowed

(j) School Admission Appeals Panel – 19th March, 2019

Horizon College

1 Refused
1 Withdrawn

Appeals withdrawn prior to the allocation of a date

Athersley South Primary

5 Withdrawn

Burton Road Primary

1 Withdrawn

Oakwell Rise Primary

4 Withdrawn

Kirk Balk

1 Withdrawn

Holy Rood Primary

1 Withdrawn

Shawlands Primary

1 Withdrawn

Barnsley Academy

1 Withdrawn

Outwood Academy Shafton

1 Withdrawn

Athersley North Primary

2 Withdrawn

Laithes Primary

2 Withdrawn

MEETING:	Overview and Scrutiny Committee
DATE:	Tuesday, 29 January 2019
TIME:	2.00 pm
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

Councillors Ennis OBE (Chair), Bowler, G. Carr, Clements, Frost, Gollick, Daniel Griffin, Hayward, Makinson, Mitchell, Phillips, Pickering, Pourali, Sheard, Tattersall, Williams, Wilson and Wright together with co-opted member Ms K. Morritt

46 Apologies for Absence - Parent Governor Representatives

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

47 Declarations of Pecuniary and Non-Pecuniary Interest

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

48 Minutes of the Previous Meeting

RESOLVED that the minutes of the meeting held on 8th January 2019 were approved as a true and accurate record subject to a minor amendment to minute 44 to reflect that the service will provide information about how parents whose children are subject to exclusions are supported to challenge exclusions.

49 Provisional Education Outcomes for Children & Young People in Barnsley 2018

The following witnesses were welcomed to the meeting:

Nick Bowen, Principal of Horizon Community College and Joint Chair of Barnsley Schools' Alliance Board

Margaret Libreri, Service Director, Education, Early Start and Prevention, People Directorate, BMBC

Richard Lynch, Head of Barnsley Schools' Alliance, People Directorate, BMBC

Liz Gibson, Virtual School Headteacher for Looked After Children (LAC), People Directorate, BMBC

Councillor Sarah Tattersall, Cabinet Support Member for People (Achieving Potential)

The Service Director introduced this item, explaining that the report outlines the validated education outcomes for children and young people in Barnsley, broken down by pupil group, from assessments taken in 2018. The report provides an overview from the Early Years Foundation Stage (EYFS) (age 4/5) to Key Stage (KS) 5 (A-Level), including comparisons where possible, together with an initial picture of the statutory outcomes for 2018 of children placed in Barnsley's Corporate Care and

featured in the Statistical First Release (SFR) cohort for the academic year September 2017 to July 2018.

In the ensuing discussion, and in response to detailed questioning and challenge, the following matters were highlighted:

Members were reassured that subjects such as arts, languages and practical skills were not neglected at the expense of more academic subjects in order to meet Key Stage outcomes, although this may have happened in the past. Schools now do much more in terms of getting young people ready for life and the world of work and are actively exploring a much more diverse curriculum, with schools open into the evening. Holocaust Memorial Day was recently commemorated at Horizon in the evening and the event was open to all. There is now more focus on inclusion and a more diverse curriculum, particularly for children with special educational needs and those eligible for pupil premium funding. Primary schools in Barnsley focus on a broad and balanced curriculum and are particularly adept at taking up the rich cultural offer which Barnsley has to offer.

It was explained that changes to the Ofsted framework have helped in this area, with initiatives such as Progress 8 and Attainment 8 leading to a broader, more balanced curriculum, encompassing diversity in languages, arts, dance, drama and photography, to name but a few. It was highlighted that there is currently a push to increase the uptake of languages in Barnsley. Horizon is performing at above the national average in languages at 50% (the national average is 30%). Members agreed that education is a question of getting the balance right but that it seems the new framework is moving in the right direction.

It was felt that the 2.5 School Improvement Officer and Evaluation Officer posts are adequate to actively support schools to improve when coupled with Head teachers from across Barnsley who meet every month to support and challenge each other and to share best practice.

Looked after children can now access an enhanced educational package, with wider opportunities available through effective use of pupil premium funding and a more personalised 'package'. Schools receive £500 per child per term but this is not a personal budget and schools can decide for themselves how this should be spent, although the spending has to be evaluated in terms of effectiveness. Schools are also able to apply for additional funds.

The system for parents to take their children out of school on holiday was explained. Schools have to report such absences and parents are fined £60 per child, which comes back in to the service.

A Member reported that teacher sickness absence at Burton Road school had been much improved when teachers had been for a flu jab. This was also the case at Horizon.

A discussion took place around elective home education (EHE). There are a significant number of cases in Barnsley but there is no requirement placed on schools or the Education Authority to monitor these children, although the Education Welfare Service works with parents.

It was acknowledged that Barnsley's fixed term exclusion figures are high. In comparison to other South Yorkshire Authorities, Barnsley had the highest figure in terms of the average number of days lost per excluded pupil in 2017 and the greatest increase from 2016. The average number of days lost is above the England average and the increase is significantly higher than national and regional figures. The permanent exclusion rate for secondary schools in Barnsley increased again in 2017, with a greater increase than that seen nationally. Data suggests that off-rolling does not occur in Barnsley and any exclusions have to be properly documented.

Just two schools in Barnsley are responsible for the majority of exclusions and a lot of work is being done around behaviour and sanctions policies to bring this figure down. Sanctions should be used proportionately and this is now being done, with a greater emphasis on inclusion. Years 7 and 8 are proving to be the most challenging age groups. Schools do a lot of work with very difficult and challenging children. Exclusion is used as a last resort in cases of extreme behaviour.

Members expressed concern about the use of isolation units or 'internal' exclusion. It was reported that this is often done as a sanction to reintegrate the more challenging pupils and can lead to a reduction in the number of exclusions.

Children and young people are separated from their peers, don't go to lunch with friends etc. and this is proving to be effective. It was acknowledged that parents are made aware, in writing, of fixed term exclusions but are not informed of internal exclusions. In some cases the children and young people do not want parents to be aware of this. Schools keep a record of isolation information but this is not shared at a Local Authority level as schools have a degree of autonomy. Any request for this information would have to go through the Governing Body. Similarly, detention has been used as a sanction for a long time but the figures aren't published. More challenging pupils have to be removed from the classroom from time to time as their behaviour impacts on other pupils in the class who are wanting to learn.

Although schools do not publish this information, parents are able to ask for a meeting with the school if their child has had a lot of sanctions and to discuss a way forward. A Member felt that many excluded pupils may have a special educational need, with underlying issues, and it is crucial that sanctions are applied appropriately. Sanctions vary by school.

The practice of 'off-rolling' was discussed and Members were reassured that this does not happen in Barnsley and that the rise in children educated at home was not due to this practice. The rise may be due to a number of factors, including that when children experience problems at a school, parents often decide to withdraw them from school or transfer schools to avoid confrontation with the school. Lots of advice about home education can be found on social media, which is worrying, as it is not suitable for all children and may lead to a poor educational experience.

The Education and Health Care Plan (EHCP) system was explained. This works more effectively than in the past, where children were placed on long waiting lists for assessment. Children are now assessed by a multi-disciplinary team of professionals, which leads to a speedier diagnosis. The number of children with special educational needs has increased but there are now fewer identified in early years, with a spike in primary school. Schools are now better informed around behaviours and are better equipped to respond than in the past. Schools are more

proficient at requesting assessments, which may also explain the increase, as more plans are issued than in neighbouring authorities.

That said, there is still a huge amount of work to do for children on the Autistic spectrum, coupled with a need to increase parental confidence that mainstream schools can meet the needs of their children. Currently 72% of plans are issued within the agreed timeframe, which is a vast improvement as the percentage previously was 14%, rising to 50% before reaching current levels. An assessment takes place within 6 weeks, with 20 weeks to complete the plan. Performance is good by comparison to statistical neighbours. The quality of the parental experience is being looked at and steps are taken to ensure that the voice of the child is heard.

RESOLVED that:

- (i) Witnesses be thanked for their attendance and contribution
- (ii) The report be noted, and
- (iii) Enquiries be made as to the feasibility of schools sharing information with this committee regarding their use of isolation units within school

MEETING:	Overview and Scrutiny Committee
DATE:	Tuesday, 26 February 2019
TIME:	2.00 pm
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present Councillors Ennis OBE (Chair), Bowler, G. Carr, Frost, Gollick, Hayward, W. Johnson, Makinson, Phillips, Pourali, Tattersall, Williams and Wilson toge

50 Apologies for Absence - Parent Governor Representatives

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

51 Declarations of Pecuniary and Non-Pecuniary Interest

Councillors G Garr, Tattersall and Wilson declared a non-pecuniary interest in Minute 53 'Ofsted inspection of Local Authority Children's Services (ILACS) in Barnsley' and Minute 56 'Children's Social Care Performance Report' insofar as the discussion related to the Corporate Parenting Panel of which they were Members.

52 Minutes of the Previous Meeting

The minutes of the meeting held on the 29th January, 2019 were approved as a true and accurate record.

The Chair reported that information requested by the Committee at previous meetings in relation to Special Educational Needs and Disabilities (SEND) and Provisional Education Outcomes for Children and Young People in Barnsley 2018 had now been circulated by the Service Director Education Early Start and Prevention.

No further queries were raised by the Committee.

53 Domestic Abuse Services in Barnsley

The following witnesses were welcomed to the meeting:

Wendy Lowder – Executive Director – Communities
 Councillor J Platts – Cabinet Spokesperson – Communities
 Jayne Hellowell – Head of Commissioning & Healthier Communities
 Rosemary Clewer – Commissioning Manager – Stronger, Safer & Healthier Communities
 Sam Goulding – Project Manager – Independent Domestic Abuse Services (IDAS)
 Acting Detective Inspector (ADI) Adrienne Sheekey – South Yorkshire Police

The Executive Director Communities introduced this item by giving a brief overview of the progress so far on the local commissioned response to domestic abuse together with the current climate in Barnsley. The Committee also received case studies and real life accounts of the impact that agencies could have on the lives of

victims by working collaboratively through the MARAC (Multi Agency Risk Assessment Conference) process together with information on the Domestic Abuse Public Awareness Campaign.

The Executive Director commented on the success of the project and of proposals for developing the service in the future. She commented that the arrangements were seen as a model provision being one of the best, if not the best in the region.

In the ensuing discussion, and in response to detailed questioning and challenge, the following matters were highlighted:

- The ways in which people could access the service was outlined and particular reference in this respect was made to re-referrals and self-referrals. Arising out of this discussion reference was made to emotional and therapeutic recovery options and the special arrangements in place to deal with children and young people by the involvement of specialist teams/services including Social Care
- There was a discussion of multi-agency involvement and of the ways in which a common/unified approach was ensured. This was achieved in a number of ways including having appropriate governance arrangements in place (which was seen as a key element), appropriate reporting arrangements and a true partnership approach. Particular reference was made to the Multi Agency Risk Assessment Conference (MARAC) which was a meeting between different statutory and voluntary sector agencies where information on the highest risk cases of domestic abuse was shared
- Reference was made to future plans and challenges and particularly the arrangements for training which were welcomed.
 - It was particularly pleasing to note that an organisation called Human Kind was to deliver a training programme to develop professionals' skills in working with men as victims. It was also suggested that specific focused training should be provided for Elected Members
 - Arising out of the above, reference was made to the 'Speak Up' Campaign details of which were outlined within an appendix to the report. This campaign aimed to get the message across that domestic abuse would not be tolerated and that individuals suffering such abuse would be encouraged to speak up and would be listened to by all services involved
 - Once an instance of domestic abuse had been identified arrangements were in place to ensure that the individual(s) concerned were referred to the most appropriate agency to deal with the specific issues raised. Training had been put in place to ensure that all agencies involved were aware of such arrangements
 - Arrangements had been put in place to ensure that all employees entering domestic premises (such as those in Berneslai Homes Construction Services) had been trained in spotting instances of domestic abuse
 - It was reported that a conference had been held in 2018 for local businesses/employers. The aim of this had been to raise the awareness of domestic abuse, to check whether or not employers had the necessary policies and protocols in place and to ensure that they knew what action to take in the event that an instance of domestic abuse was discovered

- The ways in which children and young people could report issues was outlined. It was noted that a lot of work had been undertaken with schools on this and arising out of this, reference was made to the work of young person's domestic abuse advisors
- Reference was made to the successful bid made to the Ministry of Justice for capital funding of £250,000 to develop a new women's centre with accommodation which was to be developed in collaboration with partners and providers:
 - The matched funding arrangements were touched upon and the centre would provide access for women to drop in to talk about issues including those emanating from the 'Speak Up' Campaign.
 - Women would be able to access counselling and training opportunities.
 - It was also hoped that a social enterprise could perhaps provide a crèche and a café.
 - An additional four units of accommodation were to be provided to ensure that women subject to domestic abuse had access to a place of safety
 - No specific site had been identified, however, it would be on a good bus route and the site would be chosen in liaison with the Police
- In response to specific questioning regarding hours of operation, it was reported that South Yorkshire Police were always available for victims of abuse and arrangements would be made for overnight accommodation for victims and their families. Concerns were expressed about financial restrictions and questions were asked as to whether or not appropriate responses would continue to be made prior to an issue escalating. In response Acting Detective Inspector Sheekey outlined the ways in which calls were logged and triaged to respond. She went on to describe the steps that could be taken as a result of any complaints received about inappropriate response times so that lessons could be learned. She pointed out, however, that after investigation, not all response times were judged to be inappropriate and that each request for response was taken on its own merits. It was noted that alongside the Women's Centre, a telephone helpline was available until 11.00 pm seven days a week – this enabled services the opportunity to identify where vacancies were available across the country and ensure that victims did not have to wait unduly for support
- The work of the Independent Domestic Abuse Service (ISAS) was referred to and the rationale for adopting this arrangement was outlined. It was particularly noted that other Authorities were now looking to the Barnsley approach as a model of excellence. Sheffield City Council had also awarded the contract to IDAS and this service was to be rolled out from 1st April, 2019
- The difficulties associated with referrals from the LGBTQ section of the community were referred to. It was noted that the service worked hard to understand barriers that prevented people from accessing services they required
- Reference was made to the way in which the quality and equity of provision could be ensured bearing in mind that referrals could come from a variety of sources
- The service was working hard to change 'hearts and minds' so that domestic abuse was seen to be perceived with the same stigma and as offensive as 'drink driving'

- The Committee were pleased to hear that Claire Throssell has become an ambassador for IDAS. Her relentless campaigning had come about as a result of her abusive husband killing her two sons in a house fire in Penistone. She was also helping to raise the Speak Up campaign through the media.

RESOLVED:

- (i) that the report be noted and that witnesses be thanked for their attendance and contribution and for answering Members questions; and
- (ii) that training be provided for Elected Members on Domestic Abuse.

54 Ofsted Inspection of Local Authority Children's Services (ILACS) in Barnsley

The following witnesses were welcomed to the meeting:

Rachel Dickinson – Executive Director - People
 Mel John-Ross – Service Director – Children’s Social Care & Safeguarding
 Margaret Libreri – Service Director, Education, Early Start & Prevention
 Councillor Cheetham – Cabinet Member for People (Safeguarding)
 Councillor Saunders – Cabinet Support Member for People (Safeguarding)

The Executive Director People introduced this item by explaining that following an Ofsted Inspection of Children’s Services on the 8th – 19th October, 2018 Barnsley’s Children’s Social Care (CSC) Services had been judged to be ‘good’ across all areas with only four recommendations being made. She asked to place on record her thanks to all staff and to Elected Members for their dedication and hard work in helping to secure such a fantastic achievement.

The Committee received a joint report of the Executive Director Core Services and Executive Director People summarising the main findings of the Inspection and the full Ofsted report was appended.

In the ensuing discussion and in response to detailed questioning and challenge, the following matters were highlighted:

- In response to specific questioning, the Committee was informed of the changes introduced to the Service’s IT system to ensure that it was fit for purpose. It was noted that this was a bespoke service tailored to the needs of Barnsley and was also used by Stockport. Staff within Children’s Social Care Services had all benefited from the provision of new devices so that they could now work flexibly and remotely and this had made a significant difference to efficient working practices
- It was noted that there were strong multi-agency partnerships within the Borough which ensured good participation at child protection conferences, with children offered the opportunity to have advocates to support them. There was political commitment and financial investment and self-evaluation showed that leaders knew their services well. There was also a commitment to protect the budget as well as continued investment
- Work was now progressing on the four outstanding Ofsted recommendations
 - The Action Plan had been prepared and submitted

- Recommendations for improvement were being managed and progressed within the Service Improvement Plan
- Work was progressing within the Barnsley Safeguarding Children Board which had agreed a strategy and resource allocation to address all forms of child exploitation which included appropriate training
- Risk assessments were being undertaken to ensure that there was a better understanding of the wider risks to which young people were exposed in the community including the timeliness, appropriateness and quality of return to home interviews in situations where children were reported missing from home and in care. It was anticipated that a preliminary report on the findings of meetings held with appropriate staff and agencies would be available by the 8th March, 2019
- It was reported that significant progress had been made in the timeliness of the Section 47 assessments. Arising out of the discussion, reference was made to recent audits which indicated that in relation to Private Fostering, no children were seen to be at risk of harm and that the appropriate arrangements were robust
- Members in expressing their congratulations to the Executive Director People and her staff for their hard work and dedication in the progress that had been made since the previous Ofsted inspection questioned how this momentum was to be maintained.
 - The Executive Director commented that this was a team effort and needing to ensure that the right staff were in post
 - She commented that there was a tried and tested architecture in place to ensure continuous improvement both within the Authority and with Partners
 - In relation to future resourcing, she commented that the Authority had invested, and continued to invest additional resources into the Service and it was important in the future to look to protect those resources notwithstanding the fact that difficult decision would have to be made
 - Early intervention was key and the benefits of this could be demonstrated by the way that services had been shaped and developed from 2015/16 in relation to Children's Centres and the shaping of Family Support Services
 - In addition she felt that the scrutiny process was key in ensuring developments took place and continued into the future as the Committee acted both as a critical friend but also held her and her staff to account and offered significant challenge
- It was noted that Ofsted had determined that children and families benefit from a good early help offer. The Service had been redesigned to be delivered through a family centre 0–19 model and this ensured a more equitable distribution of targeted support at the heart of communities and where it is most needed. It was also noted that a Select Committee report recently published indicated that the first 1,000 days of a child's life were critical to that child's success and this view was shared by witnesses present. It was felt important, therefore, that despite difficult funding decisions, work with early years should be continued as this was deemed to be critical. The Executive Director reported on the significant progress made by the authority to ensure that children were 'ready for school' and the benefits of this could not be overestimated. She commented that Barnsley had a network of support for families in early years and beyond. Arising out of this discussion, reference was also made to the impact of good early help services

- Ofsted had commented on how Barnsley schools worked with other services and agencies to improve the safety and educational outcomes of pupils. There was, however, always a need to improve the outcomes of vulnerable pupils (those with SEND, Free School Meals, Pupil Premium etc.) and the way in which the Service used available data to measure successful outcomes was outlined
- In response to detailed questioning the Executive Director outlined how the Service had addressed gaps in mental health provision through a respectful challenge to the Clinical Commissioning Group (CCG). This had contributed to an improvement in timeliness for access to the child and Adolescent Mental Health Services (CAMHS) initial assessment, and senior managers from both services who were jointly tracking timeliness of interventions offered by CAMHS. Some children in care who required direct mental health provision and support had not been receiving a timely enough service for treatment and following appropriate meetings between all involved it was pleasing to note that performance was now continually improving. The CCG was keen to ensure the best possible service locally and had commissioned a review into the work of CAMHS, the outcome of which would be key in driving performance improvements
- Arising out of the above, reference was made to pre-birth and milestone assessments and the work undertaken by Public Health Nursing and Early Help Services in ensuring that appropriate support was in place was outlined
- The support to care leavers and those leaving education was outlined. It was noted that a National Government Advisor had been impressed with the services available and Barnsley had been held up as an example of good practice. It was essential that services were individually tailored for the child/leaver concerned and that they were appropriately supported so that they could fulfil their aspirations
- The Executive Director commented that an aspirational audit had been undertaken of Y9 pupils in care. It was important to ensure early intervention, to engage pupils in the curriculum and with school, to improve the quality and access to post 16 education and improve the care leaver experience by providing links to both education and employment offers
- Questions were asked about Social Worker retention and recruitment given that some authorities appeared to be increasing the number employed. The Executive Director commented that Ofsted had commented on the good work undertaken by Social Workers. The majority of Social Workers lived and worked in Barnsley and were proud to work for the Authority. They also felt valued and supported. The Authority undertook an annual Social Worker 'health check' and over three years there had been significant improvements in provision. Their casework had been reviewed and the workload was now manageable, however, the workforce would be kept under review to ensure that there were sufficient staff in post

RESOLVED that the report be noted and that witnesses be thanked for their attendance and contribution and for answering Members questions.

55 Exclusion of the Public and Press

RESOLVED that the public and press be excluded from the meeting during the consideration of the following item because of the likely disclosure of exempt

information as defined by Paragraph 1 of Schedule 12A of the Local Government Act 1972 (as amended).

56 Children's Social Care Performance Report

The Following witnesses were welcomed to the meeting:

Mel John-Ross - Service Director, Children's Social Care & Safeguarding, BMBC
Cllr Saunders - Cabinet Support Member – People (Safeguarding)

The Service Director introduced this item and gave an overview of performance indicators for children's safeguarding and social care up to the end of December 2018. It was reported that although there are no significant changes and performance remains good across children's social care, there are some seasonal and monthly fluctuations. Barnsley's rating for adoption is 'outstanding' but there was always more to do.

