

MEETING:	Cabinet
DATE:	Wednesday, 10 July 2019
TIME:	10.00 am
VENUE:	Council Chamber - Barnsley Town Hall

AGENDA

1. Declaration of pecuniary and non-pecuniary interests
2. Leader - Call-in of Cabinet decisions

Minutes

3. Minutes of the previous meeting held on 24th June, 2019 (Cab.10.7.2019/3)
(Pages 3 - 8)

Items for Noting

4. Decisions of Cabinet Spokespersons (Cab.10.7.2019/4) (Pages 9 - 10)

Petitions

5. Petitions received under Standing Order 44 (Cab.10.7.2019/5)

Items for Decision/Recommendation to Council

Regeneration and Culture Spokesperson

6. Appropriation of land at Penny Pie Park for highway purposes (Cab.10.7.2019/6)
(Pages 11 - 84)
7. Social Housing - Response to Scrutiny Task and Finish Group (Cab.10.7.2019/7)
(Pages 85 - 90)

Deputy Leader

8. Adult Mental Health - Response to Scrutiny Task and Finish Group
(Cab.10.7.2019/8) (Pages 91 - 98)
9. Sexual Health Service Procurement (Cab.10.7.2019/9) (Pages 99 - 110)

Adults and Communities Spokesperson

10. Substance Misuse - Response to Scrutiny Task and Finish Group
(Cab.10.7.2019/10) (Pages 111 - 118)
11. Capital Funding - Housing with Support for Vulnerable and Homeless Adults with Complex Needs (Cab.10.7.2019/11) (Pages 119 - 126)

Environment and Transportation Spokesperson

12. Home to School Travel Assistance Policy 2018 - 2020 - Personal Travel Budget
(Cab.10.7.2019/12) (Pages 127 - 136)

Children's Spokesperson

13. Proposal for a Young Mayor of Barnsley: Shadowing Arrangements 2019/20 (Cab.10.7.2019/13) (*Pages 137 - 146*)
- Councillor Cheetham to present in his former capacity as Cabinet Spokesperson for People (Achieving Potential)

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Platts and Lamb

Cabinet Support Members:

Councillors Charlesworth, Franklin, Frost, Saunders, Sumner and Tattersall

Chair of Overview and Scrutiny Committee
Chair of Audit Committee

Sarah Norman, Chief Executive
Rachel Dickinson, Executive Director People
Matt Gladstone, Executive Director Place
Wendy Lowder, Executive Director Communities
Julia Burrows, Director Public Health
Andrew Frostdick, Executive Director Core Services
Michael Potter, Service Director Business Improvement and Communications
Neil Copley, Service Director Finance (Section 151 Officer)
Katie Rogers, Head of Communications and Marketing
Anna Marshall, Scrutiny Officer
Martin McCarthy, Service Director Governance, Members and Business Support

Corporate Communications and Marketing

Please contact Martin McCarthy on email governance@barnsley.gov.uk

Tuesday, 2 July 2019



MEETING:	Cabinet
DATE:	Monday, 24 June 2019
TIME:	2.30 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Platts and Lamb

Members in Attendance: Councillors Franklin, Frost, Sumner and Tattersall

11. Declaration of pecuniary and non-pecuniary interests

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

12. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 29th May, 2019 had been called in.

13. Minutes of the previous meeting held on 29th May, 2019 (Cab.24.6.2019/3)

The minutes of the meeting held on 29th May, 2019 were taken as read and signed by the Chair as a correct record.

14. Decisions of Cabinet Spokespersons (Cab.24.6.2019/4)

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

15. Petitions received under Standing Order 44 (Cab.24.6.2019/5)

RESOLVED that the report notifying the receipt of the following petitions be noted and the recommended actions for responding to them be endorsed:-

- (a) Containing the signatures of 520 signatories, from Shafton Parish Council, in respect of the withdrawal of Local Police Community Support Officers.

That the petition be received and referred to the South Yorkshire Police and Crime Commissioner. The Council are not the decision makers in this case which is being led by South Yorkshire Police. The Council were consultees to the review and our position was that we wanted to see a continuation of the current level and deployment of PCSOs.

Core Services Spokesperson

16. Corporate Plan Performance Report - Quarter 4 January to March 2019 and 2018/19 (Cab.24.6.2019/6)

RESOLVED:-

- (i) that the Corporate Plan Performance Report for Quarter 4 (January to March 2019) and the 2018/19 Year-End, 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 4. Initiatives are already in progress to address areas of concern;
- (iii) that the inclusion of the Stronger Communities quarterly narrative report which details the contribution of Area Councils and Ward Alliances to the Corporate Plan priorities and outcomes be noted; and
- (iv) that the report be shared with the Overview and Scrutiny Committee to inform and support their ongoing work programme.

**17. Capital Programme Performance Report - Quarter 4 and Year End 2018/19
(Cab.24.6.2019/7)**

RESOLVED:-

- (i) that the final position of the 2018/19 Capital Programme, as set out in the report now submitted, be noted;
- (ii) that approval be given to the 2018/19 scheme slippage totalling £25.512m and scheme re-phasing totalling £6.419m (as detailed in paragraphs 3.6, 3.7 and Appendix B);
- (iii) that the total net increase in scheme costs in 2018/19 of £1.061m (as detailed in paragraph 3.8 and Appendix B) be approved; and
- (iv) that the updated 2019/20 Capital Programme position, as part of the Quarter 1 monitoring report, be noted.

**18. Corporate Financial Performance Report - Quarter 4 and Year End 2018/19
(Cab.24.6.2019/8)**

RESOLVED:-

- (i) that the 2018/19 draft revenue final accounts position, as set out in the report now submitted, be noted;
- (ii) that the final position for Council services being an operational underspend of £4.145m, as detailed in Section 3, be noted;
- (iii) that the final position for Corporate budgets being an operational underspend of £3.392m, giving an overall underspend on the Authority's General Fund of £7.537m, as detailed in Section 3, be noted;

- (iv) that it be noted that the £2.800m of this balance has already been included within the updated 2019-2022 Reserves Strategy as part of approving the 2019/20 budget;
- (v) that approval for £4.000m of this balance be earmarked for anticipated Social Care cost pressures and future demography;
- (vi) that approval be given for the balance of £0.737m be transferred to the Authority's Strategic Reserves in line with the updated Medium Term Financial Strategy (MTFS);
- (vii) that agreement be given to earmark the carry forward revenue resources as identified in Section 4 and Appendix 1 of the report, subject to further reports being submitted for individual approvals where necessary;
- (viii) that approval be given to write off historic bad debt totalling £1.340m being £1.222m (General Fund) and £0.118m trade debt/tenant arrears (HRA) as detailed in Section 6.10 of the report;
- (ix) that the position on the Invest to Grow Fund be noted;
- (x) that the Section 151 Officer be requested to submit further reports on the overall outturn position if any significant adjustments arise following external audit scrutiny; and
- (xi) that the potential impact of the draft revenue final accounts position on the Council's Medium Term Financial Strategy (MTFS) as detailed in Section 8 of the report be noted.