In the ensuing discussion, and in response to detailed questioning and challenge, the following matters were highlighted:

- The proportion of Section 47 investigations converting to child protection conferences had decreased notably and was the lowest ever reported, however, the number of investigations ending in no further action had increased to the highest level reported
- It was noted that reporting on the timeliness of initial child protection conferences were within 15 days and was now in line with the national definition
- The number of children in care were still relatively low compared to other authorities
- Information was provided with regard to a recently introduced performance measure embedded into the CSC Monthly Reporting Process in relation to Visits to Care Leavers which indicated that performance improvements had been made. There were no reasons to believe that this would not be sustained
- Reference was made to the success of the Christmas dinner for Care Leavers and to the benefits this had made particularly for the morale of such leavers. It would be nice if this could be repeated this year

RESOLVED that:

- (i) Members note the report, and
- (ii) Witnesses be thanked for their attendance and contribution.

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Item 20



MEETING:	Central Area Council
DATE:	Monday, 14 January 2019
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors Riggs (Chair), D. Birkinshaw, P. Birkinshaw, Bowler, Bruff, G. Carr, K. Dyson, M. Dyson, W. Johnson, Mitchell, Pourali, Williams and Wright.

24. Declaration of Pecuniary and Non-Pecuniary Interests

Councillor Williams declared a non pecuniary interest in minute numbers 26 and 27 due to his membership of YMCA.

25. Minutes of the Previous Meeting of Central Area Council held on 14th November, 2018 (Cen.14.01.2019/2)

The meeting received the minutes from the previous meeting of Central Area Council held on 14th November, 2018.

The Chair provided an update with regards to information received from Keep Britain Tidy. The information had been passed through to Community Development Officers for consideration by the Ward Alliances in the area.

Members were made aware of arrangements for the Central Area Council Celebration Event, which was due to take place on 28th March, 2019. Members were asked to consider who they may wish to nominate for an award.

RESOLVED that the minutes of the Central Area Council held on 14th November, 2018 be approved as a true and correct record.

26. Presentation by YMCA (Cen.14.01.2019/3)

Andrea Battye and Emma Turton were welcomed to the meeting.

Members were reminded of the work of the YMCA and of that work undertaken as part of the commission to 'build emotional resilience in young people aged 8-14' in the Central Area. 10 sessions per week had been held, with two being undertaken in each ward. These were often after school, twilight or evening session, but provision was also delivered during school holidays.

Activities undertaken were arrived at through consultation with young people, and the commission also included provision to encourage peer support, and volunteering.

The service was open access, but targeted to ensure those most requiring support benefitted from it. In doing so the project aimed to provide intervention early, preventing issues from escalating.

Since the commission went live, all targets had either been met or had been exceeded. Evaluation of the impact of intervention was also undertaken continuously, with plans to develop the methodology to further evidence this.

Members were provided a range of case studies, detailing the work undertaken in each ward, and the impact this had on a number of young people's lives.

Members praised the work of the project, and enquired as to whether it had any additional capacity. It was noted that the project was oversubscribed and working beyond its original capacity, with pressure due to the impact of cuts to other services. However reviews were regularly undertaken to ensure those who required the service did benefit from it.

Questions were raised in relation to the relationship with other groups and organisations, and it was noted that there were strong relationships with a variety of agencies in the area. Young people are referred between agencies, and a primary source of referrals was social services.

RESOLVED that thanks be given to staff at the YMCA for the presentation and for their continued hard work on the project.

27. Procurement and Financial Update (Cen.14.01.2019/4)

The Area Council Manager introduced the item by presenting an overview of the current priorities of the Area Council. It was suggested that a review of the priorities was timely in order to ensure the Area Council budget was used effectively. It was suggested that a task and finish group be convened to undertake the exercise, with a representative from each ward attending. A suggestion was made to consider how the priorities supported the Town Spirit campaign, which was endorsed by Members. A report of the outcome of the group would be considered at the Area Council in March, 2019.

Members were reminded of the contract currently held by YMCA, which was in the second year of operation. It was acknowledged that the original procurement allowed for one further period of extension of 12 months, which required approval by the Area Council. This was supported by Members.

Those present heard how recruitment had taken place for the officer to deliver the service to support new tenants in the private rented sector, with the officer starting on 19th November, 2018. The officer was currently undertaking their induction programme, and had also familiarised themselves with the area, including hotspots. A number of meetings with landlords and letting agents had also taken place.

An update was provided in relation to the service to address household flytipping in the Central Area. An officer had been recruited and had taken up post on 19th November, 2018. They had undergone an induction and delivery had started in earnest. Members noted that a steering group meeting had identified a number of hotspots, which were currently in the process of being cross referenced with the Safer Neighbourhood Service.

Preliminary feedback was positive about the proactive and reactive work undertaken so far.

In relation to the procurement of a further Clean and Green Service, only one provider had tendered to deliver the service. However, a tender panel had fully evaluated the return, scoring the submission highly. Twiggs Grounds Maintenance had been awarded the contract. A contract inception meeting had been arranged to take place in late January, 2019, with the contract starting in March, 2019.

The procurement of a Peri-Natal Emotional Wellbeing Home Visiting Service, had been successful, with four organisations providing a submission. Family Lives was the successful organisation and the contract had commenced 1st January, 2019, with interviews for posts taking place in early February. Members heard that the organisation is a national charity with 30 years of experience in the field.

Members discussed how residents may access the service, and it was noted that many referrals would come from the midwifery service, but there would opportunities for self-referral. Part of the mobilisation of the contract included widespread promotion of the service.

In relation to the contract to procure an Environmental Enforcement Service, Members heard how four organisations had tendered, with District Enforcement scoring highest. Members noted that there would be a period where Kingdom Security, BMBC Enforcement and District Enforcement all worked in the Central Area, including the Town Centre, and meetings had been arranged to ensure that responsibilities were clear. The ability of the public to identify officers was also felt to be important.

Members noted that TUPE applied to staff employed under the existing Environmental Enforcement Contract, and it was agreed that careful management was required to ensure that any issues raised in regards to the current contract were address as part of the new contract.

The attention of Members was drawn to the financial overview provided in the appendices to the report. For 2019/20 and indicative balance of around £24,000 remained, with around £260,000 for 2020/21.

Members noted the impact of inflation on the delivery against Central Area Priorities, and it was acknowledged that this was being considered by Area Chairs' meetings.

RESOLVED:-

- (i) that the overview of the current priorities of Central Area Council be noted, and the process outlined in the report for reviewing these be adopted;
- (ii) that the overview of all Central Area Council's current contracts, contract extensions and Service Level Agreements be noted;
- (iii) that the continuation of the service to build emotional resilience and wellbeing in children and young people aged 8-14 years be approved for a further period of one year (1st April 2019-31st March 2020) at a cost of £130,000;
- (iv) that the updates regarding the outcome of recent exercises to procure a Clean and Green Service; Peri-natal Emotional Wellbeing Volunteer Home Visiting Service; and Environmental Enforcement Service be noted;
- (v) that the financial position of the Area Council for 2018/19 and the projected future expenditure be noted.

28. Central Area Council Wellbeing Fund (Cen.14.01.2019/5)

The Area Council Manager reminded Members of discussion at the previous meeting of the Area Council, where the development of a Wellbeing Fund had been supported. Members heard how a task and finish group had been convened to consider criteria and guidance for the fund. On 6th December, 2018 the group met, with representation from each ward, and from the Healthier Communities Service, who had agreed to contribute to the fund.

The task and finish group had developed documentation, and recommended that awards be granted from £5-30,000, with higher only to be awarded in exceptional circumstances. It was considered essential to ensure that there was delivery in each ward in the area.

A figure of £90,000 from the Area Council was suggested, together with £34,000 from the Healthier Communities Service to provide a total fund of £124,000. It was suggested that awards be given for one financial year, and was noted that applications would need to address the criteria circulated. Members noted that the criteria included consideration of the sustainability of the intervention after the initial funding period.

Members noted the proposed timeline for implementation, with a workshop arranged for interested parties to find out more.

RESOLVED:-

- (i) That a Central Area Council Wellbeing Fund for 2019/20 be established as detailed in the report;
- (ii) That authorisation be given to the Executive Director Communities to approve Central Area Council Wellbeing Grants to a total value of £124,000 (£90,000 from Central Area Council and £34,000 from the Healthier Communities Service), following consultation with the Central Wellbeing Fund Evaluation Panel, and ensuring coverage across the area.

29. Notes of the Ward Alliances (Cen.14.01.2019/6)

The meeting received the notes of the following meetings of the Ward Alliances within the Central Area:-

Central Ward Alliance held on 24th October and 28th November, 2018;
Dodworth Ward Alliance held on 23rd October, and 27th November, 2018;
Kingstone Ward Alliance held on 7th November, and 12th December, 2018;
Stairfoot Ward Alliance held on 12th November and 10th December, 2018;
Worsbrough Ward Alliance held on 18th October, 29th November, 2019.

RESOLVED that the notes from the Ward Alliances be received.

30. Report on the Use of Ward Alliance Funds (Cen.14.01.2019/7)

Members considered the report, previously circulated.

RESOLVED that the report be received.

-----Chair

MEETING:	North Area Council
DATE:	Monday, 21 January 2019
TIME:	10.00 am
VENUE:	Meeting Room 1 - Barnsley Town Hall

MINUTES

Present

Councillors Leech (Chair), Burgess, Cave, Charlesworth, Lofts, Miller, Newing, Pickering, Platts and Tattersall

30 Declarations of Pecuniary and Non-Pecuniary Interests

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

31 Minutes of the North Area Council meeting held on 19th November 2018

The Area Council received the minutes of the previous meeting held on 19th November 2018.

RESOLVED that the minutes of the North Area Council meeting held on 19th November 2018 be approved as a true and correct record.

32 Items for information

Deferred to next meeting.

33 Commissioning, Project Development and Finance Update - update financial profile

The Area Council Manager introduced this item, highlighting the various projects commissioned by the Area Council in line with priorities. These included the success of the Housing Migration Officer post, which works well from Royston Police Station. The contract for this post has been extended for a further 12 months from 22nd January 2018. The Opportunities for Young People project, highlighted in the report, is also very successful. It was pointed out that the contract for the Social Inclusion Project went 'live' on 1st January, with a 'soft launch' for the service planned for 31st January.

A new funding opportunity for the Stronger Communities Grant is currently out to advert, with a closing date for applications of 25th January. Members were encouraged to ensure any applications they are aware of are submitted as a matter of urgency.

The Area Council Manager reported that there is an underspend of approximately £189,028 for 2018/19, which includes underspend from previous years.

RESOLVED that:

- (i) Members note the existing budget position and forecast for funding commitments;
- (ii) Members note the update on the Social Inclusion and Fuel Poverty Reduction inception phase together with the report (included on the as a separate item) regarding the continuation of hOurbank, and
- (iii) Members note the current financial position.

34 Area Magazine continuation

The Area Council Manager provided Members with background information and outlined the challenges experienced through the commissioning, production, design stages and delivery of the community magazines across all five Area Councils. There have been issues regarding the quality of the magazine and the design and production processes, as highlighted within the report. A discussion took place regarding alternatives to production together with options for a way forward.

RESOLVED that:

- (i) Members note the report and implications therein, and
- (ii) A Workshop be organised to fully explore possible options in more detail.

35 Wellbeing grants - Public Health

The Area Council Manager introduced this item, advising that there is additional funding available to address Health and Wellbeing, courtesy of the Wellbeing Service Grant Fund from the Healthier Communities Team within Public Health. A discussion took place regarding the need for the funding to be targeted and cover all four wards– for example smoking cessation. The funding is based on lower SOA, which means that the North Area is eligible for £19,359.05 of funding and needs to be spent addressing the themes highlighted within the report – i.e. ‘Connect’, ‘Be Active’, ‘Take Notice’, ‘Keep Learning’ and ‘Give’. Members discussed the options for funding, including smoking cessation, cancer and teenage pregnancy. It was highlighted that whatever project is funded, this should involve all four wards within the Area Council.

RESOLVED that:

- (i) Members approve the recommendation to incorporate the additional Wellbeing Service Grant funding into the Stronger Communities Grant approval process for 2019/20;
- (ii) A Member of the Public Health Team sit on the North Area Stronger Communities Grants Panel in an advisor capacity in order to help identify and recommend projects that specifically address the Five Ways to Wellbeing and the Public Health and Wellbeing Outcomes, and
- (iii) Any Wellbeing Service Grant Funded project recommended for funding will be monitored in the same ways as other Stronger Communities Grants funded projects
- (iv) A workshop be arranged to explore options in more detail, in conjunction with the Public Health Advisor, ensuring the chosen project is delivered in all four wards.

36 Continuation of hOurbank

The Area Council Manager outlined the background to the hOurbank project, highlighting that £10,000 remains unallocated from the social isolation and cold homes service and which Members had provisionally agreed to use to increase the contract value of the DIAL's Warm Connections contract to enable them to deliver hOurbank as a complimentary provision to their core Social Isolation and Warm Homes contract.

A discussion took place around the relative merits of the project, which is delivered in the St Helens Ward and has been very successful. It was felt that the project should be delivered across all four wards of the North Area Council.

RESOLVED that:

- (i) The North Area Council will fund DIAL to deliver the hOurbank project as a complimentary provision running alongside the Social Isolation and Cold Homes service.
- (ii) The Area Council Manager will investigate the possibility of running the project across all North Area Council wards and will feed back to Members.

37 Report on the use of Ward Alliance Funds

The Area Council Manager updated the North Area Council regarding the financial position of the Ward Alliance budget for each ward for the 2018/19 period. Members were advised to ensure that further projects requiring funding should now be a priority so that the funding is used within the financial year.

A Member felt that the process was unduly complicated and that the need for matched funding in volunteer time could be a barrier to some projects. There also seems to be some reluctance from community groups to apply for funding.

RESOLVED that each Ward in the North Area Council area prioritises the efficient expenditure of the Ward Alliance Funds 2018/19 in line with the guidance on spend.

38 Notes from the area's Ward Alliances

The meeting received the notes from the Darton East Ward Alliance held on 9th October, 13th November and 11th December; Darton West Ward Alliance held on 5th November and 10th December; Old Town Ward Alliance held on 6th November and St Helen's Ward Alliance held on 8th November.

Darton East – It was reported that the Christmas lights switch on events were very successful. Planning is now underway for the Tour De Yorkshire events in the summer, as the race will be passing through Mapplewell on Friday 3rd May 2019. A meeting will take place at Mapplewell Village Hall on 22nd January at 6 o'clock. It had been suggested that there should be an open forum once a month run by the business community to which a local councillor should be invited.

Darton West – Christmas events had been very successful. The Darton Stars Awards ceremony will take place on 15th March at Barnsley Town Hall. There will be a problem with Christmas lights at Barugh Green lights this year as the local business which sponsored them is moving out of the area and will no longer be able to store them safely during the year either. Members felt that the Council should provide the storage. The Visit Darton project is doing really well, with funding in place to encourage spending in Darton. Birthwaite Hill is now being resurfaced. Local history groups, including the Heritage trail, are well supported by the Ward Alliance, and link to the Visit Darton project.

Old Town – It was reported that the Christmas events had taken place successfully despite the very windy conditions when children were helping to decorate the smaller tree. The planted trees were very small and Members felt that the decorations may be too big for the trees but larger trees would be more expensive. It was felt that permanent trees were a better use of public money than trees which were thrown away every year. Funding for Cresswell Street, Hollingsworth Park is being explored. A long term project is planned for the Fleets area. It is hoped that the project will be led by Yorkshire Wildlife Trust and involve lots of volunteers to ensure that the area is well maintained for future generations. Barnsley College and ASDA are also engaged.

St Helen's – It was reported that the community bonfire and healthy holidays events across the ward had been very successful. A 'sloppy slippers' health event is planned for February and planning for the gala is underway. The new Ward Alliance Framework will be taken to the next meeting. There were four fantastic Christmas events across the ward, including light switch-ons and the memory tree, which were well supported by ward alliance members and local organisations. The Community church hall was used for one of the events free of charge.

RESOLVED that:

- (i) Ward Alliance members be thanked for their hard work and volunteering commitment and
- (ii) The notes of the respective Ward Alliances be noted.

Chair

Item 22



MEETING:	Dearne Area Council
DATE:	Monday, 21 January 2019
TIME:	10.00 am
VENUE:	Meeting Room, Goldthorpe Library

MINUTES

Present Councillors Noble (Chair), Gollick, C. Johnson and Phillips

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

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

30 **Minutes of the Previous Meeting of Dearne Area Council held on 26th November, 2018 (Dac.21.01.2019/2)**

The meeting received the minutes from the previous meeting of Dearne Area Council.

RESOLVED that the minutes of the Dearne Area Council meeting held on the 26th November, 2018 be approved as a true and correct record.

31 **Performance Report Q3 (Dac.21.01.2019/3)**

The Area Council Manager introduced this item, by stating that all commissioned services had performed well during quarter 3 with no significant concerns about targets being met.

With regard to Environmental Enforcement it was noted that the contract had performed well throughout the quarter with 69 Fixed Penalty Notices being issued for littering (62) and Dog Fouling (7) and 6 Penalty Charge Notices issued for Parking. Prosecutions were continuing for Littering and Dog Fouling with a 99% success rate in court. A growing concern was the inability to pursue all offenders who failed to pay. To date revenue raised from Fixed Penalty Notices this quarter was £2,000. It was again noted that the Kingdom contract would come to an end after the next quarter.

The Housing and Migration Officer was continuing to work proactively and in quarter 3 had dealt with 153 initial contacts, 32 of which had been identified as vulnerable households and 52 signposted to other services. There had been 10 property inspections and 5 campaigns and there had been the largest letter drop ever. In response to questioning, it was agreed that Members be kept informed of the areas targeted.

As a result of previous meetings, discussions and walk-a-bouts in the Beaver Street area throughout 2018 the officer had also undertaken a Street Survey of the surrounding streets. The issues identified were being addressed with landlords and residents.

Twiggs had not met their social action objective of working with established groups this quarter possibly because of the Christmas/Winter quarter but plans were in place

to address this within quarter 4. The number of impact sessions delivered to groups and schools was lower than would have been liked and this was also to be addressed in quarter 4. It was also understood that the Dearne Advanced Learning Centre was keen to undertake social action events in association with Twiggs.

The Chair reported that a meeting was to be held with the Godthorpe Development Group tomorrow which it was hoped would also facilitate the involvement of Dearne ALC. Other members asked to be informed of feedback on interaction with residents and the Area Manager commented that feedback reports were always provided and could be made available.

The Area Manager also gave details of a Work Experience Placement which had resulted in a candidate securing employment. She went on to outline the types of targeted work undertaken by the team together with the work with established groups which had resulted in residents informally adopting planted areas. Arising out of this discussion, the Link Officer referred to the importance of logging the adoption of such areas with Neighbourhood Services in view of the need for that Service to reduce maintenance responsibilities in the future as a consequence of future spending restrictions.

The B-Friend project was receiving low numbers in terms of referrals into the service but the team were liaising with partners and other potential referrers in order to elevate this. Whilst the Service had only been up and running since October 2018, it was noted that there were 38 volunteers registered and further referrals were awaited. In the next week, consideration was to be given to impact assessment tools/arrangements for the service.

The Area Council Manager then referred to the performance of projects funded through the Dearne Development Fund.

It was noted that the defibrillator placed at the Bolton on Dearne Ex Service Men's Club had only been installed for a very short period of time but had been used on at least two occasions. This demonstrated the importance of such a facility.

Dial had delivered 11 sessions at Godthorpe Library to 68 residents. Most issues raised related to debt, benefits and housing issues. This was a much needed service and additional sessions had been arranged in view of the demand.

The Goldthorpe Development Group was really working well with between 70-90 residents attending each session. Many volunteers were willing to assist and funding for the project was available until December.

The Dearne Electronic Community Village within the last quarter had assisting 27 individuals on the ICT and Employability Support Sessions and 5 had obtained employment with many more obtaining interviews. Arising out of this, reference was made to, and there was a discussion of, the need to ensure future resilience of this initiative given the limited staffing resource available. Reference was also made to the possible future commissioning of future initiatives and the possible development of apprenticeships.

RESOLVED that the report be noted

32 Dearne Area Council Procurement and Financial Update (Dac.21.01.2019/4)

The Area Council Manager introduced the item, reminding Members of the starting balance at the beginning of the financial year, which stood at just over £208,000. The Area Council had agreed to continue with the environmental enforcement, private sector housing and environmental, education and volunteering service and had allocated £65,000 to the Dearne Development Fund in order to meet area priorities. In addition, matched funding had been approved with Nesta for the social isolation project bringing total spend during 2018/19 of £210, 579.76, a slight overspend of 32,111.80. It was anticipated that the finance accrued from Fixed Penalty Notices would more than cover this deficit.

To date for 2019/20 the Area Council had agreed to commission and fund the education, environment and volunteer service, housing and Migration officer and community newsletter for which just over £119,500 had been allocated. A detailed financial breakdown was appended to the report

With regard to the Dearne Development Fund from a starting budget of around £46,800, Members noted that £9,572.10 remained.

It was noted that an evaluation Panel had met on the 4th December, 2018 to evaluate and receive presentations from two providers for the Education, Environmental and Volunteering Service and the current provider, Twiggs, had been successful in winning the tender the contract for which would start on the 1st April, 2019. A meeting had been arranged for the 28th January, 2018 to start the scheduling of work and Elected Members, the core neighbourhood's team and groups delivering environmental activities in the Dearne had also been invited to attend. In addition, Twiggs were to give a presentation to the May Area Council meeting.

The Area Council Manager then reported on the success and importance of the Employability initiatives within the area and outlined various alternatives for provision. The recommended option was to formalise the arrangements through the commissioning of an Employability Service and should members wish to pursue this option, a draft specification was appended to the report. The estimated cost involved was approximately £33,000 which was around the same cost as the previous arrangements

There was a detailed discussion of the options and it was suggested that in future, financial arrangements should include payment by performance. The Area Council Manager commented, however, that the contract would be performance managed and it was anticipated that, given past experience, all targets would be exceeded.