19. Annual Report on Treasury Management Activities 2018/19 (Cab.24.6.2019/9)

RESOLVED:-

- (i) that the Treasury Management activities undertaken during 2018/19, as detailed in the report now submitted, be noted; and
- (ii) that the borrowing and investment activities carried out during 2018/19 be noted; and
- (iii) that the Prudential and Treasury Indicators as set out in Appendix 1 of the report be noted.

20. Provisional Revenue Final Accounts 2018/19 - Housing Revenue Account (Cab.24.6.2019/10)

RESOLVED:-

- (i) that the 2018/19 Housing Revenue Account (HRA) final accounts position, as detailed in the report submitted, be noted;
- (ii) that agreement be given to earmark carry forward revenue resources of £3.156m, as detailed in Section 6 and Appendix A;

- (iii) that the operational underspend (after earmarkings) of £1.247m be noted and approve this sum be transferred to HRA reserves to support the Council's Strategic Housing priorities;
- (iv) that the movement on the HRA reserves balance during the year resulting in a closing position totalling £37.1m, as analysed in Section 7, be noted;
- (v) that the Section 151 Officer be requested to submit a further report on the overall outturn position if there are any significant adjustments to the accounts arising from the External Audit or other factors;
- (vi) that the 2018/19 Berneslai Homes Ltd company accounts position be noted;
- (vii) that the Berneslai Homes Ltd carry forward revenue resources of £1.060m be earmarked for investment and scheme slippage purposes, as detailed in Section 8 of the report; and
- (viii) that the increase in Berneslai Homes Ltd's general contingency of 7.5% of its annual turnover, as detailed in paragraph 8.3, be noted.

21. Standby Payments (Cab.24.6.2019/11)

RESOLVED that the changes to Standby Payments, as detailed at Option 4 of the report, be approved with effect from 1st June, 2019.

Children's Spokesperson

22. Establishing a Sub-Regional Response to Tackling Child Criminal Exploitation in Barnsley, Doncaster and Rotherham (Cab.24.6.2019/12)

RESOLVED:-

- (i) that the Local Authority's participation within a multi-agency, sub-regional approach to tackling child criminal exploitation during 2019/20, based upon the principles of prevention and targeted early intervention, as detailed in the report now submitted, be endorsed; and
- (ii) that an evaluation of the outcomes of the initiative be reported to a future Cabinet meeting.

23. Barnsley Children and Young People's Plan 2019-22 (Cab.24.6.2019/13)

RESOLVED:-

- (i) that the publication of the Barnsley Children and Young People's Plan for 2019-2022, be approved; and
- (ii) that it be noted that the design work, as set out in Appendix 1, needs to be completed; however, the content has been agreed via the Trust Executive Group (TEG).

24. 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>
25	Paragraph 3

Regeneration and Culture Spokesperson

25. Schools Condition Capital Programme 2019/20 (Cab.24.6.2019/15)

RESOLVED:-

- (i) that the list of schemes, as detailed in Appendices B and C, be approved and financed from the 2019/20 Department for Education (DfE) School Condition Allocation;
- (ii) that the Executive Director Place, in consultation with the Cabinet Spokesperson, be authorised to vary the programme of works, and to approve additional schemes, to meet emerging priorities; and
- (iii) that the financial implications arising from the report be included in the capital programme and released in accordance with the Financial Regulations Code of Practice C5.2(a).

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Chair

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BARNSELY METROPOLITAN BOROUGH COUNCIL

CABINET SPOKESPERSONS' DECISIONS

Schedule of Decisions taken for weeks ending 14th, 21st and 28th June, 2019

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>
1. Place (Regeneration and Culture)	Appropriation of Land for Planning Purposes – Glassworks Development Site	(i) that approval be given to the appropriation for planning purposes pursuant to Section 226(1)(a) of the Town and Country Planning Act 1990; (ii) that the Group Leader Assets be authorised to settle any claims for compensation arising out of the extinguishment of any private rights in the appropriated land(s) pursuant to Sections 203 and 204 of the Housing and Planning Act 2016; and (iii) that the Group Leader Assets be authorised to take all reasonable steps to secure the removal by agreement if possible of any existing rights.
2. Place (Regeneration and Culture)	Berneslai Homes Tender - Hawthorne House Underground Heating	that NPS Barnsley Ltd be awarded the project to carry out the replacement of the underground heating mains at Hawthorne House district heating scheme.
3. Place (Regeneration and Culture)	Principal Towns Programme – Allocation of Funding to Stairfoot, Darton and Dodworth	that Principal Towns monies be allocated to the following areas:- <ul style="list-style-type: none">• £60,000 of monies be allocated to Stairfoot• £150,000 of monies be allocated to Dodworth• £67,000 of monies be allocated to Darton.

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>
4. Place (Regeneration and Culture)	Warm Homes Fund Round 3 – Acceptance of Funding	<p>(i) that the Executive Director Place be authorised to accept the Warm Homes Funding allocation of £258,308 over the period of 2019-2022;</p> <p>(ii) that the Executive Director Place agree to the funding conditions set by Affordable Warmth Solutions as outlined in Section 4 of the report; and</p> <p>(iii) that the Executive Director Core Services, or their appointed representatives, signs the recipient agreement issued by Affordable Warmth Solutions to access the funding.</p>
5. Children's Services	Commissioning of Additional Educational Placements for Children with Special Educational Needs (SEN) via Abbey School, Rotherham	that approval be given to commission up to 20 additional placements for pupils with moderate learning difficulties (MLD) at Abbey School, Rotherham at an estimated annual revenue cost of £350,000 to be based at a satellite facility located at Horizon Community College, commencing in September 2019.
6. Leader	Attendance at the LGA Annual Conference 2019	that Councillor Sharon Howard, Councillor Jim Andrews and Councillor Alice Cave be authorised to attend the LGA Annual Conference 2019 in Bournemouth on 2 nd to 4 th July, 2019.
7. Without Portfolio	Attendance at the National Children's and Adult Social Care Conference 2019	that Councillor Jenny Platts and Councillor Margaret Bruff be authorised to attend the National Children's and Adult Social Care (NCAS) National Conference 2019 in Bournemouth on 20 th to 22 nd November, 2019.
8. Without Portfolio	Attendance at the Rural Conference 2019	that Councillor Paul Hand-Davis be authorised to attend the Rural Conference on 3 rd to 4 th September, 2019 in Cheltenham.

BARNSELEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward

**REPORT OF THE PLACE
EXECUTIVE DIRECTOR
TO CABINET
10th July 2019**

Appropriation of Land at Penny Pie Park for Highway Purposes

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Cabinet of the responses received from members of the public following the appropriation consultation procedure carried out under Section 122 of the Local Government Act 1972 as agreed in the approved A628 Dodworth Road / Broadway Junction Improvement cabinet report (Cab.25.07.18/15). In addition, this report outlines to Cabinet, the considerations of whether approximately 1.133 hectares (11,330 square metres) of Penny Pie Park is no longer required for the purposes for which it is currently held and may be used instead, for highway purposes.
- 1.2 This report sets out the officer assessment and consideration of the representations / objections received from members of the public and the recommended conclusion after taking account of these representations.

2. RECOMMENDATIONS

- 2.1 **It is recommended that Cabinet:**
- 2.2 **Decide, under Section 122 of the Local Government Act 1972, having considered and assessed the representations received that the open space shown in Appendix 1 forming approximately 1.133 hectares (11,330 square metres) of Penny Pie Park, is no longer required for the purposes for which it is currently held and may be used instead for highway purposes.**

3. INTRODUCTION

- 3.1 In July 2018, Cabinet approved the A628 Dodworth Road / Broadway Junction Improvement scheme (Cab.25.07.2018/15 refers) which considered the options and outlined the preferred solution to address congestion on the A628 Dodworth Road / Broadway Junction, between the town centre and M1 Junction 37. That approved in principle the appropriation of up to 6 hectares of land. The Service Director for Regeneration and Culture, was authorised to undertake the statutory consultation and then report the results of that consultation to Cabinet, assessing the representations received and making a recommendation as to whether, in the light of the representations, the land should be appropriated or not. The land now

proposed to be appropriated consists of a smaller area of Penny Pie Park, which is identified on the plan attached at Appendix 1 from public open space to highway purposes.

Planning Permission

- 3.2 On Tuesday, 18th December 2018, the Council's Planning Regulatory Board (PRB) resolved to grant a planning application (Ref - 2018/0965) to make improvements to the A628 Dodworth Road, Broadway junction, layout attached at Appendix 2. Prior to the application being considered by PRB, a request was made to the Secretary of State, to ask him to "call in" the application, meaning that he would become the decision maker. In light of this request, the Council agreed not to issue the decision, pending confirmation from the Ministry of Housing, Communities and Local Government, as to whether or not the Secretary of State has decided to call in the application. Following the Secretary of State's decision not to call in the planning application, the planning decision notice was made public on 18th February 2019.

Appropriation Notice

- 3.3 It is a legal requirement that the Council designates the land on which the works are to be carried out for the relevant statutory purpose; which in this case is for highway purposes. This is known as "Appropriation". The appropriation process is a standard procedure, separate to the planning process, that the Council has to carry out. There is a legal requirement under the Local Government Act 1972 to issue a public notice and to consider any representations or objections.
- 3.4 The Council published a notice of the proposed appropriation in the Barnsley Chronicle on both the 8th and 15th March 2019, as required by Section 122 of the Local Government Act 1972, inviting representations to be made in writing to the Council no later than 8th April 2019. The notice and plans were advertised on the Council's website. Copies are attached at Appendix 3 to this report.

Consultation responses

- 3.5 105 letters were received in response to the Council's notice.
- 3.6 A summary of all the responses is set out in Appendix 4. All the letters received are available for the decision makers to view via Barnsley MBC Legal Services.
- 3.7 The grounds of objections regarding the perceived specific impact on the proposed appropriation are summarised as follows:
- Noise nuisance;
 - Loss of mature trees;
 - Impact on conservation areas;
 - concerns of potential increased parking and how traffic congestion will affect locals;
 - Concerned that this initial 'land grab' will be followed by further appropriations;
 - That the park is a public amenity that gives pleasure to thousands of people;

- That the park is used by considerably more people in the local community than the number who may benefit from any proposed school expansion;
- That the area is deficient in public open space, some parts being more than 800m from a public park or garden. Many local dwellings are flats or houses with limited garden.

4. PROPOSAL AND JUSTIFICATION

Statutory Powers and the Law

- 4.1 Section 122 of the Local Government Act 1972 provides that “the Council may appropriate for any purpose which the Council is authorised by statute, to acquire land by agreement, any land which belongs to it and is no longer required for the purpose for which it is held immediately before the appropriation”.
- 4.2 The key procedural points are;
1. The land must already belong to the Council;
 2. The land must be no longer required for the purpose for which it is currently appropriated; and
 3. The purpose for which the Council is appropriating must be authorised by statute.
- 4.3 The case of **Dowty Boulton Paul v Wolverhampton Corporation** (1973) established that the local authority is the sole judge of whether or not the land in question is not required for the purpose for which it is held immediately before the appropriation and its decision cannot be challenged in the absence of bad faith.
- 4.4 The principles of the Dowty decision were examined in the relatively recent case of **R (Maries) v Merton LBC** (2014) EWHC 2689 (Admin) and the judge distilled the principles which apply to the consideration of any such appropriation. These are as follows:-
- 1) Whether land is still or is no longer required for a particular purpose, meaning no longer *needed* in the public interest of the locality *for that purpose*, is a question for the local authority, subject to *Wednesbury* principles, and not the court;
 - 2) The statute is concerned with relative needs or uses for which public land has been or may be put. It does not require it to fall into disuse before the authority may appropriate it for some other purpose; and
 - 3) The authority is entitled, when exercising its appropriation power, to seek to strike the balance between comparative local (public interest) needs: between the need for one use of the land and another with the wider community interests at heart. It is for it to keep under review the needs of the locality and is entitled to take a broad view of local needs.
- 4.5 The Council must apply these principles in evaluation of the appropriation proposal before it. In doing so, the Council is required to consider objections to its view on whether the land is required for its present purpose, as well as objections to its view that it should be appropriated for a new purpose.

- 4.6 As with most administrative decisions made by public authorities, the decision to appropriate land is subject to challenge by judicial review. The Council must be able to demonstrate the purpose for the appropriation and that it has taken all of the relevant considerations into account and not taken any irrelevant considerations into account. In particular, the Council must consider, having regard to the proposed new facilities for park users, and in the light of the representations made following the consultation exercise, whether the part of Penny Pie Park to which the proposed appropriation relates, is no longer required for the purposes for which it is presently held by applying the principles noted above.
- 4.7 The Council's decision must be based on the available evidence and be rational in the sense that it cannot be said that no reasonable local authority could, on the evidence before it, have arrived at that decision: **Associated Provincial Picture Houses Ltd v Wednesbury Corporation** (1948) 1 KB 223).