RESOLVED:

- (i) that the updates and financial position be noted;
- (ii) That the procurement and specification (as detailed within the appendix to the report) for the Employability Service be approved at a total cost of £33,000 per annum;

- (iii) That the Service be tendered initially for one year with the option to extend the contract for two further periods of one year subject to satisfactory performance; and
- (iv) That the current financial position and the impact of future budgets for 2019/20 onwards be noted.

33 Dearne Development Fund (Dac.21.01.2019/5)

The Area Council Manager introduced the report, reminding Members of the allocations to the Dearne Development Fund made in previous years, and the successful outcomes due to the investment. It was felt that the scheme held to meet Area Council Priorities and provided value for money.

A suggestion was made that a further £60,000 be allocated to the Dearne Development Fund for the 2019/20 financial year.

RESOLVED:-

- (i) That £60,000 be allocated to the Dearne Development Fund for the 2019/20 financial year to be allocated in grants of £1,000-15,000; and
- (ii) That Dearne Development Fund be allocated using mechanisms previously agreed by the Area Council, with the Service Director, Stronger, Safer and Healthier Communities authorised to approved grants of between £1,000 and £15,000 in consultation with the Dearne Development Fund Panel.

34 Social Prescribing (Dac.21.01.2019/6)

Ms A Goddard gave a presentation outlining her work since commencing in the Dearne in 2017 in relation to signposting and navigating individuals and families to service providers, external organisations, DIAL, DWP and other appropriate bodies.

She made particular reference to two case studies, outlined the work she had undertaken in respect of each individual case and gave details of the outcome of her involvement for each family/individual.

The presentation engendered a full and frank discussion during which matters of a general and detailed nature were raised and answers were given to Members' questions where appropriate. Particular reference was made to instances where individuals/families struggled to obtain support they needed as they failed to meet the requisite criteria for the various support mechanisms/streams and to the ways in which this could possibly be addressed in the future. It was noted that meetings had been arranged with various Local Authority Departments and Organisations to try to ensure that a solution focussed approach could be developed.

Reference was also made of the increasing number of multiple deprivation cases coming to light. It was suggested that four or five cases should be analysed to facilitate an examination of how issues could be escalated, solutions found and, if not, what service developments needed to be examined.

RESOLVED that the presentation be received and Ms Goddard be thanked for all her hard work, for attending the meeting and for answering Members questions.

35 Housing in the Dearne (Dac.21.01.2019/7)

Ms A Forster, the Empty Homes Officer was welcomed to the meeting to speak about the work to support the return of empty homes back into use.

To the end of quarter 2 there had been a net reduction of 130 properties (1615 to 1485) throughout the Borough identified as requiring a variety of support. Whilst the figures for quarter 3 were still awaited, in quarter 2, 171 properties had been brought back into use with 79 more within the pipeline.

Within the Dearne, financial assistance and enforcement action was being taken and other initiatives such as the Berneslai Purchase and Repair Scheme, Humankind Housing and 3rd Sector were ensuring that properties were brought back into use where possible. In total, 17 had been brought back into use and a further 17 were in progress.

Information was also provided in relation to individual properties that had been the subject of enforced sale or where action was being considered/taken.

Reference was made to the ways in which vacant/void properties (and particularly those with absentee landlords) were identified and appropriate action taken.

Officers were working closely with all Council Departments in order to take appropriate action with empty property owners.

It was noted that consideration was being given to a revamp and relaunch of the accreditations scheme so that landlords and tenants were more aware of what the Council was able to offer. Arising out of this discussion reference was also made to the action being taken to avoid properties in some areas being targeted by Anti-Social Behaviour.

A free event was being planned for the 12th February, 2019 at the Barnsley Metrodome to which landlords and agents would be invited. This was being organised in association with the National Landlord Association and presentations would be made by, amongst others, DWP on Universal Credit, the National Energy Action Team on energy efficiency. Humankind, BMBC Waste Management and Berneslai Homes would also be in attendance. Members of the Council were also welcome to attend this event.

RESOLVED that the Empty Homes Officer be thanked for her work in the area, for attending the meeting and answering Members questions.

36 Report on the Use of Ward Alliance Funds (Dac.21.01.2019/8)

The meeting noted the current financial position for Dearne North and Dearne South.

At the time of publication Dearne North had £3,764.07 from an opening balance of £9,506.69 and Dearne South had £6,116.64 from an opening balance of £11,021.36.

It was noted that a number of applications had been submitted since the publication of the agenda.

RESOLVED that the report be noted.

Chair

MEETING:	North East Area Council
DATE:	Thursday, 7 February 2019
TIME:	2.00 pm
VENUE:	Meeting Room 1 - Barnsley Town Hall

MINUTES

Present Councillors Hayward (Chair), Cheetham, Ennis OBE, S. Green, Hampson, Makinson, Richardson, Sheard and C. Wraith MBE

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

Cllr Joe Hayward declared a non-pecuniary interest in minute no. 36 as he is a BIADS Trustee and an Age UK Trustee.

33 **Minutes of the Previous Meeting of North East Area Council held on 29th November 2018**

The meeting considered the minutes from the previous meeting of the North East Area Council held on 29th November 2018.

RESOLVED that the minutes of the North East Area Council held on 29th November 2018 be approved as a true and correct record.

34 **Notes of the Following Ward Alliances with Feedback from each Ward Alliance Chair**

The meeting received notes from the Cudworth, Monk Bretton, North East and Royston Ward Alliances held throughout October, November and December 2018. The following updates were noted:-

Cudworth – It was reported that the Ward Alliance now has two new members. The Health Fayre was very successful, as was the pop up pantomime delivered by Age UK. The clean up event in the park was well attended on Monday. Christmas events, including switching on of Christmas lights, were very successful, particularly those which were in memory of loved ones - all three primary schools were involved. Ward Alliance spend is up to date.

Monk Bretton – The Christmas lights switch on events at Carlton and Monk Bretton church were successful and well attended. The Dementia café is running well, with new members each week. The Award ceremony for local schools is planned for March. The budget is currently on target.

North East – The Age UK afternoon tea event in Shafton was very successful. Funding for various projects itemised within the notes was agreed. Shafton WMC has now raised £650 towards a defibrillator, in conjunction with Shafton Parish Council. Brierley Residents' Group is doing a fantastic job, actively promoting a number of projects. Consideration is being given to putting up hanging baskets in

Brierley over the spring and summer months. Milefield farm has started to provide cooking courses to help people to look after themselves.

Royston – The Christmas events were hugely successful and well attended, The Green spaces group has planted 30 trees in the park, donated by Yorkshire Wildlife Trust. The Albert Shepherd gate should be installed by Easter in St. John's Churchyard. Work on the pavilion is progressing nicely, with a table tennis table, pool table and Subbuteo tables donated. Extra activities are to be organised at Easter to promote the space being used. Rooms in the pavilion are now open and available for hire. The bandstand will be repainted and the roof made vandal proof. The skate park has also been refurbished. The S106 bid for the skatepark is being developed. The Tour de Yorkshire will pass through Royston and contact is being made with local schools, businesses and communities to promote this. Spring planning will take place in preparation for Yorkshire in Bloom.

RESOLVED that the notes from the Ward Alliances be received.

35 Private Sector Housing Management Initiative

Due to unforeseen circumstances, this item was deferred to the next meeting.

36 North East Area Council Project Performance Report - update on the delivery of commissioned projects

The Area Council Manager introduced this item, drawing Members' attention to performance of a number of projects, including the Private Sector Housing Management Service and the Environmental Enforcement Contract. Members felt that there is a need to promote the dog fouling issue widely using social media, as it is very much a blight on the area. Performance in this area is the best in the country and is increasingly viewed as a model of good practice. Thankfully some behaviour change has been noted. A number of case studies were also highlighted, demonstrating the positive impact of various projects in the community.

RESOLVED that:

- (i) The report be noted, and
- (ii) awareness be raised of the issue of dog fouling using social media.

37 North East Area Council Financial Position and Procurement Update

16k to be committed

38 Report on the use of Area Council Budgets and the Ward Alliance Funds

The North East Area Council Manager introduced this item and updated Members regarding the North East Area Council budget, Ward Alliance allocations remaining and the progress in each ward in expending the Ward Alliance Fund, in line with priorities.

RESOLVED that:

- (i) The current position of the Area Council Devolved Ward Budget and Ward Alliance Funds be noted; and
- (ii) Each Ward continue to prioritise the efficient expenditure of the Ward Alliance funds in line with the guidance on spend.

39 North East Area Council Finance Report

The North East Area Manager introduced this item, providing an updated finance report for the North East Area Council.

A discussion took place regarding the procurement of an Environmental Enforcement Service (to include littering, dog fouling and parking); parking tickets income; the Apprenticeships and Employability Commission; Private Sector Housing Management Officer SLA; Youth Development Fund and the Health and Wellbeing Grant. Members asked questions and appropriate responses were given.

It was highlighted that the Environmental Enforcement Service contract has been awarded to District Enforcement, with the contract formally commencing on 1st April 2019.

Regarding the Health and Wellbeing Grant, Public Health have indicated that they would like to work with the North East Area Council, which has been awarded a potential figure of £28,900 to be spent before the end of March 2020, making a total funding pot of £48,900.

A discussion took place around dementia prevalence in the area. The Dementia café in Monk Bretton is proving very effective and has shown the value of getting support for carers who care 24/7. The grant will fund a full time dedicated worker. A menu of options will be sent to Members and will include a pilot dementia shop scheme, Pop up pantos in all four areas, advice sessions and work in older people's homes. The steering group will report back to The North East Area Council.

RESOLVED that:

- (i) Members approved the Apprentices and Employability contract with Barnsley Community Build for a further year from April 2019 until the end of March 2020 at a cost of £212,598.
- (ii) Members approved the Private Sector Housing Management Officer Service Level Agreement with the Safer Communities Service for a further year from July 2019 until the end of June 2020 at a cost of £37,750.
- (iii) The Youth Development Fund should be developed as a Working Together Fund to encourage more local social enterprises, community interest companies and not for profit organisation with a maximum grant limit of £20,000
- (iv) A further £70,000 should be allocated to this budget heading for the financial year 2019-2020;
- (v) A Health and Wellbeing Working Together Grant should be facilitated with a total funding pot of £48,900 which will meet the Five Ways to Wellbeing criteria; and
- (vi) That the grant will partially fund a full time dedicated worker to work on a series of social isolation and dementia friendly activities across the North

East Area Council at a cost of £30,000 per annum, with the possibility of contributions from other statutory and non-statutory partners.

Chair

Item 24



MEETING:	Penistone Area Council
DATE:	Thursday, 14 February 2019
TIME:	10.00 am
VENUE:	Council Chamber, Penistone Town Hall

MINUTES

Present Councillors Barnard (Chair), David Griffin, Hand-Davis, Kitching, Millner and Wilson.

33 **Declarations of pecuniary and non-pecuniary interests**

No Members declared an interest in any item on the agenda.

34 **Minutes of the Penistone Area Council meeting held on 6th December, 2018 (Pac.14.02.2019/2)**

The Area Council received the minutes of the previous meeting held on 6th December, 2018.

The Area Council Manager made members aware that the implications of the recent review of Ward Alliance governance were due to be considered at the next meeting of Penistone Ward Alliance.

RESOLVED that the minutes of the Penistone Area Council meeting held on the 6th December, 2018 be approved as a true and correct record.

35 **Notes from the Penistone Ward Alliance held on 6th December, 2018 and 17th January, 2019 (Pac.14.02.2019/3)**

The meeting received the notes from the Penistone Ward Alliance held on 6th December, 2018 and 17th January, 2019.

RESOLVED that the notes from the Penistone Ward Alliance held on 6th December, 2018 and 17th January, 2019 be received.

36 **Report on the Use of Ward Alliance Funds (Pac.14.02.2019/4)**

Members received the report detailing the expenditure of the Ward Alliance Fund. It was noted that just over £8,000 remained in the budget for allocation as per the report. However, Members noted that, more recently, £1,000 had been returned from Penistone Town Council, and the Ward Alliance meeting had also recommended a number of further applications for approval.

RESOLVED that the report be noted.

37 **Performance Report Q3 (Pac.14.02.2019/5)**

The Area Council Manager introduced the report, which provided an update on performance for quarter 3.

Members noted that the report now included initiatives funded through the latest round of Working Together Fund and also those successful as part of the Supporting Vulnerable and Isolated Older People Fund.

It was noted that performance against all contracts was satisfactory. The number of businesses involved had increased, as had the percentage of local expenditure.

Members heard how the number of young people volunteering was relatively low, however this did not include the numbers of young people engaged through schools in school time.

The numbers achieving accreditation and qualifications was down in quarter 3, but it was noted that the 'Your Town, Your Community' project had now ceased. However, this would again increase due to the 'Young Voices' project.

Members noted the significant number of people having received advice, and noted that this would further increase once the contract CAB commenced in April, 2019.

The performance of DIAL delivering the advice drop in was considered, with 47 residents receiving advice within the quarter. Overall the project had brought £34 into the area for every £1 the Area Council had invested. Those present heard of the significant number of volunteer hours pledged and the impact this had on the support given to those in need by reducing waiting times. Also noted was the improvement in wellbeing of users of the service. Members considered the case studies provided and praised the work of the service.

The Clean, Green and Tidy Team contract was then considered, with all areas of performance considered satisfactory. It was noted a number of outcomes required reconsideration, such as those relating to work with the probation service, due to lack of interest from the service. Members noted that the emphasis would be to generate new volunteers moving forward, and the figures for the quarter showed a number of residents now taking responsibility for the upkeep of green areas.

Work with Tesco continued with the 'Marketeers' making a positive impact in the market barn. Members heard of the plans to erect signs highlighting that 'the area is maintained by volunteers' in order to help reduce littering. The work of Twiggs Grounds Maintenance to support Incredible Edible was also acknowledged, with the Penistone area being highlighted as a good example.

The performance of the final quarter of the contract with Age UK was positive, with the focus on being warm over the winter period. The Winter Warmth event was well attended, although it was noted that more people had attended previously, perhaps due to the big knit event being held on the same day previously. The commission had worked with Penistone Grammar School in order to provide Christmas lunches. Age UK had also provided information and advice, primarily in relation to benefits in retirement or self-funding of care.

Members noted the support to establish community groups, and the Health Mind group at Tankersley was highlighted as a good example, which was now self-supporting. This model which was set to be replicated elsewhere in the area.

The continued increase in use of the Community Car Scheme was acknowledged, and Members hoped that this would continue to be publicised in order to grow.

Noted was the impact that Age UK had on the improvement of wellbeing of users, however it was noted that the majority of users were female, an issue which was looking to be address by delivery through the Supporting Vulnerable and Isolated Older People Fund.

Members noted the performance report for the final quarter of funding for Sporting Penistone. The Volunteer Coordinator role had provided much needed support to the organisation, with a much improved volunteer offer and increased engagement of young volunteers being evidenced. The Area Council Manager made Members aware of the discussions taking place to connect Sporting Penistone with Age UK. Members commented on arrangements in Stocksbridge where GPs referred patients to the sports centre for exercise, and suggested this could be explored for the area.

The Penistone FM Young Voices project had recently commenced, with excellent links made with Penistone Grammar School and the 6th Form to provide young people with experience, accredited training, and access to professionals working in broadcasting.

The meeting went on to consider the performance of the South Pennine Community Bus Service. The service had been very well used, and had been featured on Look North. There had recently been a more focused volunteer offer, and greater links made with the community with such as social prescribing and Age UK. The service had created a community in itself, reducing social isolation for many people, and was well valued.

The Area Council Manager made Members aware of arrangements being made to discuss the future of this service with SYPTE, and it was suggested that relevant officers from Transportation in BMBC be invited. It was thought that smaller services such as this and the community car scheme offered solutions to some of the problems found in rural areas.

RESOLVED that the report be noted.

38 Update on Priorities, Procurement and Finance (Pac.14.02.2019/6)

The Area Council Manager reminded Members of the previous decision to establish a Supporting Isolated Older People Fund to provide services after the contract with Age UK came to an end, with £70,000 being allocated to the fund.

An assessment panel met to consider applications, and had recommended that Age UK be allocated funds to deliver three programmes in the area. Pre-contract meetings had been held to finalise details, and the impact of these would begin to be seen over the course of the next few months.

Members were reminded of the establishment of the Working Together Fund, and subsequent allocations of finance. More recently the Working Together Panel had recommended around £17,000 be approved to support the delivery of the Area Council priorities. The finance would provide of an extension to the Transpennine Trail Station Project, an extension to the Dial Advice Service, a debt advice pilot

delivered by CAB and two projects to support young people. Members noted that £4,428 remained for allocation, but this would increase as difficulties with one of the projects to support young people meant that this would not go ahead.

The meeting discussed the current levels of underspend of Area Council finance, with £18,448 remaining in the 2018/19 budget. It was suggested that this be transferred to the Working Together Fund budget.

Members discussed the contract with South Pennine Community Transport, which was due to finish at the end of the financial year. The prevailing opinion was that the service should continue but should look to either provide the same service for less finance, or a wider service for the same amount of finance as it looked towards becoming more self-sufficient.

The Area Council Manager reminded Members that the contract for providing a Clean, Green and Tidy Team was in its second year. To provide a similar service from November, 2019 would require discussion and arrangements to be agreed at the next Area Council meeting in April.

Members considered the outcome of the recent workshop where the Area Council priorities had been reconsidered in light of recent data and information. It was recommended that the current priorities be endorsed for a further year and more in depth consultation takes place over the next 12 months.

The attention of Members was drawn to the update provided in relation to the production of a community magazine. It was noted that the production of any further magazines had been halted due to dissatisfaction with the provider. Members discussed potential options for highlighting the work of the Area Council and Ward Alliance, and consensus was that providing articles in the Penistone Living supplement would reach much of the intended audience, whilst providing relative value for money.

The Area Council Manager gave an update on the current financial situation of the Area Council, and it was noted that, if £18,448 was moved to the Working Together Fund, no finance remained for allocation in 2018/19.

RESOLVED:-

- (i) That the update on procurement activity be noted;
- (ii) That the update and progress for the allocation of the Supporting Isolated and Older People Grant Fund be noted;
- (iii) That the update on the Penistone Working Together Fund be noted and that £18,447.75 from the Area Council budget be transferred to the Working Together Fund be allocated through previously approved mechanisms;
- (iv) That a further application to the Working Together Fund from South Pennine Community Transport be supported, which should focus more on the future sustainability of the service.
- (v) That the update on the Twiggs Clean and Tidy Contract be noted;
- (vi) That the proposed priorities for the Area Council for 2019/20 and the development of a consultation plan to inform the setting of future priorities be approved;
- (vii) That the update on the community magazine be noted, and that the option of purchasing space in Penistone Living Magazine be pursued;

(viii) That the financial position for the Area Council be noted.

39 Empty Homes (Pac.14.02.2019/7)

Amy Forster, the Empty Homes Officer, was welcomed to the meeting.

A brief overview of the issues associated with empty homes was given, and Members noted that figures for quarter 3 of 2018/19 showed that 1,659 properties in the borough had been empty for over 6 months.

Members heard of the ways in which support could be provided in order to bring these back into use. These included providing advice including with probate, sales and lettings, and financial assistance through grants and loans. Other options included the Berneslai Homes purchase and repair scheme, or letting through a charity known as Humankind.

Should support be rejected, Members heard of the possibility of using statutory powers such as enforcing sales where buildings may be unsafe or in disrepair. It was noted that this could often be a long process, but often had a positive outcome.

Based on quarter 3 statistics, Members heard how there were 169 empty homes in the Penistone area. It was recognised that many of these would have complex issues associated with them, such as family disputes, which may not easily be resolved, however Members were encouraged to forward the details of any empty property to the Empty Homes Officer to make contact and offer support.

RESOLVED That the feedback be noted and thanks be given to the Empty Homes Officer for their attendance.

40 Community Safety (Pac.14.02.2019/8)

Councillor David Griffin introduced the item, referring to previous discussions at the Ward Alliance and Area Council regarding the provision of Traffic Regulation Orders to prevent inconsiderate parking and increase safety in certain areas of both wards.

Following discussions with officers and cabinet members, a suggestion was made that Community Safety be adopted as a priority for the Area Council, with a financial allocation to support delivery against this being made available from Area Council funds. A Community Safety Panel could then be established to oversee the strategic allocation of these finances in line with criteria agreed by the Area Council.

The proposal was discussed in some detail, noting that Community Safety was not currently a priority and it had not emerged in previous discussions on the subject of priorities. However, it was recognised that it had the potential to do so through the consultation planned.

Concern was expressed that the panel could be inundated with applications, the majority of which could not be funded if the budget allocated was only relatively small. However it was recognised that, if the application of criteria was transparent, then the reasons behind decisions could be easily understood and communicated.

Members noted the lack of resources to enforce any parking violations on yellow lines, but it was acknowledged that they often encouraged responsible parking.

It was acknowledged that the proposal would allow the funding of such as Traffic Regulation Orders which had been highlighted as an issue for the area, but were not considered a priority to fund from central budgets. Suggestions were made to more fully develop the proposal, consulting with relevant officers, in order to ensure this was not contravening any protocols and was within the powers of the Area Council.

RESOLVED that the proposal be more fully developed, before being discussed at a future meeting of the Area Council.

Chair

MEETING:	South Area Council
DATE:	Thursday, 28 February 2019
TIME:	12.30 pm
VENUE:	Boardroom - Barnsley Town Hall

MINUTES

Present Councillors Stowe (Chair), Andrews BEM, Franklin, Frost, Daniel Griffin, Saunders, Shepherd, Sumner and R. Wraith.

40 Declarations of Pecuniary and Non-Pecuniary Interests

No Member wished to declare an interest in any item on the agenda.

41 Notes of the Inquorate Meeting of South Area Councillors held on 15th February, 2019 (Sac.28.02.2019/2)

The meeting considered the notes of inquorate meeting of South Area Councillors held on 15th February, 2019 as appended.

RESOLVED:-

- (i) That the update on the Junction 36 littering plan be noted;
- (ii) That the minutes of the South Area Council held on 14th December, 2018 be approved as a true and correct record;
- (iii) That the notes of Hoyland Milton and Rockingham, Darfield, and Wombwell Ward Alliance meetings held in January, 2019 be noted;
- (iv) That the report on Ward Alliance Funds be noted;
- (v) That thanks be given to the outgoing Private Sector Housing Enforcement Officer for their hard work in the South Area and the impact seen from this;
- (vi) That the Performance Report for Quarter 3 be noted;
- (vii) That the work to make areas smoke free in the South Area be supported;
- (viii) That thanks be given to the officers for their continued hard work to promote Smoke Free areas;
- (ix) That the work of the Youth Voice Participation Support Work be fully supported by the Area Council and thanks be given for their attendance at recent meetings;
- (x) That the Procurement and Financial Update be noted including the current financial position for 2018/19 and 2019/20;
- (xi) That the update on South Area Council contracts, commissioning intentions and future work for 2019, including the intention to hold a workshop to discuss allocating remaining finance, be noted; and
- (xii) That £2,500 from Environmental Enforcement contract income be approved for repairs to the cycle path in Darfield Park.

Chair



MEETING:	South Area Council – Inquorate Meeting
DATE:	Friday, 15 February 2019
TIME:	10.00 am
VENUE:	Meeting Room, The Hoyland Centre

Notes from the Inquorate Meeting of South Area Councillors

Present Councillors Stowe (Chair), Franklin, Frost, Daniel Griffin, Markham, Saunders and Shepherd .

31 Declarations of Pecuniary and Non-Pecuniary Interests

Councillors Franklin and Shepherd each declared a non-pecuniary interest in minute numbers 32, 36, and 39 due to their positions as directors of Forge Community Partnership.

32 Junction 36 Littering Action Plan (Sac.15.02.2019/2)

A brief update was provided about the work to address littering around M1 Junction 36 fast food outlets. Work continued with the Tidy Team and through Kingdom Enforcement, and Members were made aware that conditions to mitigate problems associated with litter were included as part of the granting of planning permission. Therefore, should the problem persist, enforcement on this basis could potentially be pursued.

RECOMMENDED that the update be noted.

33 Minutes of the Meeting of South Area Council held on 14th December, 2018 (Sac.15.02.2019/3)

The meeting considered the minutes of South Area Council held on 14th December, 2018.

RECOMMENDED that the minutes of the South Area Council held on 14th December, 2018 be approved as a true and correct record.

34 Notes of the Ward Alliances (Sac.15.02.2019/4)

The meeting received the notes from the following Ward Alliances:- Hoyland Milton and Rockingham held on 9th January, 2019; Wombwell held on 28th January, 2019; and Darfield Ward Alliance held on 17th January, 2019.

RECOMMENDED that the notes from the Ward Alliances be received.

35 Report on the Use of Ward Alliance Funds (Sac.15.02.2019/5)

Members were made aware of the Ward Alliance Fund finance remaining for allocation.

RECOMMENDED that the report be noted.

36 Performance Report Q3 (Sac.15.02.2019/6)

The item was introduced by the Area Council Manager, who noted that the Private Sector Housing Enforcement Officer had secured permanent employment elsewhere and therefore the post was vacant. Thanks were expressed for their work in the area. Discussions were ongoing about the recruitment to the vacancy and the central team had agreed to continue to deal with outstanding cases, with consideration of any new cases being delayed until a new officer was in post.

The advice services contract was then considered, with the impact of the additional session being extremely positive. This had helped deal with a backlog of clients, and had made a significant difference to waiting times and to the lives of people receiving support.

Members noted the outcome of the recent exercise to procure a Tidy Team, post March, 2019, with Forge Community Partnership being successful. Contract negotiations had recently taken place to discuss targets and the soft launch of the new contract.

District Enforcement had been the preferred contractor to provide parking enforcement in the South Area, and the service would commence on 1st April, 2019. It was agreed that arrangements would be made for the staff to meet all Councillors in the South Area. As the contract with Kingdom for Environmental Enforcement was due to end shortly, Members were advised that their performance will continue to be closely monitored to ensure appropriate patrolling hours.

RECOMMENDED:-

- (i) That thanks be given to the outgoing Private Sector Housing Enforcement Officer for their hard work in the South Area and the impact seen from this;
and
- (ii) That the report be noted.

37 Smoke Free update (Sac.15.02.2019/7)

Kaye Mann, from BMBC Public Health, and Ged Savva from Magpie were welcomed to the meeting.

A progress update was provided in relation to plans to make the whole of Elsecar Park smoke free. Members were made aware of designs for signage as part of the main notice boards at the entrances to the park, and it was suggested that the message be displayed on both sides of the boards. Smaller poster type signs would also be displayed throughout the park, including in the café. Members suggested that users of the park were used to seeing removable banners alongside the caged pitches, and it was suggested that a removable banner be produced to be displayed here.

A launch date in late spring was put forward and it was suggested that the Mayor be invited, and that community groups taking part in producing Tour De Yorkshire decorations be engaged as part of preparations.

Members then heard of preparations to pilot a smoke free area within Hoyland. Magpie had been engaged due to their expertise in health and behaviour change, working with communities to support co-creation of solutions.

Those present heard of the phases proposed within the project, starting with research undertaken in conjunction with the community of Leeds to provide an insight into the smoking habits of users of Hoyland Town Centre. The research was designed not to be intrusive, and would provide a useful baseline to measure any change.

Towards the end of February, and the beginning of March, co-creation sessions were planned to ask people for their opinions. Focus groups and online consultation were arranged, with this to have a positive tone. Members suggested that the Café within the Hoyland Centre could be a useful starting point to gauge opinion, as could the Youth Partnership and Business Forum to engage their respective audiences. The positive nature of any engagement was stressed, and the need for this work to be driven by the community.

Members discussed the impact on business, and it was thought useful to be able to evidence any research from areas that had implemented a smoke free policy where this had generated additional footfall from those preferring to shop in a smoke free environment.

The meeting discussed the emphasis of the pilot, which was to make smoking invisible to young people in order that they did not start smoking. The scheme would be voluntary with no enforcement.

Members discussed the current smoking habits of young people, noting the prevalence of vaping. It was noted that most primary schools were now promoting smoke free schools, and work would start shortly with secondary schools.

RECOMMENDED:-

- (i) That the work to make areas smoke free in the South Area be supported; and
- (ii) That thanks be given to the officers for their continued hard work.

38 Young People's Priorities (Sac.15.02.2019/8)

Adele Seywell, Youth Voice Participation Support Worker, was welcomed to the meeting. Members were reminded of the current Youth Council elections, and the recently undertaken Make Your Mark exercise. Around 11,000 young people had taken part in the latter, with ending knife crime/feeling safe, and mental health services emerging as high priorities.

It was noted that consultation had also taken place during mental health week. Young people had suggested that a video be put together increase awareness of the issue to help young people recognise what they are going through.

Neighbourhood Police were also considering what could be done to address the priority of knife crime/feeling safe, and a consultation group was being established to work with the Police to aid this.

Members heard of the campaign supported by the Police and Crime Panel called YOYO, which was free to secondary schools. This involved young people undertaking research on issues such as knife crime and domestic abuse. and producing blogs on the subjects.

Those present heard that Netherwood and Kirk Balk were now engaged with the Youth Voice and Participation work and praise was given by Members present for engaging the schools in the area.

Members questioned whether all schools engaged in the Youth Council, and it was noted that only the Dearne ALC was not fully represented.

Members noted the discussions between Public Health and the Youth Voice Participation Support Worker to ensure schools were aware of all the resources available to support schools in the rolling out of public health messages and campaigns.

Discussion turned to the pressure on pupils and schools to ensure high exam results, the impact on mental health, and the need to ensure appropriate support was available in schools.

RECOMMENDED:-

- (i) That thanks be given for the attendance of officers; and
- (ii) That the work of the Youth Voice Participation Support Worker be fully supported by the Area Council.

39 Procurement and Financial Update (Sac.15.02.2019/9)

Members noted the update provided.

Acknowledged was the vandalism seen in Darfield Park with a fire damaging a section of cycle path, which was disheartening considering the recent refurbishment of the park. It was noted that this had been included in the planned maintenance schedule, though no indication was given as to when this could be undertaken. Members were therefore asked to consider whether to allocate £2,500 of income from the contract with Kingdom Security in order to expedite the repair.

RECOMMENDED:-

- (i) That the current financial position for 2018/2019 and 2019/20 be noted;
- (ii) That the update on South Area Council contracts, commissioning intentions and future work for 2019 including the intention to hold a workshop to discuss allocation remaining finance be noted;
- (iii) That £2,500 from Environmental Enforcement contract income be approved for repairs to the cycle path at Darfield Park.

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MEETING:	Appointment Panel
DATE:	Thursday, 14 February 2019
TIME:	5.00 pm
VENUE:	Meeting Room 5 - Barnsley Town Hall

MINUTES

Present

Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller, Platts and Wilson

1 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no declarations of personal interest from Members in respect of items on this agenda.

2 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that the public and press be excluded from this meeting during consideration of the following item because of the likely disclosure of confidential information as defined by Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

3 APPOINTMENT OF CHIEF EXECUTIVE

The Panel was informed that 15 applications had been received for the post of Chief Executive.

Following preliminary assessment with the Council's Recruitment Consultants GatenbySanderson, 7 applicants had been put forward for consideration as a possible longlist of Candidates.

In considering the applications submitted, the Panel received an assessment of applicants from the representative from GatenbySanderson.

RESOLVED that the four applicants now referred to be taken forward to the technical assessment prior to the consideration of the shortlist of Candidates at the next meeting to be held on Friday 1st March, 2019.

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Chair

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MEETING:	Appointment Panel
DATE:	Thursday, 28 February 2019
TIME:	5.00 pm
VENUE:	Meeting Room 2 - Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller, Platts and Wilson

1 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no declarations of pecuniary or non-pecuniary interest received from Members in respect of the item on the agenda.

2 MINUTES

The minutes of the meeting held on the 14th February, 2019 were taken as read and signed by the Chair as a correct record.

3 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that the public and press be excluded from this meeting during consideration of the following item because of the likely disclosure of confidential information as defined by Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

4 APPOINTMENT OF CHIEF EXECUTIVE - SHORTLISTING OF CANDIDATES

The Panel gave further consideration to the four applicants who had been put forward to the technical assessment as potential shortlisted candidates for interview for this post

The Council's Recruitment Consultants GatenbySanderson then gave a brief update and assessment of each candidate's performance during that technical assessment.

RESOLVED that the three applicants now detailed be invited for interview for the above post on Friday 15th March, 2019.

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Chair

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MEETING:	Appointment Panel
DATE:	Friday, 15 March 2019
TIME:	9.15 am
VENUE:	Westgate Plaza, Barnsley

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller, Platts and Wilson.

1 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no declarations of pecuniary or non-pecuniary interest from Members in respect of the item on this agenda.

2 MINUTES

The minutes of the meeting held on the 28th February, 2019 were taken as read and signed by the Chair as a correct record.

3 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that the public and press be excluded from this meeting during consideration of the following item because of the likely disclosure of confidential information as defined by Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

4 APPOINTMENT OF CHIEF EXECUTIVE

The Panel interviewed three candidates for the above post.

RESOLVED that, subject to confirmation by Council on the 4th April, 2019, Ms Sarah Norman be appointed to the position of Chief Executive, Head of Paid Service and Electoral Registration and Returning Officer on terms and conditions to be approved by full Council following further consultation with Councillor Sir Steve Houghton CBE (Leader of the Council), Councillor Andrews BEM (Deputy Leader of the Council) and Councillor Wilson (Leader of the Conservative Group).

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Chair

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Item 27

Report of the Executive Director Core Services Council Meeting 4th April, 2019

LOCAL GOVERNMENT ACT 2000

1 Purpose of Report

- 1.1 To confirm the appointment of Sarah Norman as Chief Executive, Head of Paid Service and Proper officer (for the purposes of Section 4 of the Local Government and Housing Act 2989) and Electoral Registration and Returning Officer.
- 1.2 Section 4 of the Local Government and Housing Act 1989 requires the Council to appoint a Head of Paid Service who has particular responsibilities to report to the Council .This statutory appointment is aligned to the appointment of the Chief Executive.
- 1.3 The Council is also required by the Representation of the People Act 1983 to appoint an Electoral Registration Officer and Returning Officer responsible for its electoral registration functions and the conduct of elections. These statutory appointments are also aligned to the appointment of the Chief Executive.

2 Recommendation

- 2.1 That Sarah Norman be appointed:
 - i) as Chief Executive, Head of Paid Service subject to the terms and conditions contained in paragraph 4 of the report
 - ii) as Proper Officer and Electoral Registration and Returning Officer for the purposes of all relevant functions for in respect of which the post of Chief Executive is the proper officer with effect from the date of the commencement of their substantive employment as Chief Executive

3 Current Position

- 3.1 Following a rigorous recruitment process, interviews were conducted on the 15th March, 2019 and an Appointment Panel convened in accordance with the Council's Constitution. The Appointment Panel recommended the appointment of Sarah Norman, currently Chief Executive at Dudley Metropolitan Borough Council on terms and conditions to be approved by the Council following further consultation with Councillor Sir Steve Houghton CBE (Leader of the Council), Councillor Andrews (Deputy Leader of the Council) and Councillor Wilson (Leader of the Conservative Group). The minutes of the Panel are reported to the Council under item 26 on the Summons for today's meeting.

3.2 The Appointment Panel as a politically proportionate Committee of the Council consisted of Cabinet Members together with Councillor Wilson in accordance with the Constitution of the Council. However, Mandatory Standing Orders made under the Local Government Act 2000, require the approval of the full Council prior to the making of an offer of the appointment in respect of the appointment of an officer to be designated as the Head of the Council's Paid Service and to approve their remuneration.

4 **Proposal**

4.1 That Sarah Norman be appointed:

- i) as Chief Executive, Head of Paid Service of the Council their substantive employment to commence from a date negotiable after 31st May 2019
- ii) as Proper officer and Electoral Registration and Retuning Officer with effect from the date of the commencement of their substantive employment as Chief Executive.

4.2 That the appointment be on the NJC Terms and Conditions of Service for Chief Executives at a salary of £175,000.

Contact Officer:

A C Frosdick, Executive Director Core Services Tel: 01226 773001

Background Papers:

Relevant Provision of the Local Government and Housing Act 1989.

Item 28

Report of the Chief Executive Council Meeting, 4th April 2019

Children Act 2004 – Director of Adult Social Services

1. Purpose of Report

- 1.1 To allocate responsibility for the statutory role of Director of Adult Social Services for the financial year 2019/20 to reflect the alignment of Business Unit 2, Adults Social Care and Health to the Communities Directorate for that period for the reasons set out at the report.

2. Recommendation

- 2.1 That Wendy Lowder the Executive Director Communities discharges the statutory role of Director of Adult Social Services for the financial year 2019/20

3. Background

- 3.1 The Council as a local authority with social services responsibilities is required under the Children Act 2004 to appoint an officer as the Director of Adult Social Services to be accountable for the delivery of local authority social services functions listed in Schedule 1 of the Local Authority Social Services Act 1970; other than those for which the Director of Children's Services is responsible. This post is required to be an equal standing within the Council's management structure as the Director of Children's Services. The post can be discharged by different officers or by the same officer which is a matter for each relevant local authority to determine.
- 3.2 The Council's Future Council management structure allocates responsibility to discharge the role of Director of Adult Social Services to the Executive Director People. The postholder is also appointed to discharge the statutory role of Director of Children's Services as required by section 18 of the Children Act 2004.
- 3.3 The Executive Director Rachel Dickinson has been appointed President of the Association of Directors of Children's Services for the financial year 2019/ 20. This is a significant personal achievement and reflects the strong contribution which the Director has made to the management of the Council's Children's Services functions as evidenced most recently by the results of the Ofsted inspection which rated the Council's Children's Services as Good.

4. Proposal

- 4.1 The Executive Director has the full support of the Chief Executive in undertaking this important national role. Inevitably these additional responsibilities will make demands on the time of the Executive Director. In order to provide appropriate support and secure the resilience of these important statutory functions within the People Directorate it is proposed to transfer Business Unit 2, Adults Social Care and Health, from the People Directorate, to the Communities Directorate. The relevant Service Director will report to the Executive Director Communities and it is therefore appropriate that the statutory accountability for the delivery of these functions through the role of the Director of Adult Social Services is aligned with that Executive Director post for the financial year 2019/20.
- 4.2 This realignment consistent with the Statutory Guidance with regard to the discharge of the role of Director Adult Social services issued by the Department of Health
- 4.3 The Cabinet will give appropriate consideration to the implications for the allocation of portfolios to Cabinet Spokespersons. Appropriate adjustments will be made to the Scheme Delegation to Officers as amendments made to the Council's Constitution as a consequence of the approval by the Council of this proposal

5. Financial implications

- 5.1 There are no direct financial implications arising from the proposal.

6. Staffing implications

- 6.1 There are no direct staffing implications. The relevant Business Unit will be aligned to the Communities Directorate for the financial year 2019/20. The Service Director will report to the Executive Director Communities.

Contact Officer:

Diana Terris, Chief Executive Tel: 01226 773301

Background Papers

Department of Health Guidance on the Statutory Chief Officer Post of the Director of Adult Social Services

BARNSELY METROPOLITAN BOROUGH COUNCIL

REVISION OF CONTRACT PROCEDURAL RULES (2019)

1. PURPOSE OF REPORT

- 1.1 To outline the proposed changes to the existing Contract Procedural Rules (CPRs) which were last revised in 2015 to reflect the changes in the Public Contract Regulations (PCRs) (2015). The recommendations in this report reflect the new Council structures, processes and procedures being operated currently that allow for a more commercial approach to procurement activity in the council.
- 1.2 To seek approval of the proposed recommendations and the implementation of the revised CPRs across the Council.

2. INTRODUCTION

- 2.1 The CPRs have been an integral part of the Council's governance arrangements and the Council is required to have rules regarding how it will achieve value for money in compliance with the Local Government Act 1972.
- 2.2 The rules have been revised on a number of occasions to reflect changes in Council policies, priorities and legal updates e.g. OJEU procurement directives that the Council must comply with.
- 2.3 Revisions made in 2015 were to reflect the changes imposed by the PCRs. Revisions in 2013 increased the upper threshold for quotations from £50,000 to £100,000 which brought more procurement within the quotation exercise and the requirement to invite two local suppliers was introduced.
- 2.4 The Council has set in the Corporate Plan 2017- 2020, an aim to make every penny count, removing bureaucracy and running our organisation really well for our customers and residents.
- 2.5 The Council has faced significant cutbacks in funding over recent years and therefore it must maximise its outcomes from resources available and the services it provides.
- 2.6 The Council's Commercial Strategy 2017 - 2020 highlights procurement as a key activity in assisting the Council to maximise its commercial performance.
- 2.7 In respect of 2.3 and 2.4, it was considered the CPRs needed reviewing to ensure a more commercial / innovative approach to procurement with a view to increasing value for money for the Council.
- 2.8 A working group of officers from Strategic Procurement, Legal and Internal Audit was formed to review the existing procedural rules. A copy of the remit of the group is included at Appendix A.

2.9 Following engagement with Directorates within the Council, it was concluded that the CPRs could be streamlined, to enable a more efficient way of procuring low value goods, and services.

3.0 RECOMMENDATIONS

The last revision made to CPRs was in 2015 to reflect the changes imposed by the PCR. However, since 2015 there have been the following changes in the procurement environment within the Council that need to be reflected:

- The introduction of a new Strategic Procurement Team
- Change in the structure of the Council
- The implementation of the Commercial Strategy

The working group have identified recommendations in the following key areas summarised below based on the findings detailed in section four.

Key Recommendations:

3.1 Procurement Thresholds

The working group has recommended the following new procurement thresholds:

- £0 to £10,000 – one quotation and value for money - Low Value Procurement
- £10,000 to £70,000 - A minimum of three quotations must be sought via YORTender (including the requirement to include 2 local suppliers where possible) – Medium Value Procurement
- £70,000 to £181,302 (present OJEU threshold for goods and services) must be sought via YORTender – High Value Procurement.

In Section four of the report, there is an analysis of all low and medium value procurement (quotation process) performed in 2016/17 and 2017/18 which demonstrates the effect of the threshold changes.

Increasing the lower threshold for procurement activity will enable more low value orders / contracts to be established with local SME's, boosting the local economy. It will reduce the administrative burden to undertake low value orders / procurement, while still maintaining the need to demonstrate value for money. In addition, promoting leaders at every level and ensuring a simplified route to market for low level spend.

Reducing the high value threshold from £100,000 to £70,000 and bringing more procurement into the scope of the Strategic Procurement Team will further utilise the expertise and skills of the team to deliver better outcomes, and value for money for the Council. In addition, this will allow increased opportunity for innovative procurement, rather than a simple three quotation process.

There are employee and financial implications with regards to this recommendation which are highlighted in Section 6 of the report.

3.2 Format of Contract Procedure Rules (CPRs)

The format of the CPRs has been changed to ensure it follows the sequential steps of the procurement process and in the same style as the guidance on the Strategic Procurement intranet site. This has been completed so that the document is more engaging to users with a view to increasing compliance with the requirements of CPRs and PCRs.

3.3 **Waiver to Competition (new waiver form)**

Appendix B illustrates the proposed new waiver form.

The new form has been designed with a view to simplifying completion by officers. The form requires the completion of mandatory fields before it can be progressed. This will include all the relevant information required to justify the exemption from competition and for authorised signatories to review and evaluate to inform their approval decision.

The new waiver form will request a copy of the specification and the contract Terms and Conditions to be submitted with the waiver.

Details of the waiver process to be followed can be found in the Strategic Procurement Intranet Site detailed in the Waiver Guidance Section.