Historic Uses of the Land

- 4.8 The Council's statutory predecessor (The Mayor Aldermen and Burgesses of the County Borough of Barnsley) acquired the large majority of the land forming Penny Pie Park by way of conveyance dated 30th June 1948. At that time, the land was former brickworks as mentioned above. The land conveyed by the 1948 conveyance is not subject to restrictive covenants in favour of the former owner and the land is not held subject to charitable trusts. At a point in the 1960s or 1970s (exact date unknown), it appears that the Council took the decision to lay out the park in its current form and its use has been as public open space since then. The park was registered voluntarily at HM Land Registry in 2007 and the Official Copies and Plan, together with a 1931 conveyance mentioned (now land under Pogmoor Road) is contained within Appendix 5. The historical timeline is detailed below:
- 1861-1872: It is understood anecdotally that between 1861-1872, White Hill or Penny Pie Colliery was located within the site boundary, assumed to be centred around the two shafts seen on the 1893 map (contained within Appendix 5). Due to the dates of the maps available, this colliery does not appear on any of the maps, so it is not known where the colliery buildings were located.
 - 1893: The next map, dated 1893, shows the site to be occupied by a brick works (contained within Appendix 5). This is located against the northern site boundary, with a branch line from the railway line leading to the brickworks. To the south and east of the brickworks, two clay pits are labelled, which occupy most of the site between the brickworks and Dodworth Road to the south. A tramway is shown which connects the clay pits to the brickworks. Two old shafts are also shown in the centre of the site.
 - 1906: The map of 1906 (contained within Appendix 5) shows the clay pits and tramway have extended, with the tramway now shown to pass underneath Dodworth Road to a new pit in the southeast corner of the road. The map of 1931 (contained within Appendix 5) shows the clay pits to have extended further east and south, beyond the site boundary, and the tramway has been repositioned and now passes beneath Dodworth Road further west than it did previously. Several houses are shown along the south side of Dodworth Road, adjacent to the crossroads.

- 1956: The map of 1956 (contained within Appendix 5) shows the beginning of the closure of the brickworks, with the tramway and western clay pits no longer shown on the maps. By the 1960 map (contained within Appendix 5), the buildings associated with the brickworks have been removed, and the portion of the site to the northeast of the crossroads appears to have been infilled, with no clay pits shown. It is understood anecdotally that the clay pits on site were backfilled with domestic waste. The two old shafts in the centre of the site are still shown, and are now labelled as disused. The branch line from the main line to the south has also been removed. In the south east corner of the site, south of Dodworth road, disused clay pits are still shown. The entrance road into the brickworks from Dodworth Road is still shown. At this time, Pogmoor Road and Broadway have been constructed.
- 1969: The next map, dated 1969-1980 (contained within Appendix 5) shows a filling station on the south side of Dodworth Road, in the southeast corner of the site. To the south of this filling station, the former clay pits are labelled as a refuse tip. An electricity substation is also shown just north of the crossroads, on the east side of Pogmoor Road.
- 1973-1978: The 1973-1978 map (contained within Appendix 5) shows that factories have been built on the refuse south of the filling station. A model railway is shown towards the north of the site with a few new buildings adjacent. The two shafts in the centre of the site are no longer shown.
- 1983-1991: On the 1983-1991 map (contained within Appendix 5), the area to the northeast of the crossroads is labelled as recreation grounds, with trees located along Pogmoor Road and Dodworth Road. The crossroads have also been modified and enlarged slightly, with a left turn lane from Broadway west onto Dodworth Road.
- 2000: The map of 2000 (contained within Appendix 5) no longer shows the model railway.
- 2017: The map dated 2017 (contained within Appendix 5) shows the filling station to have been removed and replaced with a car park which serves a school to the south.
- 2019: The most recent image from Google Maps attached at Appendix 6, dated 2019 shows the current features within the park.

Current Land Use

- 4.9 Penny Pie Park occupies large grounds amounting to 4.59 hectares of land. It is well provided for by trees around the edges. However, the majority of the park is open grassland in the central areas. It is relatively level throughout with no significant topographical undulations. In the north west corner, it contains an equipped children's play area and a multi used games court. A footpath is located around the edges. In close proximity to the crossroad it hosts an electricity substation which comprise two single storey buildings within a compound. In the south east part of the site there is ambulance transfer pad and an associated access onto Dodworth Road for when the Embrace Children's Charity helicopter air ambulance is required to land within the park. A further non signal controlled

crossing point, which includes a pedestrian refuge in the centre of the road, is located nearby provides a crossing point to the opposite side of Dodworth Road and Horizon Community College. Both Dodworth Road and Pogmoor Road have bus stops along the sections of the road passing next to the park. These are marked out within the road and are without a dedicated layby.

Usage Surveys

4.10 Two neutral days were identified to carry out usage surveys within Penny Pie Park. The surveys were carried out on Thursday 16th May 2019, a typical term time / working, spring, week day and Saturday 18th May 2019 between 8.30am and 7pm early evening which took place on a typical spring weekend, not coinciding with any public bank holidays / school holidays / football matches. Times were picked to coincide with expected busy park times in the day including pre-work and pre-school in the morning, lunch time, post-school afternoon and post work later afternoon / early evening.

4.11 The weather conditions for both days, as per BBC Weather forecast:

Thursday 16 th May 2019	7c to 16c with sunny intervals with a moderate breeze
Saturday 18 th May 2019	8c to 16c with light clouds and light winds

4.12 The surveys were carried out by physically walking around the park and making notes of activity / usage. On Thursday 16th May 2019, one officer carried out the usage surveys, on Saturday 18th May 2019 two officers carried out the surveys, one officer located in the vicinity of the MUGA / Children's play area and one officer on the flexi pave to the south east entrance, accessed from Dodworth Road, to ensure that all activity was accounted for, however this may have potentially resulted in some double counting in the numbers and activity.

4.13 A summary of the findings is shown below:

Activity type	Date and Time of Observation:				Date and Time of Observation:			
	Thursday 16 th May 2019				Saturday 18 th May 2019			
	08:30 to 09:00	12:30 to 13:00	15:30 to 16:00	18:30 to 19:00	08:30 to 09:00	12:30 to 13:00	15:30 to 16:00	18:30 to 19:00
Dog Walking	2	7	5	4	8	13	13	1
Activity on the Multi Use Games Area (MUGA)	7	0	4	0	0	4	17	5
Children's using the Play Area	0	2	0	8	0	4	17	0
People using the outdoor gym	2	0	0	0	0	0	3	0
People counted using / within the story trail / natural area	2	0	0	0	0	1	3	23
Resting on the grass / Using Benches	0	0	0	0	0	4	6	0
General public walking through the park (which is also used as short cut / to	2	3	11	10	2	14	24	4

Activity type	Date and Time of Observation:				Date and Time of Observation:			
	Thursday 16 th May 2019				Saturday 18 th May 2019			
	08:30 to 09:00	12:30 to 13:00	15:30 to 16:00	18:30 to 19:00	08:30 to 09:00	12:30 to 13:00	15:30 to 16:00	18:30 to 19:00
the convenience store on Pogmoor Road)								
School Children walking through the park to & from Horizon Academy	19	4	108	0	0	0	0	0
Total	34	16	128	22	10	38	83	33

General Observations:

- There was high activity in the week day at school finishing time by pupils and late afternoon early evening on the Saturday by adolescent teenagers.
- There was a steady flow of dog walkers, particularly on the Saturday, as well as the park being used as a short cut from / to Dodworth Road to Pogmoor village or convenience store which is located on Pogmoor Road adjacent to the park.