3.4 **Waiver to Competition (signatures)**

The requirement for signatures has been simplified to two thresholds with clear approval flow / order for both the upper and lower threshold for the waiver process.

The following details the recommended approvals required for a waiver at the set values and the order that the signatures must be obtained:-

£10,000 - £70,000

- The relevant Executive Director
- Above £70,000 signatures of;
- The Head of Strategic Procurement
 - The relevant Executive Director
 - The Section 151 Officer
 - The Executive Director – Core Services

3.5 **Waiver to Competition (Changes to Available Reasons)**

The current nine reasons stated within the existing CPRs for a waiver have been revised and condensed to four that are more relevant and clear for the user.

The four new categories are:

1. No available competition
2. Urgent requirement
3. Variation to contract
4. Strategic or tactical

An analysis of existing waivers was undertaken to ensure the above categories were relevant / fit for purpose. This exercise was undertaken by the CPR working group on waivers approved in 2017/18 and all those reviewed could be easily classified to one of the new categories.

3.6 **Contract Management**

The revised rules strengthen the requirements in relation to contract management.

3.7 **The Strategic Procurement Team**

The revised rules now refer to the role of the Strategic Procurement Team.

Since the introduction of the team in 2016, all procurements above £100,000 have been performed by this team. The new proposal is for the Strategic Procurement Team to perform all procurements above £70,000 to further benefit the Council from

utilising the knowledge and skills within the team. This will relieve the need for advice to be sought by non-procurement professionals and for Business Units to focus on their core function. This will delete the need in the present rules for legal approval for non-procurement professionals to perform complex procurement routes for high value contracts.

3.8 Light Touch Services

The CPRs have previously required any procurement of light touch services to be formed in accordance with the open and restricted processes due to the Council having a devolved procurement function without necessary procurement skills in the directorates to undertake innovative procurement. Light touch services are highlighted in Schedule 3 of the PCR and cover such services as social care.

The revised CPRs now reflect the PCR which allow light touch procurements to follow a procurement route providing it complies / ensures the following:

- Transparency
- Fairness
- Equality

Additional Recommendations:

3.9 Tender Opening

The YORtender system has safeguards where returned tenders and/or the names of tenderers who have submitted a tender are not visible until after the deadline. The submissions will only become visible when a verifier opens the tender, which the revised rules will require to be independent to the procurement process.

The system also prevents late tender submissions from suppliers so only on time tenders can be submitted. As a result there is no need for the consideration of whether to accept a late tender.

The system records all the information required by the tender opening form e.g. time tender submitted.

Due to the safeguards in the YORtender system as outlined above, it has been concluded that the need for a tender opening form is not required.

3.10 Dynamic Purchasing System (DPS)

Since the last update, the Council's Strategic Procurement Team has performed innovative procurements which were not covered in the present rules.

Dynamic Purchasing Systems are procurements covering a service where packages of services will be required at various times in a particular period. Additionally, providers can apply at any time during the contract period to be on a list of available providers. When a package of services is required then it can be tendered at that time and all providers on the list can tender along with new providers.

The Council's apprentice programme has been performed on a Dynamic Purchasing in partnership with Berneslai Homes.

The Strategic Procurement Team is proposing to establish more DPS agreements within the Council.

3.11 Estimated Values Exceed Thresholds Limits / Procurements Exceed Budget

The revised regulations will require procurers, where they have an estimated contract value close to the tender / OJEU threshold (£70,000 - £181,302), to adopt the procurement process of the higher value range. This will ensure that estimated values are calculated with regards to the service requirement rather than to a particular procurement process.

The revised rules also place a requirement that no contract award should be made where a tender received is above the budget / Estimated Contract Value (ECV) without the appropriate financial approval for the extra cost and proof that the estimated value did not mislead the market.

3.12 Gateway Approach

A Gateway Approach is where the procurement process is split into key stages and all relevant parties sign their agreement to each part of the procurement process.

The revised CPRs have changed the limit where a Gateway Approach is needed from £250,000 to £70,000 in line with the revised thresholds and present practice where the Procurement Event Approval Document is utilised by the Strategic Procurement Team.

3.13 Restructure of the CPRs in Line With Other Relevant Guidance

The revised CPRs strengthen the connection between the different Governance rules of the Council, which procurement interlinks with.

It is proposed that the CPRs will use electronic links to the Financial Regulations, other policies, and other guidance held elsewhere.

3.14 GDPR Data Protection

Since the last revision, new Data Protection laws have been introduced which place more obligations on the Council to protect data it holds and these responsibilities need to be forwarded on to suppliers.

Reference to the new Data Protection Regulations with regards contracts has therefore being included.

3.15 Record Retention/Retention Policy

The revised CPRs now cross refer to the Council's record retention policies and associated retention schedules with links included for ease of access / reference.

3.16 Grant Funding

Reference to compliance with conditions of any funding arrangements have been strengthened due to the potential pay back of funding for instances of non-compliance.

This is to ensure that procuring officers of the Councils are aware of the risks of potential pay back of funding for non-compliance with procurement stipulations contained within grant agreements.

3.17 Financial Regulations

The revised CPRs have been aligned to the requirements of the Council's Financial Regulations.

3.18 **Review of Structures and Job Titles**

The revised CPRs have been updated with current structures and job titles which have changed since the last CPR revision in 2015.

3.19 **IT Purchases**

The revised rules will stipulate all IT procurement must involve the IT Contracts and Commissioning Team to ensure standardisation and value for money in IT facilities across the Council.

This requirement aligns with the requirement set out in the Financial Regulations.

4.0 **PRESENT POSITION**

This section details the current position in reference to the recommendations being proposed in section three.

4.1 **Thresholds/ Procurement Processes**

The current procurement thresholds are:

- Up to £2500 – value for money.
- £2500 - £100,000 - a minimum of three quotations.
- £100,000 - £181,302 - a tender process without a shortlisting stage.
- Above OJEU thresholds – an OJEU compliant tender must be conducted.

The working group undertook analysis to understand the impact of any proposed changes to the procurement thresholds in the following areas:-

The number of quotations in the range £2500 to £10,000 and the total number between £10,000 and £100,000 for the period 2016/17 and 2017/18:

17/18 Request for Quote (RFQ) - Analysis

352 RFQs completed within the year

Total value of £6,035,158

Value Range	All events	Excluding DFG* and DPSs**
£2,500 - £5,000	138 (£539,625)	17 (£69,125)
£5,001 - £10,000	87 (£772,275)	67 (£610,407)
£10,001 - £50,000	100 (£2,824,825)	80 (£2,332,257)
£50,001 - £99,999	27 (£1,898,434)	27 (£1,898,434)
Total	352 (£6,035,158)	191 (£4,910,222)

*DFG – Disability Funding Grant

**DPS – Dynamic Purchasing System

16/17 Request for Quote (RFQ) - Analysis

381 RFQs completed within the year

Total value of £7,263,976

Value Range	All events	Excluding DFG and DPSs
£2,500 - £5,000	177 (£698,302)	22 (£94,302)
£5,001 - £10,000	57 (£496,531)	29 (£250,531)
£10,001 - £50,000	98 (£2,536,468)	88 (£2,236,468)
£50,001 - £99,999	49 (£3,532,674)	49 (£3,532,674)
Total	381 (£7,263,976)	118 (6,113,975)

Analysis from the year 17/18 demonstrates a combined value of low value procurements i.e. between £2,500 to £10,000 of £679,532 in total. This is against an overall annual expenditure with third party suppliers of £313 million per annum from 2018/19 for all spend where the transactional spend is above £500.

The Council would therefore be removing an administrative burden for low value procurements if the threshold was raised to £10,000 with limited financial implications.

4.2 **Format of Contract Procedural Rules (CPRs)**

The existing format of the CPRs makes it difficult to find the specific information they need and what they need to do to comply.

4.3 **Waiver to Competition Process**

The current position / issues relating to waivers are summarised below:

Users from across the Council stated they found the present process confusing and the waiver form difficult to complete. In addition, the circumstances justifying a waiver in the CPRs are not clear.

An analysis of 48 waivers found that vital information had been omitted as follows:

- Details of the supplier or service/goods involved
- Value of the goods /service to which the waiver applies
- Dates to which the waiver is applicable
- Did not justify why no competition is possible

Waiver Analysis

Waiver Value (£)	Count	Percentage
0	2	4
1 to 9,999	15	31
10,000 to 99,999	27	56
100,000+	4	9
Total	48	100

Findings:

- The vast bulk of waivers did contain a value with only 4% not of any stated value. The value wasn't consistently recorded in the same section of the document so was sometimes harder to find than anticipated.
- Nearly a third of waivers wouldn't have needed producing at all if we increased the lower spend threshold from £2.5k to £10k, resulting in a quicker, and less complex process.
- There were only four instances of the waiver being >£100k and therefore relating to work that would otherwise have been undertaken by the Strategic Procurement Team.
- The review has concluded a new waiver template was required to ensure that key data is included, and to increase compliance.
- Accuracy or difficulty in locating information on the waiver can cause problems for the Council in ensuring data is accurate, and increases the risk that information publicised externally via the Council's Contract Register is incorrect.

4.4 **Waiver to Competition Signatures**

Waivers are currently circulated in the incorrect sequence for approval and the rules presently refer to outdated job roles in the Council. This has meant there has been lack of clarity with the order in which approval should be sought. The consequence of this could have been misinformed decisions and relevant considerations have not been accounted for. The new sequence will allow for appropriate review to the rationale for a waiver from the relevant departments before final sign off ensuring compliance.

4.5 **Waiver to Competition (Present Reasons for No Competition)**

The existing rules state nine rules to which waivers can be sought and a number are variations of the same situation and some that would rarely be utilised.

The present rules include certain practices that are no longer required due to changes in the Council's structure.

4.6 **Contract Management**

Existing CPRs do not cover contract management and therefore do not cater for the whole procurement cycle.

4.7 **The Strategic Procurement Team and Roles**

Procurement activity within the Council at the time of the last revision in 2015 was on a largely devolved basis with a small Corporate Procurement Team. The main priorities of the team was undertaking procurement events and providing advice to the rest of the Council. Directorates undertook a lot of their own procurement and requested advice and guidance from the central team where they felt it was needed. The rules reflected there was no central control unlike the present position.

4.8 **Light Touch Services**

The present rules were last updated to include the requirements of the PCR's which introduced the concept of Light Touch Services and specific flexible procurement

rules which covered services such as Social Care. Such services had been exempt from the European procurement rules previously.

4.9 Tender Opening

The current requirement is that all tenders and quotations need to be opened and recorded on a tender opening form. All procurements above £2,500 are carried out on the YORtender system where all relevant information is stored for audit purposes. The tender opening form is a handwritten form taking details from the YORtender system, and current rules require tenders above £100K to be opened by NPS Barnsley.

The information detailed on the tender opening form is:

- Tender submission time - to demonstrate it was submitted before the tender deadline
- Whether there were any discrepancies within the tender that should be noted by the evaluation team.

4.10 Dynamic Purchasing Systems

Since the last update, the Council's Strategic Procurement Team have performed innovative procurements which were not covered in the existing rules.

Dynamic Purchasing Systems are procurements where packages of services will be required at various times in a particular contract period, and providers can apply at any time during that period. When a package of services is required then it can be tendered at that time and all providers on the list can bid.

The present rules do not refer to dynamic purchasing systems.

4.11 Estimated Values Close To Thresholds Limits /Tenders Exceeding Budget and/or Estimated Value.

The present rules state strict thresholds for quotations and tenders but does not state what should happen where estimated values are very close to another threshold or state the procedures where tenders exceed the proposed budget.

4.12 Gateway Approach

The present rules recommended a Gateway Approach to procurement should be undertaken for procurements above £250,000.

4.13 Restructure of the CPRs in line with guidance elsewhere

The present rules relate to other Governance Regulations of the Council and cross relate where relevant but it is considered that the links should be strengthened.

4.14 GDPR Data Protection

No reference was included for Data Protection Act 2018 (The General Data Protection Regulations 2018).

4.15 Grant Funding

Reference is made in the present regulations that Procurers should comply with the conditions on which grant funding is given but not the consequences of failing to do so.

4.16 **Job Titles and Structure References**

The present CPRs reflect job titles and structures in place at the time of the last revision in 2015 e.g. the roles of the lead Finance and Legal Officers responsible for signing waivers

5 PROPOSAL AND JUSTIFICATION

5.1 It is proposed that the revisions to the CPRs listed in Section 3 are accepted to enable the following:-

Increase compliance:

- Due to the widened remit of the Strategic Procurement Team.
- More user friendly format of CPRs.
- New and/or enhanced content for areas previously only partially or not covered.
- More user friendly waiver form.
- Simplified reasons for a waiver.

More Commercial Emphasis to Procurement:

- Increase lower threshold to reduce administrative burden for low value procurements and encourage use of local providers for below procurement thresholds.
- Use new procurement or expand use of procurement processes e.g. Dynamic Purchasing System.
- More Council co-ordinated approach to IT procurement.
- Allow more appropriate procurement processes for Light Touch Services such as Social Care.
- Embedding contract management processes into the Council to ensure contracts deliver value for money and the outcomes they were procured for.

6. FINANCIAL IMPLICATIONS

6.1 There are no direct financial implications associated with the recommendations of this report.

7. EMPLOYEE IMPLICATIONS

7.1 The proposal is that the Strategic Procurement Team are to undertake all procurements above £70,000, this would increase the workload of the team which would not be absorbed within the existing resources and would require the recruitment of additional resources as identified in Section 6 – Financial Implications. This change would free up officer time within services allowing more time to deliver the core requirements of their job roles.

7.2 Officers across the Council will need to be aware of the revised CPRs and the new procedures that will arise from them. Training and awareness sessions will be offered to ensure a good understanding and compliance across the Council.

8. COMMUNICATION IMPLICATIONS

8.1 The outcome of the review and the improvements made as a result of this will be communicated to staff, partners and stakeholders.

9. EXTERNAL IMPLICATIONS

9.1 The review of CPRs has not considered the implications of Brexit on procurement as the position on what will happen is not clear. There will be implications and these will be considered when announced and guidance has been given by Central Government.

10. OTHER OPTIONS CONSIDERED

10.1 Do nothing – this has not been considered as the existing rules do not reflect present practices and would limit the scope of the Strategic Procurement Team to be more commercial focused and does not align to the Corporate Plan and Future Council outcomes.

11. APPENDICES

[Appendix A Terms of Reference](#) – CPR Working Group.
[Appendix B New Waiver Form](#)

12. BACKGROUND PAPERS

Commercial Strategy.

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BARNSELY METROPOLITAN BOROUGH COUNCIL

CONTRACT PROCEDURE RULES

2019 Revision

February 2019

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DEFINITIONS

Accountable Body:	means where the Council is the lead body for another public body.
Approved List:	means a list of suppliers of works, goods or services that have been vetted on behalf of the Council and placed upon an approved list(s).
Barnsley Norse:	means Barnsley Norse Limited.
Category Manager:	means the officer designated as Category Manager for a key area of spend.
Constitution:	means the Council's constitution particularly 'Terms of Reference of the Full Council, Regulatory Boards and Committees and functions delegated to Officers', 'Responsibility for Executive Functions Officer Delegations' and 'Part 2 the Cabinet'.
Contracts Finder	means the web-based procurement portal provided by or on behalf of the Cabinet Office.
DPS	means Dynamic Purchasing System (DPS) is a framework agreement where new suppliers can join at any time and it is to be run as a completely electronic process.
EU Treaties	means the Treaty on European Union and the Treaty on the Functioning of the European Union.
Executive Director:	means any member of the Council's Senior Management Team or the authorised representatives of any of those officers.
Framework Agreement:	means an agreement with a supplier or suppliers to establish terms governing contracts that may be awarded during the lifetime of the Framework Agreement. Current Framework Agreements are listed on the Strategic Procurement Intranet Site.

Gateway Approach	means a process where a procurement project has check off stages which require approval to ensure a procurement project is progressing correctly.
General Data Protection Regulations 2018 (GDPR)	The General Data Protection Regulation 2018 are regulations which govern the rules on data protect and privacy for data on individuals should be managed
Letter of Intent:	means typically a letter from an employer to a contractor (or from a main contractor to a sub-contractor) indicating the Employer's intention to enter into a formal written contract for works described in the letter and asking the contractor to begin those works before the formal contract is executed. While a letter of intent may come in many forms, it is essentially a communication expressing an intention to enter into a contract at a future date.
Light Touch Services:	means the social and other specific services listed in schedule 3 to the Regulations.
Member:	means a Member of the Council also known as 'Councillor'.
NPS Barnsley:	means NPS Barnsley Limited.
OJEU:	means the Official Journal of the European Union.
Procurement Team:	means the Head of Strategic Procurement or person nominated by them.
Records Retention Policy:	means the Council's Record Retention Policy located on the intranet within the Records Management Section (Retention Guidelines).
Regulations:	means the Public Contracts Regulations 2015,
Rule(s):	means these Contract Procedure Rules.
Small, Medium Enterprise (SME)	means a company with a limited number of employees and turnover.

Social Value	means the requirement to consider social, economic and environmental benefits through procurement.
Voluntary Sector Organisation (VSO)	means not for profit organisation that has social objectives as it purpose for existence.
YORtender:	means the Council's electronic procurement system.

1. Introduction

- 1.1 These Contract Procedure Rules set out the procedures to be followed in relation to contracts, whatever the method of payment, such as for the purchase and sale of goods, works and services, entered into by or on behalf of the Council. This would include maintained schools and circumstances when the Council is the Accountable Body. They aim to ensure a system of openness, fairness, and transparency and facilitate the Council achieving value for money.
- 1.2 These Rules should be read and acted upon in conjunction with the Council's Constitution and [Financial Regulations](#), the Scheme for Financing Schools, the [Codes of Conduct](#) for Officers and Members, the Council's Commercial Strategy and the [guidance](#) available on the Strategic Procurement Intranet Site.
- 1.3 All Council procurements and contracts must comply with UK legislation, EU procurement rules and the General Data Protection Regulation 2018 and, in respect of any EU Legislation with direct effect in the United Kingdom prior to 29 March 2019, any consolidation or restatement of the same into UK law as a result of the United Kingdom exiting the European Union, these Rules and the other matters referred to in Rule 1.2 above. Additionally where the Council is utilising grant funding, the terms and conditions of grant must be examined closely and complied with. It should be noted that agreements with other public bodies and with Council-owned companies may also be subject to these regulations, and advice should be sought from the Strategic Procurement Team and the Service Director, Legal Services.
- 1.4 These Rules do not apply to:
 - (a) contracts of employment which makes an individual a direct employee of the Council. (These Rules do apply to contracts for recruitment agency services and the employment of consultants or agency staff).
 - (b) agreements regarding the acquisition, disposal or transfer of land for which provision is made within the Local Government Act 1972 and in relation to which Financial Regulations apply. (unless the use of land is for development purposes)
- 1.5 All values stated in these Rules are exclusive of VAT and are aggregated values of the total value of a specific good, service or works procured by the Council.

Total values shall not be disaggregated specifically to avoid competition or a specific type of competition.

- 1.6 All Executive Directors are responsible for ensuring officers within their directorate comply with these Rules.
- 1.7 Any failure to comply with these Rules may result in disciplinary action against the officer(s) concerned. Officers and Members must exercise the highest standards of conduct, integrity and impartiality when involved in the procurement, evaluation, award and management of contracts. The Council's Anti-Fraud, Corruption Policy and [Code of Conduct](#) must be complied with.
- 1.8 Any difference of opinion regarding the meaning of these Rules shall be resolved by the Executive Director, Core Services.
- 1.9 Proper and accurate records must be kept of all aspects of the procurement process, including: steps taken, selection and evaluation of bidders, decisions made and approvals obtained etc. All documentation must be retained in accordance with the Council's [Records Retention Policy](#). Records wherever practicable should be in electronic form and in PDF format and uploaded to the project on YORTender.
- 1.10 These Rules shall be reviewed annually by the Executive Director, Core Services in consultation with the Council's Strategic Procurement Team and other key officers.

PRE-PROCUREMENT REQUIREMENTS

2. External Grant Funded Procurements

- 2.1 The purchase of goods, works and services in grant funded projects are subject to rigorous audits to confirm that processes complied with Public Procurement Law and the conditions of the grant in which the funding was given. Examples of grant funding are the European Structural and Investment Fund (ESIF) which includes European Regional Development Fund (ERDF) and the European Social Fund (ESF) in England, Joint European Support for Sustainable Investment in City Areas (JESSICA).
- 2.2 Failures by grant recipients to comply with Public Procurement Law and the conditions of the grant funding can lead to the claw back of funding. Depending upon the characteristics of the breach, this could be up to 100% of the grant.
- 2.3 There are separate penalties for breaches of the Public Procurement Law.

- 2.4 Where funding is sought to fund a procurement project no part of Barnsley Council should apply for the funding unless it has been fully considered and planned how it will be able to demonstrate compliance with Public Procurement Law, and the terms and conditions of the funding.
- 2.5 Information on procurement rules for ESIF funded projects is given at: <https://www.gov.uk/government/publications/european-structural-and-investment-funds-procurement-documents>

3. Existing Arrangements

- 3.1 Before commencing any procurement process the following must be considered.

(a) In-house Providers

Subject to the exceptions in relation to procurement by Area Councils (see Rule 4), before commencing any proposed procurement process the relevant Executive Director must consider the need to consult any other Executive Director (or in the case of their own directorate the appropriate Service Director) who may be able to provide the works, services, or goods required.

- (i) to determine whether the works, services or goods can be provided in-house. If so, the relevant Executive Director may decide, subject to value for money considerations, not to seek competition but to arrange for the works, services or goods to be provided in-house. The relevant Executive Director(s) will record their decision; or
- (ii) where (i) above does not apply, to determine whether the Executive Director/Service Director would like to submit an in-house bid and if so, then they shall be included in the list of contractors invited to quote/tender under these Rules.
- (iii) For property related services provided by NPS Barnsley and facilities management contract services provided by Barnsley Norse, included in the respective Service Agreements with NPS Barnsley, the Council should offer the work to NPS Barnsley or Barnsley Norse, unless this is inappropriate considering the provisions of those Service Agreements. The Council's Strategic

Procurement Team should be contacted with any queries officers may have in relation to this.

- (iv) Where Rule 3.1 (a)(iii) does not apply, for the purposes of Rule 3.1 (a) (i) and (ii), the Managing Director of NPS Barnsley shall be regarded as an Executive Director of the Council who may be able to provide works and services for another Executive Director of the Council and may submit an in-house bid.
- (v) If the Executive Director referred to in 3.1 (a) decides to proceed in accordance with Rule 3.1 (c) or is otherwise invited to tender, the Executive Director of the in-house service may obtain quotations/tenders in respect of supplies of goods, equipment, services or elements of the works that it is proposed are ordered or sub-contracted from a supplier/sub-contractor to enable a quotation/tender to be prepared. The procedures to be adopted for selection of a supplier/sub-contractor shall be those set out in these Rules subject to the provisions of this Rule 3.1. All other Rules shall apply where applicable.
- (vi) Every such invitation to a supplier/sub-contractor shall include a statement to the effect that:

The quotation/tender is to be used only for the purpose of compiling a tender or quotation for goods, services or works which the Executive Director intends to submit.

There is no obligation on the part of the Council to order any supplies, services or work from the supplier/sub-contractor or any other supplier/sub-contractor.
- (vii) All such bids will be treated as confidential and will not be used other than for the purposes for which they are sought.
- (viii) A list of in-house services is available on the [Strategic Procurement Intranet Site](#).

(b) Corporate Contracts

Where a corporate or framework contract is in place with a supplier, this should be utilised rather than sourcing alternative providers.

(c) Collaborative Procurement Arrangements

(i) Consideration should be given to whether any existing collaborative arrangements would be appropriate. Collaborative procurement arrangements include procurement arrangements with another local authority, government department, or frameworks available through a public service purchasing consortium.

(ii) Due diligence needs to be carried out to ensure the legal requirements have been met and it is appropriate and suitable for the Council to make use of any such arrangement. Legal Services and the Strategic Procurement Team should be contacted for advice in connection with this process.

3.2 The rules below set out what should be considered before undertaking any procurement activity. Prior to undertaking procurement activity officers must ensure that:

(a) they take all necessary legal, financial (including insurance) and other professional advice (for example procurement, health and safety and risk management). Officers should have regard to current Council policies, procedures and standard documentation available on the Strategic Procurement Intranet Site.

(b) [a contract value](#) is calculated (irrespective of the method of payment) in accordance with EU procurement rules (irrespective of whether they apply) as explained in guidance found on the Strategic Procurement Intranet Site. This will include, amongst other things, the whole life costs for the full duration of the contract and any optional period of extension and any maintenance or continuing costs. Contracts should not be artificially divided into two or more separate contracts in an attempt to avoid these Rules or the EU procurement rules.

(c) Officers must ensure that they have obtained the necessary approval(s) to authorise the expenditure, procurement or sale of

goods, works or services in accordance with the Council's constitution. (The approval of an Executive Director, or Cabinet Spokesperson, or Cabinet, or Council whichever is required in accordance with the Council's Constitution). In addition, a business case must be prepared and approved by the relevant officer(s) for all procurement above £10K.

- (d) the Council's requirements are clearly documented. In the form of a specification or an explanation of the detailed outcomes that need to be met to achieve the Council's requirements, as the circumstances dictate. This is an important exercise since this document will form the basis of any contract.
- (e) every effort is made to make the best of the Council's buying power by aggregating purchases whenever possible. Although consideration should be given in all cases to whether it is appropriate to divide the Council's requirements into smaller lots where there is an economic or social value to the council resulting from the lotting.
- (f) they are satisfied that key stakeholders including Members, have been identified and consulted.
- (g) any risks associated with the procurement/contract are identified, assessed and recorded together with the actions required to manage and maintain them at an acceptable level as part of the procurement.
- (h) In relation to contracts over £70k a Procurement Event Approval Document (PEAD) process advised by the Strategic Procurement Team, shall be used as a gateway approach.
- (i) the course of action taken will represent Value for Money for the Council and consideration given where applicable to the requirements of the Public Services (Social Value) Act 2012.
- (j) with the exception of procurement by Area Councils (see Rule 4) existing arrangements are considered and utilised where appropriate and after taking advice in accordance with 3.1 (a) above, such as in-house providers, corporate contracts, existing collaborative procurement arrangements and Approved Lists.
- (k) an initial equality impact assessment is carried out to ascertain whether a detailed Equality Impact Assessment (EIA) is required to inform the procurement process and subsequent contract

management phase. The EIA toolkit can be found on the Strategic Procurement Intranet Site.

- (l) taking all necessary advice, the procurement is properly categorised for the purpose of the Regulations, including whether as works, supplies or services, and that any Light Touch Services are correctly identified.
- (m) Before quotations/tenders are invited, the award criteria must be recorded in writing, including the basis for assessing price or cost, any quality criteria and all weightings. The criteria, sub-criteria and weightings should be made available to bidders as early as practicable in the procurement process and not later than the invitation to tender/quotation stage. Sub-criteria and weightings cannot be used which have not previously been brought to a bidder's attention. More information is available on the Strategic Procurement Intranet Site.

The Procurement Event Approval Document (stage three-Procurement Strategy) must include the following for all procurements above £70k:

- The Price / Quality split
- The reasons for the Price / Quality split

4. Procurement by Area Councils

- 4.1 The objective of procurement from the Area Councils' commissioning budget is to meet area priorities through contracting with local businesses and voluntary organisations in order to support market development and growth in that sector. Any activity will seek to maximise social value and local content.
- 4.2 Accordingly, Rule 3.1 will not generally apply in the case of procurement from the Area Councils' commissioning budget. However, the Service Director for Stronger, Safer and Healthier Communities shall liaise with Service Directors across the Council at the appropriate time in the commissioning cycle to discuss the commissioning intentions of Area Councils and areas of potential tension and opportunity.
- 4.3 Where the estimated value of the contract is less than £70,000 and there are sufficient and capable organisations with a presence in the local economy, only those organisations will be invited to tender. In exceptional cases only, where there are no such organisations, the

Service Director for Stronger, Safer and Healthier Communities may, at their discretion, invite the relevant in-house service to tender, subject to maximising the local contribution to the supply chain.

- 4.4 Where the estimated value of the contract is £70,000 or more, but not in excess of the relevant EU threshold defined in Rule 8.9, the Service Director for Stronger, Safer and Healthier Communities will invite the relevant in-house service to tender only if there are insufficient local business and voluntary organisations in the local economy. Otherwise, the in-house service will not tender.
- 4.5 Normal contract procedure rules will apply for contracts at or in excess of the relevant EU threshold

5. IT Procurement

- 5.1 The Service Director of IT must approve any new or renewal of a proposed contract for software and/or hardware.
- 5.2 In accordance with Council's Financial Regulations, all IT related procurements must have full engagement via their Business Relationship Manager when requiring new, changes to or retirement of any IT systems, software, services or hardware. The procurement and the contract management under £70K will be managed by the IT Contracts and Commissioning Team.

6. Performance of Contracts – Security

- 6.1 Executive Directors must consider any steps necessary to protect the Council's interests in the event of contractor default, having regard to advice from the Service Directors, Finance and Legal Services.
- 6.2 This consideration should be based on risk to the Council, taking account of the circumstances, including:
- (a) the value of the Contract;
 - (b) the type of Goods, Services or Works being procured;
 - (c) the payment profile of the Contract;
 - (d) the financial strength of the suppliers in the market;
 - (e) affordability and proportionality;

and should assess whether additional security is required in the form of a bond, guarantee, retention, or (where performance is required by a particular date, and where delay would have financial consequences for the Council) provision for liquidated damages.

7. Nominated/Named Sub-Contractors and Suppliers

- 7.1 Where a sub-contractor or a supplier is to be nominated / named by the Council to a main contractor, quotations or tenders must be invited in accordance with these Rules.
- 7.2 The terms of any invitation for nominated/named sub-contractors or suppliers must be compatible with the main contract and must require that, if selected, the firms would be willing to enter into:
- (a) a contract with the main contractor on terms which indemnify the main contractor against the main contractor's own obligations under the main contract in relation to the work or goods or materials included in the sub-contract;
 - (b) an agreement to indemnify the Council in such terms as may be prescribed.

PROCUREMENT PROCESS

8. General Rules Relating to Procurement

- 8.1 There is guidance available on the Strategic Procurement Intranet Site in relation to all procurement procedures.

The procurement [Aide Memoire](#) is a summary of the tasks to be performed to ensure a complaint procurement.

- 8.2 For all contracts above £10,000 YORtender must be used. For any contracts £5,000 and above then a record must be published to the Contract Register.
- 8.3 Consideration should be given in all cases as to whether wider, additional advertisement is necessary to identify appropriate potential suppliers, for example, specialist/trade journals.
- 8.4 Where an additional advertisement is placed or where there is an open invitation on YORtender, an advertisement must also be placed on Contracts Finder for any contract over £25,000.
- 8.5 Where the Regulations apply (Refer to Clause 8.10), a contract notice must be published in the OJEU **BEFORE** any other notice/advertisement is published and no other notice/advertisement should contain any more information than that published in the OJEU.

- 8.6 Prior to the submission of their bids, bidders have an opportunity, if they consider necessary, to request in writing clarification regarding the Council's requirements via Yortender. Any response from the Council to bidders should also be in writing via Yortender. There are rules that must be followed to ensure fairness and transparency during these clarification phases and details can be found on the Strategic Procurement Intranet Site.

The main procurement routes for competition are detailed below:

8.7 Contracts up to and including £10,000

For contracts valued up to and including £10,000 an Executive Director shall proceed in a manner which ensures value for money and the efficient management of the service. Where possible this process shall prioritise the placing of orders with local businesses.

8.8 Contracts between £10,001 and up to and including £70,000

(a) For contracts above £10,000 and up to and including £70,000 the Executive Director must seek to achieve competition and for that purpose invite at least three quotations via YORtender. Where appropriate at least two of the companies invited to quote should be local businesses. In instances where only a single bid is received, then guidance should be sought from the Strategic Procurement Team.

(b) When inviting suppliers to quote, the officer responsible should ensure they rotate between suppliers where the market permits and allows to ensure a fair, open and transparent process is applied.

8.9 Contracts between £70,001 and up to the OJEU thresholds for goods and services

(a) All procurement above £70,000 in total contract value must be undertaken by the Strategic Procurement Team.

(b) For procurements above £70,000 to the EU threshold for goods and services, an open tender procedure must be followed. This is a one stage procurement advertised openly without a shortlisting stage. Service-specific questions are permitted but must be relevant to the subject matter of the procurement and proportionate.

- (c) Using an open procedure the contract is advertised and suppliers invited to submit a tender by a certain date (being not less than 14 calendar days from the date of the notice). In respect of procurement by Area Councils, this should be no less than 28 days to give adequate opportunity for SMEs and VCS organisations to tender.

8.10 **Contracts above OJEU threshold**

- (a) Where a contract is estimated to be equal to or exceeds the relevant threshold the Regulations shall apply:

The regulation thresholds at 1 January 2018 are:

- Supplies and Services - £ 181,302
- Works - £ 4,551,413
- Light Touch Services - £ 615,278

The thresholds change every two years and are scheduled to change again on 1 January 2020. The Strategic Procurement Intranet Site is kept up-to-date with details of the current thresholds and provides guidance on the EU procurement rules. Further help and guidance can be obtained by contacting the Strategic Procurement Team.

- (b) Publication of all OJEU notices will be performed by a member of the Strategic Procurement Team. A contract notice in the prescribed form shall be published in the OJEU in order to invite tenders or expressions of interest.
- (c) For above OJEU thresholds the following procedures can be used:

Open Procedure

Refer to Clause 8.9 (b) and (c) for requirements.

8.11 Restricted Procedure

A restricted procedure may only be used for contracts above the Regulation threshold for Goods and Services and not for any other contracts below the relevant Regulation threshold.

The requirement of an OJEU notice must be published stating the restricted process will be utilised.

Under the restricted procedure, potential suppliers are invited to apply within the period of advertising by the completion of the Standard

Selection Questionnaire (SQ). Any service-specific questions entered within Section 3 of the Standard Selection Questionnaire (or PAS 91 for work contract- section) must be relevant to the subject matter of the procurement and proportionate.

Following an assessment of the SQ at least 5 suppliers (where there are 5 or more who meet the requirements and are absent of any grounds for exclusion) should be selected to receive an invitation to tender.

In the event that the 5 suppliers selected does not include at least two suppliers that are considered local, up to two additional suppliers considered to be local may be selected to receive an invitation to tender, provided they meet the minimum threshold set by the pre-qualification requirements. Also the selection of an in-house potential supplier, who will not be required to pre-qualify, should be in addition to the minimum or maximum number of tenderers required.

If fewer than 5 suppliers have applied who met the requirement and are absent of any grounds for exclusion, all those who have applied shall receive an invitation to tender. Where, in this situation, officers are concerned there may not be adequate competition; they should obtain advice from the Strategic Procurement Team.

8.12 Light Touch Services

All light touch services are identified in Schedule 3 of the Public Contract Regulations 2015.

The procurement must adhere to the three principles of openness, fairness and transparency and be in compliance with the Regulations (Regulation 74 to 76 specifically).

Light touch services and all contract awards of such services above the OJEU threshold must be advertised in the Official Journal of the European Union.

This procedure shall only be performed by the Strategic Procurement Team

8.13 Competitive Procedure with Negotiation

The competitive procedure with negotiation process should only be used for contracts for goods, services and works above the Regulation threshold and in exceptional cases where specialist requirements justify the process below the Regulation threshold.

Using the competitive procedure with negotiation, potential suppliers are invited to express an interest in tendering, within such period as may be specified, through pre-qualification stage. Following an assessment of the expressions of interest, a minimum number of suppliers should be selected to receive an invitation to tender which should incorporate a negotiation stage. A minimum of 3 suppliers must be invited to negotiate unless fewer candidates have met the selection criteria and these are sufficient to ensure genuine competition. The invitation to tender documents should stipulate how the negotiation stage will be managed.

The procedure should shall only be performed by the Strategic Procurement Team

8.14 Competitive Dialogue/ Innovation Partnership.

Using competitive dialogue, a contracting authority enters into a dialogue with bidders about its requirements before inviting them to submit a final tender. It is used in complex projects where the contracting authority cannot be adequately specify its requirements.

The innovation partnership is a procedure designed to allow contracting authorities to establish a long-term partnership for the development and subsequent purchase of a new, innovative product, service or works. They are intended to be long term partnerships which allow for both the development and subsequent purchase of new and innovative products, services or works. The term "partnerships" is not used in a technical sense to mean legal partnerships as defined under UK law; rather, the term is used to indicate the partnering type approach to working together.

This procedure shall only be performed by the Strategic Procurement Team in partnership with legal services.

9. Frameworks/Dynamic Purchasing System

9.1 Where it is considered that the utilisation of an existing Framework Agreement of another public body is the most appropriate means to meet the Council's requirements, this must be discussed with the Strategic Procurement Team. The Council may need to complete an access agreement prior to utilisation of the framework.

Where such relevant Framework Agreements contain a number of different contractors able to provide goods/services a mini competition

between all contractors or a direct call off (where permissible) should be undertaken.

9.2 Framework Agreements / Dynamic Purchasing Systems shall be procured in accordance with these Rules and the Regulations and where the relevant EU thresholds apply. Procedures described by the Regulations shall apply to all aspects of the procurement and operation of the Framework Agreement / Dynamic Purchasing System including:-

- the procurement methodology;
- any orders placed under the Framework Agreement;/Dynamic purchasing system.
- re-opening of competition or call off competition between all contractors/suppliers on the Framework/Dynamic Purchasing System.
- the duration of a Framework / Agreement (which shall not normally exceed 4 years) / or the Dynamic Purchasing System (As the period stated in the tender documents).

9.3 All call offs / mini competitions from framework agreements must be performed on Yortender.

10. Exceptions to Requirements of Competition (where the Regulations do not apply)

10.1 Where the Regulations apply they must be complied with. Further advice and guidance can be sought on the [Strategic Procurement Intranet Site](#).

10.2 For contracts above £10,000 and up to and including £70,000 in exceptional circumstances and considering all the information available an Executive or Service Director may decide that it is justified to invite less than three quotations in a particular instance or type of transaction.

The relevant Executive or Service Director shall ensure the goods/services and/ or works to be procured subject to the waiver to competition have a fully detailed specification and the Council terms and conditions agreed with the supplier.

The relevant Executive Director must explain their reasons for this by completing the [Waiver to Competition Form](#) ensuring the form is signed, an electronic version saved (PDF format and a copy sent to the Strategic Procurement Team for a waiver reference number) and uploaded onto the project file on YORtender.

- 10.3 For contracts above £70,000 (not covered by Rule 10.1 above) Rules 8.8 to 8.14 shall not apply where in accordance with the procedure set out in Rule 10.6 (a), (b), (c) and (d) below the relevant Executive Director has obtained the approval of the Strategic Head of Procurement and Service Directors of both Legal and Financial Services (S151 Officer) to waive Rule 8.8 to 8.14 allow an exception to the requirement of competition.
- 10.4 The relevant Executive Director shall prepare a waiver report in the form set out in the Waiver to Competition Form explaining the proposed course of action and the reasons why a waiver to Rule 8.8 to 8.14 is required (see Rule 10.6 below).

The report must be submitted to in the following order:

- Head of Strategic Procurement
- Head of Legal Services
- Finance Business Unit (S151 Officer)
- Executive Director of the relevant directorate

Approval and/or comments shall be provided in the format set out in the Waiver to Competition Form. The relevant Executive Director must ensure an electronic version of the report and approval is saved (PDF format) and uploaded into the project file on YORtender.

- 10.5 The procedure set out in Rule 10.4 above is in addition to any other approval that is required, for example to incur the expenditure for the duration of the contract, in accordance with the Council's Constitution.
- 10.6 The reasons why a waiver to the Rules regarding the requirements for competition is justified, may include the circumstances below, provided that such an approach is consistent with the Council's duty to obtain value for money and its commercial strategy and policies.

(a) No Available Competition

The relevant Executive Director must state the reason for the waiver is due to no available competition.

This can occur in a limited number of circumstances as in the following:-

1. The purchase of proprietary or patented goods or materials only from one firm, and where no equivalent or no reasonably satisfactory alternative is available;

2. The execution of works or supply of services of a specialised nature which can only be carried out by only one firm and where no equivalent or no reasonably satisfactory alternative is available;
3. The purchase of a named product required to be compatible with an existing installation for which no equivalent or no reasonably satisfactory alternative is available;
4. The appointment of a developer to exercise functions of the Council under Section 278 of the Highways Act 1980;
5. The instruction of, advice from, or service provided by Counsel.

(b) Variation

The relevant Executive Director can order additional works under a waiver in the following circumstance:

Additional works, services or supplies are required to the original contracts that are within the original scope, provided the overall value is not greater than 50% of the original contract.

(c) Emergency Circumstances

Where purchases for works and services are required by the appropriate Executive Director urgently, due to circumstances not foreseeable and not attributable to the Council, as not to permit compliance with the requirements of competition.

(d) Strategic/Tactical Procurement

Where the Head of Strategic Procurement and the relevant Executive Director consider a waiver to competition for the following reasons:-

Aggregating different contracts together but an extension is required to align contract start dates.

Due to shortage of resources to enable procurement event to be properly project managed which could not have been foreseen or managed.

- 10.7 The Strategic Procurement Team shall maintain a register of all such exceptions.

10.8 In compliance with the Local Government Transparency Code, all contracts created by a waiver to competition shall be promoted to the Council's Contracts Register. In addition, all contracts awarded above £25,000 must have a contract award notice publicised on Contracts Finder.

11. Submission and Opening of Quotations and Tenders

11.1 Contracts up to and including £10,000

The appropriate Executive Director must ensure that there is a system in place which can demonstrate the fairness and transparency of the process and records are saved electronically and kept in accordance with the Council's Records Retention Policy.

11.2 Contracts above £10,000

YORtender must be used for the return / submission of quotations and tenders in accordance with the system's requirements.

11.3 The opening and release of submitted bids (after the specified deadline) must be performed on Yortender:

(a) Quotations above £10,000 and up to and including £70,000 shall be opened at the same time by two representatives of the relevant Executive Director; one representative is required to be independent of the process. Where an in-house bid is involved, the representatives releasing the quotation must not have been involved in the preparation of the in-house bid.

(b) Tenders above £70,000 shall be opened and released at the same time by a representative of the relevant Executive Director and a representative of the Strategic Procurement Team. Where in-house bids are involved, the representatives releasing the tenders on Yortender must not have been involved in the preparation of the in-house bid.

11.4 Late Quotations/Tenders

Late bids may only be accepted with the approval of the Service Director, Legal Services where the bidder has gained no advantage as a result of the late submission for reasons where, for example, there is evidence that technological reasons have prevented the submission on time, through no fault of the bidder.