4.14 From the observations, Penny Pie Park is perceived to be used principally for informal recreational use, dog walking and as a walk through from residential areas, convenience store, school, bus stops and town centre.

The Proposed Scheme and its Objectives

Alleviate Congestion

- 4.15 As detailed in the A628 Dodworth Road / Broadway Junction Improvement cabinet report (Cab.25.07.18/15), AECOM were commissioned in 2016 to carry out an assessment of the A628 Dodworth Road / Pogmoor Road crossroads to ascertain the current capacity of the junction, and also it's the future capacity having regard to current committed growth as well as additional planned future growth aspirations. This report concluded that the Dodworth Road / Pogmoor Road crossroads junction is at full capacity once committed developments in the vicinity (such as employment sites nearest to M1 Junction 37 Capitol Business Park) are factored in. In addition, a continued increase in traffic congestion could well jeopardise progress being made in the reduction of air pollution concentrations in the Air Quality Management Area (AQMA) between M1 J37 and Dodworth Road / Pogmoor Crossroads. Section 5.3 of this Appropriation of Land at Penny Pie Park for Highway Purposes cabinet report also provides details of the active travel initiative being promoted to encourage modal shift and also an update on the current situation of bus / rail patronage. The council is committed to continuing the delivery of initiatives to encourage active travel and modal shift, however it is recognised that it is unlikely that the modal share of active travel within the borough will increase to such an extent that it would not be necessary to improve the capacity of the Dodworth Road/Broadway/Pogmoor Road junction.
- 4.16 In addition, to the environmental impact of the congestion and any potential safety benefits, it is also important to recognise the detrimental impact on productivity as a result of increased journey times and the potential adverse impact on the town centre, which has previously experienced significant leakage of retail expenditure to out of town destinations such as Meadowhall. To address this the Council is

investing substantial amounts into regenerating the town centre but for the benefits of these investments to be fully realised it will be important to ensure that key radial routes into and out of the town centre remain relatively free-flowing, particularly during peak times.

- 4.17 The evidence therefore shows that there are compelling reasons to increase the capacity of the Dodworth Road/Broadway/Pogmoor Road junction based on existing congestion and committed development alone. Accordingly, encroachment into the public open space is unavoidable to address existing congestion and committed development. The increased capacity would also help accommodate further anticipated growth across the borough as identified in the Council's previous Core Strategy and recently adopted Local Plan (cab12.12.2018/8) and the aspirations of the borough as identified in the Council's Economic and Housing Strategies, further strengthening the case to appropriate the land for highway purposes.
- 4.18 Therefore to address the congestion issues at A628 Dodworth Road / Pogmoor Road crossroads, a scheme has been approved that replaces the existing signal controlled crossroads with a new multi lane gyratory road system, which would be built within Penny Pie Park that is located immediately adjacent to the crossroads.
- 4.19 It is evident that the existing crossroads junction operates over capacity at the present time, resulting in substantial queuing in all directions during peak hours. This would be addressed by removing the conflict that occurs between the right turns onto Broadway from the A628 Dodworth Road and the westbound movement towards the motorway from Pogmoor Road. It is predicted that this would greatly improve capacity for traffic on Dodworth Road in both directions, which would lead to less queuing.
- 4.20 The new road system would see the road system widened to up to 3 lanes of traffic. The road system has been designed as a one way loop. 3 lanes of traffic would feed into the gyratory from Dodworth Road inbound towards the town centre. A left turn lane would provide access to Pogmoor Road. Inbound from Pogmoor Road, 3 lanes would feed into the system with one lane going onwards into the town centre and 2 lanes coming back around to connect with Dodworth Road heading westbound to the M1 and new left turn lanes to Horizon and Broadway.

Improved Crossing Points

- 4.21 New traffic signal controlled junctions and toucan / pelican crossings would be installed in each of the 3 corners of the new road system and at the reconfigured junction with Horizon Community College. The existing section of Pogmoor Road adjacent to the park would be downgraded and replaced by the new road system for through traffic. Those properties and Whitehill Avenue would connect to the gyratory via provision of a dedicated left turn lane and a new left turn only junction.

Shared Footway / Cycleway

- 4.22 The gyratory would include a 3m wide shared footway and cycleway located around all sides and passing through the middle of the retained parkland in the centre of

the gyratory. In addition, the introduction of signalised Toucan crossing points will, provide safe routes for pedestrians and cyclists in the area encouraging modal shift.

Noise Reduction Measures

- 4.23 A 1m high gabion wall would be built along the northern and eastern edge of the new road for sound attenuation purposes. The plans also include fencing to separate the retained areas of park from the road system. Additional noise mitigation measures are shown to the west and north adjacent Pogmoor Road and the boundary with the railway line/Pogmoor Recreation Ground in the form of 1.5m high gabion basket wall and to the east in the form of 3m acoustic fence which would sit alongside the existing vegetation on that boundary to limit noise affecting the houses beyond this boundary located on Grosvenor Walk and Dodworth Road. A similar 2.4m high fence would then be built in the grass verge further to the south on the other side of Dodworth Road for the purposes of reducing sound levels at Firs Care Home at the side of the existing entrance to Horizon.

Loss of Greenspace Mitigations

- 4.24 To compensate for the impact of the scheme on the greenspace known as Penny Pie Park, the facilities currently on offer will be enhanced, and a high quality, functional and attractive environment for the neighbourhood area will be created. A plan showing the proposed improvements to Penny Pie Park, which have been developed in consultation with the Friends of Penny Pie Park, who are a constituted community group, is attached at Appendix 7. Consultation with this established community group will continue during design refinements and delivery.

Enhanced Children's Play Area

- 4.25 The current play area is a local equipped play area (LEAP) and has 5 items of play equipment, but as part of the proposals would be upgraded to Neighbourhood Equipped Play Area (NEAP). This means that it would have no less than 8 items of play equipment, and would be designed to serve a substantial residential area with a minimum play zone of 1,000sqm. The NEAP would be located in the retained section of the park that would be preserved to the north of the new road system, which is the approximate location of the current play area.
- 4.26 The nature story trail is largely unaffected by the proposals, but where necessary any features that need to be moved will be re-sited within the park.

New Multi Use Games Area

- 4.27 As part of the proposals, a new multi-use games area will be provided in the section of the park that would be preserved to the north of the new road system in the vicinity of the children's play area, this has a catchment area of 1200 meters

Outdoor Gym

- 4.28 The current Outdoor Gym will be re-sited in the section of the park that would be preserved to the north of the new road system in the vicinity of the children's play area and new multi-use games area.

Improvements to Pogmoor Recreation Ground and Sugden's Recreation Ground

- 4.29 Furthermore enhancements will be provided at Pogmoor and Sugden's Recreation Grounds located nearby, shown on plan attached at Appendix 8. This would consist of the upgrade of the equipped children's play area from Equipped Play Area (EPA) to Neighbourhood Equipped Area for Play (NEAP) standard at Sugden's Recreation Ground at Stocks Lane, which has a wider catchment area of 1,000 meters, as opposed to 400 meters. Pogmoor Recreation Ground will benefit from improved pedestrian access with provision of footpath, benches and dog fouling bins.

	Current Situation	Proposed Scheme / Impact / Mitigations
Size of park	4.59 hectares	3.46 hectares
Crossing points	5 pedestrian signalised crossing points 1 uncontrolled crossing points	14 toucan (pedestrian and cycle) signalised crossing points
Trees	<u>Penny Pie Park:</u> Current number of trees = 239 (including recently planted community orchard of mixed trees).	<u>Penny Pie Park:</u> Removal of 75 trees (table 4 - tree survey, planning documents reference: 2018/0965) Planting of over 100 new extra heavy standard trees (landscape architect's current estimate) There will be a minimum of 264 trees in Penny Pie Park after completion of the works and we are still working with the landscape architect to see if this can be increased and incorporated into the design / usage.
On-site play provision	<u>Penny Pie Park:</u> The local equipped play area (LEAP) with a catchment area 400 meters 5 number of equipment pieces Multi Use Games area (which has a catchment area of 1200 meters) Story trail Outdoor Gym Equipment	<u>Penny Pie Park:</u> Upgraded to a Neighbourhood Equipped Play Area (NEAP) with a catchment area 1000 meters 8 number of equipment pieces New Multi Use Games area (which has a catchment area of 1200 meters) Story trail retained with some pieces re-sited Outdoor Gym Equipment retained and re-sited

	Current Situation	Proposed Scheme / Impact / Mitigations
On-site footpaths	<u>Penny Pie Park:</u> Flexi-pave to the north of the park from Grosvenor Walk, behind the nature trail and play equipment linking to Pogmoor Road.	<u>Penny Pie Park:</u> Flexi-pave to the north of the park from Grosvenor Walk, behind the nature trail and play equipment linking to Pogmoor Road. In addition, the creation of a new flexi-pave 3 metre shared foot / cycle path to follow current desire line through the central park area linking Pogmoor Road to Dodworth Road providing a clear dedicated route.
Off-site provision	<u>Pogmoor Recreation Ground:</u> Football Pitch	<u>Pogmoor Recreation Ground:</u> Retained Football Pitch Improved pedestrian access with provision of footpath, benches and dog fouling bins.
Off-site provision	<u>Sugden's Recreation Ground:</u> Equipped Play Area (EPA) with a catchment area of 400 meters 3 pieces of equipment	<u>Sugden's Recreation Ground:</u> Upgraded to Neighbourhood Equipped Play Area (NEAP) with a catchment area 1000 meters 8 number of equipment pieces

Air Quality

- 4.30 Version 2 of the air quality assessment was submitted in July 2018, in support of planning application 2018/0965 and the impact on air quality was a key consideration for Planning Regulatory Board. The air quality implications of the proposal have been explored, given that vehicle emission levels along Dodworth Road because of its heavy use and the amount of queuing traffic, have resulted in it being designated an Air Quality Management Area. Again, in principle, enabling traffic to flow more freely through this area has the potential to deliver air quality benefits to the existing residents in the immediate vicinity. This is not straight forward however as the results of the modelling has shown that whilst some locations, especially those nearest the crossroads would be benefitted, conditions would be worsened where the properties are located on the approach to the gyratory on Dodworth Road from the town centre.
- 4.31 However, these increases have been assessed as “slight adverse” and in those locations predicting an increase in concentrations of nitrogen dioxide gas, these concentrations would remain within the air quality objective. Elsewhere, the scheme is predicted to have “negligible” or a “slight to substantial beneficial” impact. For this reason the Air Quality Pollution Control Officer has resolved not to object to the

application. Accordingly, where emissions are forecast to increase, because they will remain within the objective, the effects are not considered to be sufficient to warrant objection. Moreover, in the areas where the modelling exercise predicted concentrations to be currently above the objective, residents stand to benefit from the scheme. Accordingly, the proposal complies with Core Strategy policy CSP41 and Local Plan policy AQ1.

Summary

- 4.32 The decision to award the planning decision was made in accordance with the development plan considering the need for the proposal and existing highway conditions, the assessment of alternatives including modal shift, impact on Penny Pie Park and other material considerations including residential amenity, visual impact, highway and pedestrian safety, climate change, flood risk and biodiversity.
- 4.33 Having regard to the above matters and all others raised in representations, Planning Regulatory Board considered that the benefits of the scheme attract great weight, primarily due to the lack of viable, alternative options. Although the scheme regrettably gives rise to a number of significant adverse impacts and although these can be mitigated to some extent, they nonetheless attract substantial weight. On balance therefore, whilst the proposal did not comply with the development plan, the great weight attributed to the benefits of the scheme was considered to outweigh the substantial weight given to the adverse impacts. Accordingly, other material considerations exist to justify a departure from the development plan and the application was therefore approved subject to the necessary conditions.
- 4.34 The council holds land for various statutory purposes in order to provide its functions. Such land is used only for the purpose of the function for which it was originally acquired until such time as the land is disposed of or “appropriated” for another purpose. Appropriation is the statutory procedure to change the purpose for which land is held from one statutory purpose to another provided that the land is no longer required for the purpose for which it was held immediately before the appropriation.
- 4.35 Based on the evidence provided in this report, and given the comparative needs for the alternative use of 1.133ha of the currently designated public open space, it is considered that there is a compelling case in the public interest that the 1.133ha of land identified in Appendix 1 is no longer required for the purposes of public open space and that the council appropriates from public open space to highway purposes.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 A comprehensive analysis of all the alternative approaches that were considered and discounted during the development of the preferred scheme design were included in the approved A628 Dodworth Road / Broadway Junction Improvement cabinet report (“Cab25.07.2018/15”). The detail is summarised below:
- 5.2 Do nothing: The current congestion levels and capacity constraints, in addition the level of traffic that will be generated from current planning permissions and together with the employment and housing opportunities identified in the existing Core Strategy, means that without highways improvements or a massive shift from private car usage to public transport and active travel (which the council are fully

committed to encouraging), the future growth aspirations of the borough, i.e. the current Core Strategy will be unable to be accommodated.