EVALUATION OF QUOTATIONS/TENDERS

12. Evaluation of Quotations and Tenders

- 12.1 Evaluation of quotations/tenders must be completed in accordance with criteria and the scoring methodology set out in the quotation/ tender documents provided to suppliers to ensure the process is performed in open, fair and transparent manner.
- 12.2 Each member of the evaluation team for procurement above £70,000 must complete and sign a Declaration Form to state whether they have a vested interest in or links to, any potential supplier who has submitted a bid. It is the responsibility of the Strategic Procurement Team to manage this process by ensuring the forms are completed by all members of the evaluation team at the start of the process and recorded for audit purposes. Where there is a conflict of interest (COI) involved, the Strategic Procurement Team must consider the declared COI and manage this appropriately. If a COI is declared by a member of the evaluation panel, then this person/persons must be excluded from the evaluation panel to avoid exposing the Council to any commercial risk i.e. supplier challenge.
- 12.3 Records should be kept of the evaluation process, for example, criteria, sub-criteria, weightings, individual and consensus scoring including completed moderation forms (signed by the individuals involved in the evaluation) clarifications and reasons for decisions. Records should be saved electronically (PDF format) and stored on YORtender and in accordance with the Council's Records Retention Policy.
- 12.4 Following the receipt of bids the Council has the opportunity, if necessary, to request in writing via YORtender, clarification of any aspect of a bid and any response from bidders should also be in writing via YORtender. This should only be performed where an obvious error has been made and does not allow a bidder to add or improve their bid.
- 12.5 Where the total value of a contract is higher than the budgeted value, additional approval from the budget holder must be obtained prior to proceeding with a contract award.

Please refer to the Strategic Procurement Intranet Site for further guidance.

13. Errors in Quotations/Tenders

- 13.1 Certain contract documentation will prescribe the rules to be adopted in relation to errors in quotations/tenders. In other cases, the Council will advise bidders of the approach that will be taken.

Errors in quotations/tenders shall be dealt with in one of the following ways:

- (a) The bidder shall be given details of the error(s) found during the examination of the quotation/tender and shall be required at the sole option of the Council to confirm without amendment or withdraw the quotation/tender; or
- (b) Amending the quotation/tender to correct genuine error(s) provided that, in this case, apart from these genuine errors no other adjustment, revision or qualification is permitted.

All amendments shall be fully recorded with justification for the action taken. Where necessary, advice should be sought from the Strategic Procurement Team and/or Legal Services.

14. Abnormally Low Tenders

- 14.1 Where a tender appears abnormally low it may not be rejected without:

- giving the tenderer an opportunity to explain the tendered price (such explanation to be given in writing),
- considering the evidence provided, and
- obtaining the written approval from the Head of Strategic Procurement and the Service Directors of Legal Services and Finance Business Unit (S151 Officer).

15. Post Tender Negotiations (Negotiations after receipt of formal bids and before award of contract)

- 15.1 Where the Regulations apply they must be followed. Post tender negotiations are not allowed in OJEU procurement processes unless the competitive process with negotiation with tender procedure is used.

- 15.2 Where the Regulations do not apply and the relevant Executive Director considers that post tender negotiations are in the Council's interests and may achieve added value then post tender negotiations may exceptionally be appropriate. Post tender negotiations must only

take place where they do not distort competition or disadvantage any bidder. The process should be transparent and non-discriminatory and ensure bidders are treated equally.

- 15.3 Post tender negotiations with any tenderers must be in accordance with the following conditions:
- (a) Approved by the relevant Executive Director in consultation with the Service Director Finance Unit (S151 Officer) and the Head of Legal Services are carried out in accordance with the law;
 - (b) Conducted by a team of suitably experienced officers approved by the relevant Executive Director and trained in post tender negotiations;
 - (c) Written records of the negotiations are kept and a clear written record of the added value obtained by the post tender negotiations is incorporated into the contract with the successful tenderer.

The above requirements apply equally to procurements below £70k

16. Acceptance of Quotations/Tenders and Award

- 16.1 The Council is not bound to accept any quotation or tender and this must be made clear to bidders in writing at the beginning of the process and as appropriate throughout.
- 16.2 Quotations and tenders may be accepted on behalf of the Council by the relevant Executive Director provided they have been sought, evaluated and are to be awarded fully in compliance with these Rules and the necessary approval has been obtained.
- 16.3 In relation to all contracts, once a decision to award a contract is made, all bidders must be notified at the same time, as soon as possible, in writing via Yortender, of the intention to award the contract to the successful bidder, giving reasons for the decision. Please see the Strategic Procurement Intranet Site for guidance.
- 16.4 For all contracts tendered in accordance with the Regulations, a mandatory 10 day standstill period must be observed between the decision to award being notified to all bidders and entering into a contractually binding agreement with the successful bidder. Please see Strategic Procurement Intranet Site for guidance.

16.5 If an unsuccessful bidder challenges the decision to award the contract, if the contract has not already been awarded it shall not be awarded until the advice of the Service Director of Legal Services has been obtained.

16.6 Unsuccessful bidders may request a debrief which should be provided to them in writing. Further information is available on the Strategic Procurement Intranet Site.

17. Contracts Register and Contract Award Notices

17.1 All contracts above £5,000 must be promoted to the contract register on Yortender.

17.2 Where a contract has been tendered pursuant to the Regulations, the Council shall publish a contract award notice in OJEU no later than 30 days after the date of award of the contract and BEFORE any other award notice is publicised.

17.3 Where a contract has been awarded valued £25,000 or greater, regardless of the procedure used (including call-off from Framework Agreements), details of the award must be published on Contracts Finder, within 30 days of the award of the contract.

CONTRACT FORMALITIES

18. Contracts

18.1 Written contracts include the Council's electronic purchase orders in addition to contracts prepared and/or approved by the Council's Legal Services department. The relevant Executive Director must ensure that officers give proper consideration to the form of contract required in each case and obtain advice from the Service Director of Legal Services where necessary.

18.2 Every contract must be in writing and unless executed under the Council's seal:

- must be signed by two officers at least one of those officers shall be an Executive or Service Director where the contract value is up to and including £70,000
- must be signed by two Executive or Service Directors and at least one of those officers shall be the Service Director, Legal Services or their authorised signatory where the contract value is over £70,000

- 18.3 The relevant Executive Director must ensure that every contract in writing must set out:
- (a) the works, goods, services, materials, matters or things to be carried out or supplied;
 - (b) the price to be paid and/or the amounts and frequency or the method of calculation of contract payments with a statement of discounts or other deductions;
 - (c) the time(s) within which the contract is to be performed; and
 - (d) such other matters as the Service Director, Legal Services considers necessary.
- 18.4 Any standard terms and conditions of contract submitted by a supplier shall not be accepted without advice or review from the Executive Director, Core Services.
- 18.5 Every contract must be in writing and must be concluded (executed by all parties) prior to the commencement of any works, services or any supply. Exceptionally, and only for certain categories of procurement such as construction, a letter of intent may be utilised to enable forward planning and mobilisation activities but must be value capped and time limited. Proceeding under a letter of intent can give rise to risks and advice should always be sought from the Service Director, Legal Services before utilising a letter of intent.

CONTRACT MANAGEMENT

19. Contract Management

- 19.1 All contracts must be managed in accordance with the Council's contract management procedures.
- 19.2 The Strategic Contract Manager in the Strategic Procurement Team should be contacted in regards to any contractual management issues.

20. Variations

- 20.1 A variation must not materially affect or change the scope of the original contract. Such a variation could constitute a new award/contract. The Regulations must be followed where applicable and advice obtained from Legal Services and the Strategic Procurement Team. In other cases where a proposed variation exceeds 50% or £100,000, whichever is the lower then appropriate

advice should be sought from the Strategic Procurement Team in the first instance and Legal Services.

- 20.2 The Strategic Procurement Team should be notified of any contract variations that materially change the original scope and value of the contract.

All variations to a contract must be recorded and signed by both parties (including numbering and dated) and provided to the contractor to ensure a full audit trail is maintained.

Terms of Reference January 2018

Background

The council is required by law to have a set of rules on how it acquires goods, services and works from third parties. The rules are referred to as the contract procedural rules (CPR's).

The CPR's govern how all procurement and expenditure with third party suppliers should be conducted by the council.

The CPR's need to be reviewed from time to time to take into account changes to legislation (e.g. EU Procurement Directives), Government and Local Government Initiatives, the council's strategic priorities and general changes within the council.

The last revision to the CPR's took place was in 2015 mainly to incorporate the Public Contract Regulations 2015 but have not been reviewed since.

Objectives

The objectives of the group are to review the contract procedural rules in line with present procurement legislation and changes to council's procurement structures, strategies and corporate priorities.

The outcome of the group is to produce CPR's that will enable the council to maximise opportunities and financial benefits through its acquisition of goods and services to meet changing demands and the commercialisation of local government service.

The group will review the CPR's to ensure to ensure the document is more user friendly.

Issues

Since the last review of the CPR's in 2015 there have been a number of changes within the council and new challenges that need to be considered in the review.

Some of the specific issues to be considered are as follows:-

1. The implementation and investment in a new centralised procurement structure including the introduction of a category management approach to procurement within the council.
2. The emphasis on being more commercially minded in day to day decision making and problem solving within local government and the consideration of alternate procurement procedures.
3. The threshold limits to apply for the various procurement procedures
4. The waiver process and template
5. Consideration of new policies within Barnsley MBC e.g. area council procurement
6. Consideration of light touch services

7. More alignment with governance requirements of the council and updating of other legislative requirements.
8. Market shaping and consultation with the market and collaboration with other local authorities where appropriate.
9. More robust and disciplined approach to commercial contract and supplier management.

Membership of the Group

The following members have been allocated to the group representing the three main services which CPR's are critical to the day to day operations.

The members are, as follows:

Member	Service
Chris Arnold	Strategic Procurement
Glyn Stephenson	Strategic Procurement
James Farrimond	Strategic Procurement
Dave White	Internal Audit
Lawrence Gould	Legal Services

The group may need to call on others members of the council to assist in the review of the rules where additional expertise is needed.

Reporting Mechanisms

During the review, the Head of Strategic Procurement will update the Strategic Commissioning and Procurement Group of the works and considerations of the CPR Group.

Once the group has finalised the review, the group will all sign off their agreement to the new revised Contract Procedural Rules.

If the revisions made are of a procedural nature then the Director of Core Services will need to agree the changes and sign them off.

If the changes to the CPR's are of a fundamental nature then sign off by the Senior Management Team and Audit Committee would be needed in this case.

Future Group Meetings

Meetings will take place every 4 weeks commencing in January 2018, decreasing / increasing occurrence as and when required, dependant on key activities.

Additional attendees will be invited for specific specialised agenda items such as Finance, Governance, etc.

Timeline of the CPR Group

The review of the CPR is expected to be completed by the 31st March 2019 with the new CPR's signed in accordance with the Governance arrangements of the council. All of those involved in procurement activity within the council will be made aware of the new CPR's and the revisions made.

Contract Procedural Rules Review Group



Terms of Reference Signature Page

Member	Service	Signature	Date (DD/MM/YY)
Chris Arnold	Strategic Procurement		
Glyn Stephenson	Strategic Procurement		
James Farrimond	Strategic Procurement		
Dave White	Internal Audit		
Lawrence Gould	Legal Services		

Date:	
Reference:	
Requestor:	
Email:	
Telephone:	
Report of:	
Title:	
Section 1: Good / Service / Works to be procured:	
Provider name:	
Vendor Number:	
Total waiver value:	
Contracted dates:	
Waiver Type	<input type="checkbox"/> New Waiver <input type="checkbox"/> Repeat Waiver
Details of previous values:	
Spend to date:	
Date of last competitive tender / waiver:	
Section 2: Exemption under contract procedure rules:	
Reason why competition is not possible:	
Section 3: Specification:	
Terms and Conditions:	
Section 4: Recommendation:	

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Item 30

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

REPORT OF THE EXECUTIVE DIRECTOR CORE SERVICES CABINET ON 20 MARCH 2019

MEMBER REPRESENTATION ON THE VIRTUAL SCHOOL GOVERNANCE GROUP

1. Purpose of Report

- 1.1 To seek the formal appointment of Elected Members to the Virtual School Governing body.

2. Recommendations

- 2.1 **That the People (Achieving Potential) and People (Safeguarding) Cabinet Spokespersons and the respective Cabinet Support Members be appointed to serve on the Virtual School Governance Group, together with six further Elected Members to be appointed at Full Council.**

3. Background

- 3.1 The People Directorate have been progressing arrangements to establish a governing body for Barnsley's Virtual School for Children in Care, separate from the current Corporate Parenting Panel. Interim arrangements have been in place to provide this governance, but these arrangements have now been formalised.
- 3.2 The two People Cabinet Spokespersons, and their respective Support Members, have been serving on the interim body together with a number of Members drawn from the Corporate Parenting Panel, namely Councillors Carr, Pourali, Charlesworth, Wilson, Coates and C. Johnson.
- 3.3 The terms of reference for the proposed Governance Group are set out in the Appendix. In particular, it works to ensure good or outstanding experiences and outcomes for children looked after by Barnsley, to agree and monitor the relevant policies and monitor, evaluate, celebrate and challenge the work of the Local Authority and the virtual school.
- 3.4 In addition to Elected Members, the Governance Group will initially comprise the Headteacher of the Virtual School, the Head of Service for Children in Care, and the Designated Nurses for Safeguarding Children and Looked After Children. Further development of the Governance Group is also proposed to include members from professional groups within the Council beyond People Directorate and representatives of the Council's partners, for example local businesses.

4. Proposal

- 4.1 It is proposed that the People (Safeguarding) Spokesperson, as Chair, and People (Achieving Potential) Spokesperson, as Vice Chair, and their respective Cabinet Members shall be members of the Governance Group, together with six additional Elected Members. The six Members will be appointed by Full Council in broad political proportionality.
- 4.2 Members involved in the interim arrangements have been drawn from the Corporate Parenting Panel. However, this is not a requirement for the new governance body. Indeed, there may be some merit in broadening out the number of Members involved in corporate parenting responsibilities.

5. Appendices

- 5.1 Appendix 1 – Terms of Reference of the Virtual School Governance Group.

6. Background Papers

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Report author: Ian Turner, Service Director Governance and Member Support

Barnsley Virtual School for Children in Care Governance Group

Terms of Reference

Purpose

- The Governing Body of Barnsley's Virtual School for Children in Care (CiC) needs to take a strategic role, act as a critical friend to the school and be accountable for its decisions. It should agree and monitor policies and monitor, evaluate, celebrate and challenge the work of the local authority and the Virtual School for CiC in its role of ensuring good or outstanding experiences and outcomes for children looked after by Barnsley.

Membership

- The Governing Body will comprise councillors sitting on the Corporate Parenting Panel, The Virtual Headteacher of the Virtual School, the Head of Service for Children in Care, the Designated Nurse Safeguarding Children and the Designated Nurse for Looked After Children.
- The Chairperson is to be the Cabinet Spokesperson: Safeguarding at the time of the meeting
- The Vice Chairperson is to be the Cabinet Spokesperson: Achieving Potential at the time of meeting

Meetings

- The governing body will meet bi-monthly, as part of Corporate Parenting Panel meetings
- Dates for the meetings are to be set a year in advance
- Governing body meetings are to last a maximum of 90 minutes, and will form the second half of Corporate Parenting Panel meetings
- Governing Body meetings will be clerked by a member of BMBC's Business Support Team as part of their duties to the full Corporate Parenting Panel
- In the absence of the Chair, the governing body meetings will be chaired by the Vice Chair.
- In the event of a tied vote the Chair or acting Chair shall have a second or casting vote.
- The draft minutes of each meeting will be circulated with the agenda for the next meeting and will be presented at that meeting by the Chair.

Term

- The role of chair will transfer with any change in the Cabinet Spokesperson: Safeguarding
- The role of vice chair will transfer with any change in the Cabinet Spokesperson: Achieving Potential
- Remaining councillor membership will reflect membership of the Corporate Parenting Panel

Quorum

- At least half of the councillors must be present for the meeting to be considered quorate

Role and Responsibilities

1. To receive and agree the Annual Headteacher report in order to:
 - review and evaluate the examination/national test results for children looked after by Barnsley;
 - review and evaluate the annual level of exclusions of children looked after by Barnsley;
 - review and evaluate the annual school attendance of children looked after by Barnsley.
2. To receive, approve and monitor the School Development Plan for Barnsley's Virtual School for Looked After Children.

3. To receive and agree termly Virtual School Monitoring reports in order to:
 - monitor the educational attainment and progress of children looked after by Barnsley;
 - monitor the level of exclusions of children looked after by Barnsley;
 - monitor the school attendance of children looked after by Barnsley .
4. To review and approve Barnsley’s policy and procedures for managing the Pupil Premium Grant Plus funding as it relates to children looked after by:
 - monitoring the level of, and distribution of, Pupil Premium Grant Plus Funding;
 - monitoring the impact of work funded by Pupil Premium Grant Plus Funding.
5. To maintain an overview of the staffing of the Virtual School.
6. In consultation with the Headteacher, to determine the staffing structure of the school.
7. To oversee the appointment procedure for staff to the Virtual school.
8. To bring matter to the attention of the full Corporate Parenting Panel as their significance demands.

Date reviewed and adopted:.....
 Date of next review:.....
 Signature of Chair of Governors:.....

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

Implementation of the 2019/20 Pay Policy Statement

1. Purpose of Report

The purpose of this report is to seek approval to implement the council's 2019/20 Pay Policy Statement in accordance with section 38 to 43 of the Localism Act 2011.

2. Recommendations

That approval is given to implement the 2019/20 Pay Policy Statement contained at Appendix 1 with effect from 1st April 2019.

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 2019/20 Pay Policy Statement has been reviewed in accordance with the Act and has been updated with the following:

- Paragraph 2.2 has been amended to reflect changes to Service Director pay
- Paragraph 2.3 is new to reflect changes to Service Director pay
- Paragraph 2.4 - to reflect the updated School Teachers Pay and Conditions Document 2018.
- Paragraph 4.1 - Updated lowest and highest paid salaries and pay multiple.

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. Implications for Local People/Service Users

6.1 There are no implications for local people and service users arising from this report.

7. Financial Implications

7.1 There are no direct financial implications for the council as a result of this report.

8. Employee Implications

8.1 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.

9. Legal Implications

- 9.1 The Pay Policy consolidates a number of existing policies that have previously been reviewed by Legal Services.

10. Communications Implications

- 10.1 To comply with mandatory requirements the Pay Policy will be published on the council's website.

11. Consultations

- 11.1 The Senior Management Team was consulted on 26th February 2019.
- 11.2 The Pay Policy was circulated to the Trade Unions on 25th February 2019 and was discussed at the Employee Relations Forum on 27th February 2019.

12. Promoting Equality and Diversity and Social Inclusion

- 12.1 The implementation of this policy will ensure that any issues relating to pay are applied fairly and consistently.

13. Risk Management Issues

- 13.1 The recommended policy provides information on how the council remunerates its employees and as such provides a standard framework to be applied to employee remuneration therefore reduces the risk of inconsistencies in this area.

14. Glossary

DCLG – Department for Communities and Local Government.

15. List of Appendices

Appendix 1 – 2019/20 Pay Policy Statement.

16. Background Papers

- 16.1 DCLG Guidance: Openness and Accountability in Local Pay February 2012.
- 16.2 DCLG Guidance: Openness and Accountability in Local Pay Supplementary Guidance February 2013.
- 16.3 DCLG Local Government Transparency Code 2014.
- 16.4 Localism Act 2011

These documents are contained in working files in Human Resources and are available for inspection.

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

PAY POLICY STATEMENT FOR THE PERIOD 1 APRIL 2019 TO 31 MARCH 2020**Contents**

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PAY POLICY FOR THE PERIOD 1 APRIL 2019 TO 31 MARCH 2020

1.0 INTRODUCTION AND SCOPE

- 1.1 At Barnsley Council we value diversity and are committed to equality within our workforce. Our ambition for Barnsley Council is to be a place where everyone is valued, respected, treated fairly and with dignity. The approach we take to equality and diversity is informed by our Vision and Values and seeks to address the challenges we face, and to learn from the progress and achievements we have made so far.
- 1.2 Pay fairness is an important part of this commitment and as well as defining our policy on pay and related allowances, as a council, we are working on actions identified to tackle our gender pay gap.
- 1.3 In addition 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.
- 1.4 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 appropriate decision making process.

2.1.2 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. 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 \(Link to be inserted once collective agreement is signed\)](#)

The grading structure currently 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.

*From 1st June 2019 Service Directors will be paid a fixed salary determined through pay benchmarking. They will however, remain on NJC terms and Conditions.

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 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.

2.2.4 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 Service Directors

From 1st June 2019 Service Directors will be paid on the same fixed salary determined through pay benchmarking.

2.3.1 Salary on Appointment

Appointments will be to the agreed fixed salary for Service Directors 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.

2.3.2 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. Beyond this the Council would not make additional payments outside those specified in the contract of employment.

2.4 Soulbury Officers

2.4.1 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.

2.4.2 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.

[Education Improvement Professionals Pay Scale](#)

2.4.3 [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

[Educational Psychologists Pay Scale](#)

2.4.4 [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).

2.4.5 [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](#)

2.5 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 2018](#)

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.

2.6 Adult Education Tutors

2.6.1 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.

[Adult Education Tutors Pay Scales](#)

2.6.2 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.

2.6.3 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.

2.7 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.

2.7.1 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 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.

2.7.2 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 2.7.1, 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.

2.7.3 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 £17,364 and can be expressed as an hourly rate of pay of £9.00. The Council is committed to tackling low pay and historically has paid a low pay supplement equivalent to the Foundation Living Wage rate. This rate is £9.00 per hour which is currently the same as the council's minimum rate.

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 £162,683 which is paid to the Chief Executive. The median average salary in this council (not including schools) is £22,658. The ratio between the two salaries, the 'pay multiple' is 7.2:1. 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 2017 18](#)

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. 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.
- Standby/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.

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. Approval from the Service Director Human Resources 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 occupational

pension scheme set up under the Superannuation Act 1972. . The contribution rate depends on the level of earnings but is currently 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 7.4% to 11.7% depending on the level of earnings. The Council pays a further 16.48%. This will increase to 23.6% from 1 September 2019.

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 2019 to 31 March 2020, 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 Business Partner 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	BMBC 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 9.

Item 32



MEETING:	Cabinet
DATE:	Wednesday, 6 February 2019
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Gardiner, Howard, Miller, Platts and Tattersall (for Cheetham)

Members in Attendance: Councillors Franklin, Frost, Pourali, Saunders and Sheard

180. Declaration of pecuniary and non-pecuniary interests

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

181. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 23rd January, 2019 had been called in.