- 5.3 Modal Shift: The starting point for the council when seeking to address capacity issues on the network is to consider whether or not it would be possible to achieve the necessary modal shift from private car usage to more sustainable modes of transport such as public transport or active travel (cycling & walking).
- 5.4 In terms of active travel, the Council is involved in a number of initiatives to promote walking and cycling. As detailed in section 4.13 of Cab.25.07.2018/15, over the past 4 years, £3.9m external capital funding has been secured and provided improved and new cycleways with the borough and £1.1m external revenue funding has been secured to promote and encourage active travel in the borough. The Council is currently developing its Active Travel Strategy and will seek to ensure that walking and cycling routes are considered and promoted throughout the design and delivery of any potential highway improvements in the borough. However it is recognised that it is unlikely that the modal share of active travel within the borough will increase to such an extent that it would not be necessary to improve the capacity of the Dodworth Road / Broadway / Pogmoor Road junction.
- 5.5 Public Transport, Bus Patronage: As identified in section 4.14 of Cab.25.07.2018/15, bus patronage has been falling within the borough and this mirrors both the national and regional trend. To address this, the Barnsley Bus Partnership was established and is working with the commercial and statutory public transport sector to enhance the bus network, services and ticketing initiatives. However, the increasing congestion on Dodworth Road affecting journey times for buses using this corridor between Barnsley Town Centre and Dodworth Road not only makes bus use less attractive as a potential travel mode to members of the public, but in a deregulated bus market, the financial viability of providing a bus service along Dodworth Road becomes more difficult to justify. In addition to the above, the Dodworth Road corridor does not benefit from any bus priority measures largely due not being able to be accommodated within the confines of the existing highway. The Council acquired a parcel of land at the time when the Dodworth bypass was constructed, for a potential park and ride. Regrettably, due to the confines of the site, the unfeasibility of providing bus priority measures in the vicinity and park and ride not proving to be as effective as was originally envisaged elsewhere within the borough, the proposal could not be progressed.
- 5.6 Public Transport, Rail Patronage: In contrast, the borough has seen a notable increase in rail patronage which mirrors the national trend. This has been particularly evident of the Hallam Line which can in part be attributed to the introduction of the fast Sheffield to Leeds service via Meadowhall, Barnsley and Wakefield Kirkgate. As detailed in 4.15 of Cab.25.07.2018/15, the Council published its Rail Vision in 2015, which is in the process of being updated to reflect significant changes that are likely to emerge through Northern Powerhouse Rail and HS2 as well as the commitments contained within the various franchises. Significant engagement with Network Rail, South Yorkshire Passenger Transport Executive, both city regions, rail operators and numerous other stakeholders has taken place. The outcome being that it is not possible to significantly increase rail frequencies along the Penistone Line to encourage modal shift for those commuting

into the borough from the West. In addition there are no proposals to increase the frequency of services along the Hallam Line within existing franchises so there is no prospect in the short to medium term of delivering rail improvements that would sufficiently offset car journeys along Dodworth Road during peak times.

- 5.7 Based on the above, the existing highway network has to be expanded to increase capacity. In terms of design options, BMBC Highways, Engineering and Transportation Service produced a number of alternative options to alleviate the congestion issues. (A summary of the options tested and discounted is shown below; full details are within the associated appendices).
- 5.8 **Option A** (see Appendix 3 of previously approved report Cab.25.07.2018/15) - The construction of a roundabout in the greenspace between roadway and Horizon Community College and a diverted Pogmoor Road (16 variants were tested). The short and limited stacking space for queuing vehicles limits capacity of this option for certain movements, and coupled with three adjacent road junctions, present co-ordination challenges.
- 5.9 **Option B** (see Appendix 4 of previously approved report Cab.25.07.2018/15) - The construction of left turn flares at the existing crossroads (4 variants were tested). This option requires Compulsory Purchase of third party land, along with development in the greenspace and did not resolve all forecast issues.
- 5.10 **Option C** (see Appendix 5 of previously approved report Cab.25.07.2018/15) - The construction of a roundabout in the greenspace, linking into the access to Horizon Community College and a diverted Pogmoor Road (8 variants were tested). This option presents navigational challenges for pedestrians and cyclists and does not resolve all forecast capacity issues.
- 5.11 **Option D** (see Appendix 6 of previously approved report Cab.25.07.2018/15) - The construction of a roundabout to replace the existing crossroads. This option requires Compulsory Purchase of third party land, along with development in the greenspace and did not resolve all forecast capacity issues.
- 5.12 **Option E** (see Appendix 7 of previously approved report Cab.25.07.2018/15) - The construction of a gyratory in the greenspace, with a diverted Pogmoor Road. This option did not resolve all forecast capacity issues.
- 5.13 **Option F** (see Appendix 8 of previously approved report Cab.25.07.2018/15) - The construction of a left turn flare from Dodworth Road (West) into Pogmoor Road. This option requires Compulsory Purchase of third party land to accommodate the flare, and would severely impact on residents' vehicle movements to access / egress their properties, in addition, this option did not resolve all forecast capacity issues.
- 5.14 **Option H** (see Appendix 9 of previously approved report Cab.25.07.2018/15) - Dualling of Dodworth Road between the crossroads and junction 37 of the M1, with additional short turn left flares from Dodworth Road in to both Pogmoor and Broadway. This option requires Compulsory Purchase of significant third party land to accommodate the flare and additional lanes and in addition, this option did not

provide a comparable level of capacity when compared to the preferred option G (Appendix 1 of previously approved report Cab.25.07.2018/15).

6. IMPLICATIONS FOR LOCAL PEOPLE/ SERVICE USERS

- 6.1 One of the Council's key priorities is to create a thriving and vibrant economy, create more and better jobs, good business growth, and to connect local people with these opportunities.
- 6.2 The delivery of the proposed scheme is expected to secure the facilitation of employment and housing opportunities identified in the existing Core Strategy, contributing to the provision of employment land to attract new investment and / or allowing existing businesses to stay in the area and expand.
- 6.3 The delivery of any highway improvement scheme will impact on the road users during construction. However, once completed, the scheme will:
- reduce congestion and queue lengths leading to time saving benefits for road users;
 - improve safety in the vicinity of Horizon Community College;
 - improve cycling and walking routes in the vicinity

7. FINANCIAL IMPLICATIONS

- 7.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 7.2 The preferred scheme has been previously approved by Cabinet (Cab.25.07.2018/15 refers). There are no expected direct financial implications as a result of this report.
- 7.3 It should be noted, however, that should the appropriation decision be challenged on a legal basis, then the associated legal costs in relation to this would be incurred but are obviously unquantifiable at this stage.