182. Minutes of the previous meeting held on 23rd January, 2019 (Cab.6.2.2019/3)

The minutes of the meeting held on 23rd January, 2019 were taken as read and signed by the Chair as a correct record.

183. Decisions of Cabinet Spokespersons (Cab.6.2.2019/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 25th January, 2019 were noted.

184. Petitions received under Standing Order 44 (Cab.6.2.2019/5)

It was reported that no petitions had been received under Standing Order 44.

Core Services Spokesperson

185. The Council's Medium Term Financial Strategy - 2019/20 Budget Recommendations (Cab.6.2.2019/6)

RECOMMENDED TO COUNCIL ON 28TH FEBRUARY, 2019:-

- (i) that the Future Council 2020 Strategy at Section 1 of the report now submitted be noted and implemented accordingly;
- (ii) that the report of the Service Director Finance under Section 25 of the Local Government Act 2003 at Section 2 be noted, that the 2019/20 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 plans that ensure the Council's ongoing financial sustainability for 2020/21 and beyond;

- (iii) that the revised Medium Term Financial Strategy and Forecast for 2019/20 to 2021/22 contained at Section 3 and Section 3a (supported by the Capital Investment Strategy at Section 3b and the Financial Resilience position at Section 3d) be noted and monitored as part of the arrangements for the delivery of the Future Council 2020 Strategy;
- (iv) that the Treasury Management Strategy and Policy Statement at Section 3c be noted and the proposed Treasury Management Strategy for 2019/20 be approved including:-
 - the Borrowing Strategy and Prudential and Treasury Indicators;
 - the revised Minimum Revenue Provision Statement; and
 - the Annual Investment Strategy.
- (v) that the Council's current reserves position at Section 4 be noted and monitored as part of the arrangements for the delivery of the Future Council 2020 Strategy;
- (vi) that the budgets for all services and the 2019/20 budget proposals presented at Sections 6A – 6C and Sections 10A – 10E of the report be approved subject to Cabinet receiving detailed implementation reports where appropriate;
- (vii) that the changes to the schools funding formula, including the transfer of funding from the schools block to the high needs block, be approved together with the proposed 2019/20 schools block budget as set out at Section 6D;
- (viii) that the new General Fund capital investment of £23.9m (as outlined at Section 7 Appendix A) and £8.4m (Section 7 Table 5) of specifically funded schemes be included within the capital programme and released subject to further detailed reports on the proposals for their use;
- (vix) that the availability of £1.9m of Housing related reserves to be considered against future housing priorities in 2019/20 as set out at Section 7 Table 3 be noted;
- (x) that approval be given to earmark the remaining unallocated resources of £16.1m at Section 7 Table 3 in view of the ongoing Brexit uncertainty particularly recognising the major economic regeneration initiatives the Council is taking forward;
- (xi) that the detailed proposals for increases to existing fees and charges and new fees and charges be approved and implemented as set out at Section 9;
- (xii) that the efficiency proposals for 2019/20 in Sections 10A to 10E be agreed, subject to consideration of any further Equality Impact Assessments;

- (xiii) that approval be given to the creation of a spot salary for the role of Service Director with effect from 1 June 2019 (see Section 11);
- (xiv) that the existing Elected Members Scheme of Allowances (Section 12) continue and that following consideration of a report from the Council's Independent Remuneration Panel that the indexation formula for the increase in allowances (linked to related increases for officer remuneration) be retained;
- (xv) that the Aggregated Equality Impact Assessment (Section 14) of the proposals be noted and the proposed mitigation actions in the report be approved;
- (xvi) that the cash limited budgets for each service with overall net expenditure for 2019/20 of £169.064m be approved;
- (xvii) that the Chief Executive and SMT, in consultation with the Cabinet Spokespersons, be required to submit reports into Cabinet, as a matter of urgency, in relation to the detailed General Fund Revenue Budget for 2019/20 on any further action required to achieve an appropriately balanced budget in addition to those proposals set out above;
- (xviii) that the Chief Executive and SMT be responsible for managing their respective budgets including ensuring the implementation of savings proposals;
- (xix) 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;
- (xx) that Cabinet and the Section 151 Officer be authorised to make any necessary technical adjustments to form the 2019/20 budget;
- (xxi) 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; and
- (xxii) that the budget papers be submitted for the consideration of the Full Council.

(B) Council Tax 2019/20

RECOMMENDED TO COUNCIL ON 28TH FEBRUARY, 2019:-

- (i) that the contents of Section 8 of the report (2019/20 Council Tax options) now submitted, be noted;
- (ii) that the estimated Council Tax Collection Fund net surplus as at 31st March 2019 relating to BMBC of £2.615m be used to reduce the 2019/20 Council Tax requirement, in line with statute;
- (iii) that the 2019/20 Band D Council Tax increase for Barnsley MBC's services be set at 4.49% (2.99% for Barnsley MBC services and an additional 1.5% 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 2019/20; 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 2019/20.

186. 2019/20 Service and Financial Planning - Redundancy Compensation and Procedures (Cab.6.2.2019/7)

RECOMMENDED TO FULL COUNCIL ON 28TH FEBRUARY, 2019:-

- (i) that for the purpose of the 2019/20 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.

187. Social Value Policy and Council Wide Adoption (Cab.6.2.2019/8)

RESOLVED:-

- (i) that the Social Value Policy be approved for Council-wide adoption, as detailed in the report now submitted, and
- (ii) that approval be given for the Executive Director Core Services to act as a 'social value champion' and provide senior leadership support in respect of the implementation and ongoing development of the Social Value Policy and associated processes, documentation and reporting.

People (Achieving Potential) Spokesperson

188. Proposed Conversion of Kendray Resource Centre into a Satellite Facility for Pupils with SEN(D) (Cab.6.2.2019/9)

RESOLVED:-

- (i) that approval be given to the arrangements for the conversion of the Kendray Resource Centre into a satellite facility for pupils with special educational needs, as summarised in Section 4 of the report now submitted, with effect from the 2019/20 school year;
- (ii) that the financial implications arising from this report be included in the Capital Programme and released in accordance with the Financial Regulations Code of Practice C5.2(a);
- (iii) that, as part of the report's proposals, approval be given to the granting of two new leases to the Wellspring Multi Academy Trust for up to 25 years at

Kendray Resource Centre and up to 7 years at the Athersley IKIC Centre at nominal rents, in both instances;

- (iv) that the Corporate Assets Manager be authorised to finalise Heads of Terms for the new leases to the Wellspring Multi Academy Trust; and
- (v) that the Executive Director Core Services be authorised to complete the new leases to the Wellspring Multi Academy Trust.

People (Safeguarding) Spokesperson

189. Ofsted Inspection of Local Authority Children's Services in Barnsley (2018) (Cab.6.2.2019/10)

RESOLVED that the findings and recommendations of the Ofsted Inspection of Local Authority Children's Services in Barnsley (2018) and the commitment to drive continuous improvement in the effectiveness of children's services in the Borough, as detailed in the report submitted, be noted.

Joint People (Safeguarding) and Communities Spokespersons

190. Extending the Scope of Extra Care Provision (Cab.6.2.2019/11)

RESOLVED:-

- (i) that approval be given to the introduction of the proposed model of extra care provision, as indicated in Section 4 of the report, and to proceed with the commissioning and procurement of a care and support provider for this purpose; and
- (ii) that a follow-up report on the implementation and benefits of the new scheme be submitted for Cabinet's consideration during 2020/21.

Place Spokesperson

191. Darton Academy and Outwood Academy Carlton - Work to Accommodate Additional Pupils (Cab.6.2.2019/12)

RESOLVED:-

- (i) that the position with regard to the demand for school places in the Central Planning area in September 2019 and September 2020 be noted;
- (ii) that approval be given to fund the estimated £642,477 capital cost for the remodelling work required at Darton Academy utilising the Basic Need Grant awarded by the Department of Education to address the shortfall in pupil places in the Central Planning area in September 2019 and September 2020; and
- (iii) that approval be given to fund the estimated £150,000 capital cost of providing a mobile classroom/portakabin at Outwood Academy Carlton utilising the

Basic Need Grant awarded by the Department for Education to address the shortfall in pupil places in the Central area in September 2019.

192. Barnsley Active Travel Strategy 2019-2033 (Cab.6.2.2019/13)

RESOLVED that the Barnsley Active Travel Strategy 2019-2033, as set out in Appendix 1 of the report now submitted, be adopted.

193. European Social Fund - Pathways to Success (Cab.6.2.2019/14)

RESOLVED:-

- (i) that agreement be given to accept the European Social Fund (ESF) grants for the Pathways to Success and Pathways to Progression projects and contribute the required match funding;
- (ii) that agreement be given to a sub-contract with lead partner Sheffield City Council and undertake the responsibilities of delivering the Barnsley activity detailed within the report; and
- (ii) that approval be given to the minor restructure in order to ensure successful delivery of both projects.

194. 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>
195	Paragraph 3

Place Spokesperson

195. The Glass Works Development - Appointment of Phase 2 Works Contractor (Cab.6.2.2019/16)

RESOLVED:-

- (i) that subject to securing the necessary planning approvals, approval be given to the appointment of Henry Boot Construction as contractor for Phase 2 of the Glass Works Scheme;
- (ii) that the Executive Director Core Services be authorised to complete any necessary contract documentation relating to the appointment of Henry Boot Construction;
- (iii) that the Executive Director Core Services be authorised to issue a letter of intent to Henry Boot Construction to enable preparatory work to be completed prior to completion of the final contract documentation;

- (iv) that the Executive Director Core Services be authorised to apply for any necessary consents, licence arrangements, footpath diversions, traffic regulation orders, closure orders, side road orders and CPO procedures that may be required to deliver the Scheme;
- (v) that approval be given to release Phase 2 of the development into the Council's capital programme in line with the agreed cost as highlighted in paragraph 7.4 of the report; and
- (vi) that progress be noted with the Glass Works funding bid to Sheffield City Region and that the Executive Director Core Services and Executive Director Place in consultation with Cabinet Spokespersons be authorised to negotiate and finalise any funding offer from Sheffield City Region for the Glass Works Scheme.

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Chair

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Item 33



MEETING:	Cabinet
DATE:	Wednesday, 20 February 2019
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 Franklin, Frost, Daniel Griffin, Pourali, Saunders and Tattersall

196. Declaration of pecuniary and non-pecuniary interests

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

197. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 6th February, 2019 had been called in.

198. Minutes of the previous meeting held on 6th February, 2019 (Cab.20.2.2019/3)

The minutes of the meeting held on 6th February, 2019 were taken as read and signed by the Chair as a correct record.

199. Decisions of Cabinet Spokespersons (Cab.20.2.2019/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 8th February, 2019 were noted.

200. Petitions received under Standing Order 44 (Cab.20.2.2019/5)

It was reported that no petitions had been received under Standing Order 44.

Core Services Spokesperson

201. Discretionary Housing Payments (DHP) Scheme (Cab.20.2.2019/6)

RESOLVED that the Discretionary Housing Payments (DHP) scheme, which is set out in the appendix to the report, be approved.

Place Spokesperson

202. BMBC's Empty Property Delivery Plan and Profiling 2018-2021 (Cab.20.2.2019/7)

RESOLVED:-

- (i) that the Empty Property Delivery Plan and Profiling for 2018-2021, as detailed in the report now submitted, be approved; and
- (ii) that the delegation to the Head of Housing and Energy identified in paragraph 4.16 to approve any adjustments between the individual delivery streams within the overall budget envelope available be approved.

203. Acquisition of New Cremators (Cab.20.2.2019/8)

RESOLVED:-

- (i) that authorisation be given to procure 4 x new cremators to be installed at Ardsley Crematorium at a total estimated cost of £853,000, phased over a two year period (two in 2019/20 FY and two in 2020/21) to be funded from specifically earmarked reserves, set aside for the Council's 2020 capital priorities through the Council's Reserves Strategy; and
- (ii) that the scheme be included in the Capital Programme and funding released in accordance with Financial Regulations.

204. Supplementary Planning Guidance and Planning Advice Notices Update (Cab.20.2.2019/9)

RESOLVED:-

- (i) that approval be given to consult on the Supplementary Planning Documents and Planning Advice Notes, as set out in the appendices to the report now submitted; and
- (ii) that the Council no longer continues to progress the Community Infrastructure Levy.

205. Draft Fleet Vehicle Replacement Strategy (Cab.20.2.2019/10)

RESOLVED:-

- (i) that the draft Fleet Vehicle Replacement Strategy, as set out in Appendix 1 to the report, be supported; and
- (ii) that a future capital plan for future vehicle replacement programme be submitted in accordance with the proposed Strategy.

People (Safeguarding) Spokesperson

206. Barnsley Adult Social Care Local Account 2017/18 (Cab.20.2.2019/11)

RESOLVED:-

- (i) that the Barnsley Adult Social Care Local Account for 2017/18, as set out in Appendix 1 to the report submitted, be approved; and
- (ii) that awareness of the Local Account be promoted with Elected Member colleagues and constituents.

207. Proposed Use Of The Adult Social Care Winter Pressures Funding 2018-19 (Cab.20.2.2019/12)

RESOLVED:-

- (i) that the winter pressures funding for the Borough during 2018/19 , as set out in the report now submitted, be noted; and
- (ii) that agreement be given to the proposed use as indicated in paragraph 4.4 of the report.

People (Achieving Potential) Spokesperson

208. Co-ordinated Scheme of Admission to Local Authority Maintained Primary and Secondary Schools 2020/21 (Cab.20.2.2019/13)

RESOLVED that the proposed scheme for co-ordinating the admission arrangements for primary and secondary schools, as detailed in the report submitted, be approved for the 2020-2021 school year.

209. Admission Arrangements for Community and Voluntary Controlled Primary and Secondary Schools for the 2020-2021 School Year (Cab.20.2.2019/14)

RESOLVED that the proposed admission arrangements for community and voluntary controlled primary and secondary schools, as set out in the report submitted, be approved for the 2020-2021 school year.

210. School Term Times and Holiday Dates for Community and Voluntary Controlled Schools 2020-2021 (Cab.20.2.2019/15)

RESOLVED that Option 1 of the proposed term times and holiday dates for 2020-2021, as set out in Appendix 1 of the report now submitted, be approved for adoption.

211. 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>
212	Paragraph 3

Place Spokesperson

212. Community Asset Transfer - Penistone Paramount Lease Renewal (Cab.20.2.2019/17)

RESOLVED:-

- (i) that approval be given to the granting of a new 25 year lease to Penistone Town Council in respect of Penistone Paramount on terms and conditions to be agreed;
- (ii) that the Corporate Asset Manager be authorised to finalise Heads of Terms for a 25 year lease to Penistone Town Council for a nominal rent; and
- (iii) that the Executive Director Core Services be authorised to complete the lease to Penistone Town Council. The grant will be in accordance with Local Government Act 1972, but at less than best consideration based on the delivery of local social economic and environmental wellbeing powers as introduced by the Local Government Act 2000 and the General Disposal Consent (England) 2003.

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Chair

Item 34



MEETING:	Cabinet
DATE:	Wednesday, 6 March 2019
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 Franklin, Frost, Daniel Griffin, Pourali, Saunders, Sheard and Tattersall

213. Declaration of pecuniary and non-pecuniary interests

Councillors Andrews and Howard declared a non-pecuniary interest in agenda item 228.

214. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 20th February, 2019 had been called in.

215. Minutes of the previous meeting held on 20th February, 2019 (Cab.6.3.2019/3)

The minutes of the meeting held on 20th February, 2019 were taken as read and signed by the Chair as a correct record.

216. Decisions of Cabinet Spokespersons (Cab.6.3.2019/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 15th February, 2019 were noted.

217. Petitions received under Standing Order 44 (Cab.6.3.2019/5)

It was reported that no petitions had been received under Standing Order 44.

Place Spokesperson

218. Outgoing Poet Laureate (Cab.6.3.2019/6)

The Place Cabinet Spokesperson delivered a citation to Ian McMillan, marking the end of his tenure as the town's Poet Laureate, thanking him for his three years of dedicated service to the town. It was noted that as Poet Laureate, Ian has created new poems for the town and championed local literary causes, engaged new audiences, inspired upcoming local poets and artists and through the Hear My Voice initiative delivered enrichment projects reaching school children, young people and community organisations.

Cabinet Members contributed similar thanks to Ian for his inspirational literary dedication to the town and its people.

It was noted Ian will be succeeded by our new Poet Laureate 19 year old Eloise Unerman from Goldthorpe.

In reciprocation, Ian thanked Members for their kind words and reflected on the many positive experiences he had experienced during his time as Poet Laureate.

Core Services Spokesperson

219. Approval to Re-Procure Utility Contracts (Cab.6.3.2019/8)

RESOLVED that approval be given to the intention to re-procure the Council's gas, electricity, water and wastewater and associated services using the Yorkshire Purchasing Organisation (YPO) framework agreements.

It was noted that in view of the need to conclude all necessary agreements in the above matter, the Chair of the Overview and Scrutiny Committee has agreed to waive the delay in implementation associated with the Call-In procedures.

Communities Spokesperson

220. Civil Penalties Policy Implementation (Cab.6.3.2019/7)

RESOLVED:-

- (i) that the Civil Penalties Policy, as set out at Appendix 1 to the report, be approved; and
- (ii) that the Service Director Stronger, Safer and Healthier Communities be authorised to implement the Policy and to undertake relevant enforcement under it, including the issuing and enforcement of Civil Penalty Notices.

221. Corporate Plan Performance Report - Quarter 3 ending 31st December, 2018 (Cab.6.3.2019/9)

RESOLVED:-

- (i) that the Corporate Plan Performance Report for Quarter 3 (October to December 2018), as detailed in the report now submitted, be noted;
- (ii) that it be noted that there are no suggested areas for improvement or achievement for follow-up at the end of Quarter 3. Initiatives are already in progress to address areas of concern;
- (iii) that the inclusion of the Stronger Communities quarterly narrative report be noted which details the contribution of Area Councils and Ward Alliances to the Corporate Plan priorities and outcomes;
- (iv) that the report be shared with the Overview and Scrutiny Committee to inform and support their ongoing work programme; and

- (v) that Cabinet place on record its thanks to the staff involved in the achievements recorded in the report, and in bringing together the performance information.

222. Corporate Financial Performance Report - Quarter 3 ending 31st December, 2018 (Cab.6.3.2019/10)

RESOLVED:-

- (i) that the Corporate Financial Performance Report for Quarter 3 ending 31st December, 2018, as set out in the report now submitted, be noted;
- (ii) that the Executive Director Place be requested to review the plans in place within Environment and Transport to ensure a balanced position and sustainable budget in 2019/20 and beyond;
- (iii) that the Executive Director People be requested to bring forward a further report on the specific interventions planned in relation to Special Educational Needs outlining the impacts that these are projected to have on both the outcomes for children and the associated cost profile;
- (iv) that approval be given to the earmarking of £4m of the projected underspend for Special Educational Needs on the basis that this is a known commitment;
- (v) that the anticipated slippage in expenditure/transfer to reserves required to fund known expenditure commitments in 2019/20, as shown in Appendix 2 Column 7 of the report submitted, be noted;
- (vi) that the write off totalling £1.549m of historic debt (£1.423m General Fund/£0.126m HRA) as shown at paragraph 5.11 of the report be approved;
- (vii) that the budget virements detailed at Appendix 1 of the report, be approved; and
- (viii) that the challenging financial environment facing the Council despite the positive Quarter 3 position be noted.

223. Capital Programme Performance Report - Quarter 3 ending 31st December, 2018 (Cab.6.3.2019/11)

RESOLVED:-

- (i) that the Capital Programme Performance for Quarter 3 ending 31st December 2018, as set out in the report now submitted, be noted;
- (ii) that both the 2018/19 and overall five year Capital Programme positions be noted;
- (iii) that approval be given for the 2018/19 scheme slippage totalling £5.102m and re-phasing totalling £1.530m (paragraphs 5.4, 5.5 and Appendix B refer);

- (iv) that the total net decrease in scheme costs in 2018/19 of £0.307m (as detailed in paragraph 5.6 and Appendix B) be approved;
- (v) that approval be given to the net decrease in scheme costs in future years totalling £0.259m (as set out in paragraph 5.7 and Appendix B); and
- (vi) that approval be given to the reprioritisation of schemes within the quarter (as detailed in paragraph 5.8).

224. Treasury Management Activities Review - Quarter 3 ending 31st December, 2018 (Cab.6.3.2019/12)

RESOLVED:-

- (i) that the Treasury Management activities including borrowing and investment undertaken in Quarter 3 ending 31st December, 2018, as set out in the report submitted, be noted; and
- (ii) that the Prudential and Treasury Indicators detailed in Appendix 1 of the report be noted.

225. Revision to Disciplinary Policy (Cab.6.3.2019/13)

RESOLVED that the revisions to the Council's Disciplinary Procedure, as detailed in the report now submitted, be approved.

226. Revision to Grievance Policy (Cab.6.3.2019/14)

RESOLVED that the revisions to the Council's Grievance Procedure, as detailed in the report now submitted, be approved.

227. 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>
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228	Paragraph 3
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Place Spokesperson

228. Community Asset Transfer: Wilthorpe Tennis Courts, Wilthorpe, Barnsley (Cab.6.3.2019/16)

RESOLVED:-

- (i) that the Community Asset Transfer based on the business case from the Trustees of the Barnsley Lawn Tennis Club to allow them to develop and expand the existing tennis club facility at Wilthorpe Road, Barnsley;

- (ii) that the Corporate Asset Manager be authorised to finalise heads of terms for a 125 year lease to the Trustees of Barnsley Lawn Tennis Club for a nominal rental;
- (iii) that the Executive Director Core Services be authorised to complete the lease to the Trustees of Barnsley Lawn Tennis Club; and
- (iv) that an annual report be submitted tracking the success or failures of Community Asset Transfers.

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Chair

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