8. EMPLOYEE IMPLICATIONS

- 8.1 There are no issues arising directly from this report

9. COMMUNICATIONS IMPLICATIONS

- 9.1 A robust communications plan has been developed with representatives from Executive Director of Core Services. This will be reviewed continually throughout the delivery of the project to ensure that timely and accurate information is provided through appropriate press releases via local press, social media/website updates, local member briefings, public information events and engagement with key stakeholders.

10. CONSULTATIONS

- 10.1 Discussions have been held with local members regarding the scheme.

- 10.2 The council published a notice of the proposed appropriation in the Barnsley Chronicle on 8th and 15th March 2019 as required by section 122 of the Local Government Act 1972 inviting representations to be made in writing to the Council no later than 8th April 2019. The notice and plans were advertised on the council's website. A copy of the notice is attached at Appendix 3.
- 10.3 105 letters were received in response to the council's notice, a summary of all the responses is set out in Appendix 4 and the letters are available to the decision makers as per section 3.6 of this report.
- 10.4 Consultation has taken place with the Friends of Penny Pie Park, who are a constituted community group, with regards to the redevelopment designs for the remaining park area. Consultation with this established community group will continue during design refinements and delivery.
- 10.5 Consultation has taken place with representatives of Core Services Directorate regarding the financial implications, asset management and risk management issues.
- 10.6 Consultation has taken place with representatives of Communities Directorate, Core Services Directorate and Place Directorate regarding the greenspace implications and potential compensatory measures.

11. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

- 11.1 The scheme will contribute to the delivery of the overarching '**Thriving and Vibrant Economy**' priority set out in the Council's Corporate Plan 2015 - 2018.
- 11.2 The scheme was designed in the short term to ensure delivery of council's Core Strategy, which was the current development plan for the borough until 2026, this has now been superseded by the Local Plan (adopted 03.01.2019) up to 2033. The scheme will also provide better access to the redeveloped Town Centre from the M1 and western side of the borough, contribute delivering the following outcomes:
- Create more and better jobs and good business growth; and
 - Create more and better housing.
 - Develop a vibrant Town Centre, and
 - Strengthen our visitor economy.

12. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

- 12.1 Better connectivity, affordable and inclusive travel, a cleaner environment and a healthier population are all key aims of the Barnsley Transport Strategy 2014 – 2033, and once completed will provide better connectivity and opportunities for local people to access work and assisting in addressing social exclusion.

13. RISK MANAGEMENT ISSUES

- 13.1 The project benefits from a detailed risk register which is reviewed on a regular basis by officers and the Council's Strategic Risk and Governance Manager

- 13.2 At the moment the main risk relating to this proposed development is that this report is not approved, and the council is unable to appropriate the 1.133 hectares of land for highway purposes and is unable to deliver the scheme set out in section 4.15 - 4.26. At that point, it may therefore be appropriate to consider the alternative approaches, set out in section 5 of this reports, some of which will have higher (or 'worse') risk profiles than the preferred proposal.
- 13.3 A project risk register has been developed, and risks relating to land usage; funding, consultation and traffic management issues as a result of the development have been identified. It is envisaged that if approval to appropriate the 1.133 hectares of land for highway purposes, a detailed project risk register will be produced which will become a valuable governance tool for the Strategic Sites Board.

14. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

- 14.1 Health and safety has been considered carefully in the development of the Project, Health and Safety issues will be identified during scheme preparation and addressed as part of the Construction (Design and Management) Regulations 2015. Road Safety Audits are undertaken at various stages of the highway improvement scheme and comprise:-Stage 1 – Completion of preliminary design, Stage 2 – Completion of detailed design, Stage 3 – Completion of construction and Stage 4 – Monitoring (12 months and 36 months)

15. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

- 5.1 The delivery of the proposed scheme does not interfere with private property rights. The rights of individuals are safeguarded through the statutory planning process of securing planning consent and authority to modify the highway network.

16. LIST OF APPENDICES

Appendix 1 – Plan showing the area of land proposed to be appropriated from public open space to highway purposes

Appendix 2 – A628 Dodworth Road / Broadway Junction Improvement scheme layout

Appendix 3 – Copy Appropriation notice and accompanying plans

Appendix 4 – Summary of Appropriation Notice Consultation responses

Appendix 5 – containing Land Registry Official Copies, conveyance details and historical maps

Appendix 6 - Plan showing current features in Penny Pie Park

Appendix 7 - Plan showing the proposed improvements to Penny Pie Park

Appendix 8 - Plan showing location of Pogmoor Recreation Ground and Sugden's (Stocks Lane) Recreation Ground that will also benefit from improvements as part of the mitigations .

17. BACKGROUND PAPERS

The full 105 responses are available to the decision makers to view via Barnsley MBC Legal Services.

A628 Dodworth Road / Broadway Junction Improvement approved Cabinet report (Cab.25.07.2018/15)

A628 Dodworth Road / Broadway Junction Improvement Planning Application Reference: 2018/0965

Jobs and Business Plan 2014 – 2017 (3 year review)


Housing Strategy 2014 -2033

Adoption Of The Local Plan Cabinet report (cab12.12.2018/8)

Barnsley’s Adopted Local Plan and Policies Map

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Financial Implications/Consultation



.....
(To be signed by senior Financial Services officer where no financial implications)



- AREA OF LAND TO BE APPROPRIATED FOR HIGHWAY PURPOSES (Area = 1.133 Ha)
- PENNY PIE PARK BOUNDARY

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COMPUTER FILE NAME



BARNLSLEY
Metropolitan Borough Council

PENNY PIE PARK APPROPRIATION OF LAND FOR HIGHWAY PURPOSES

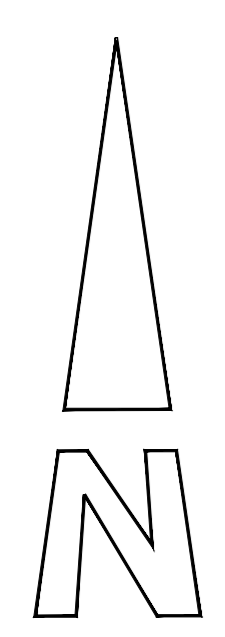
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1:1250 @A3

Drawn	Date
AJ	JAN 2019
Checked	File
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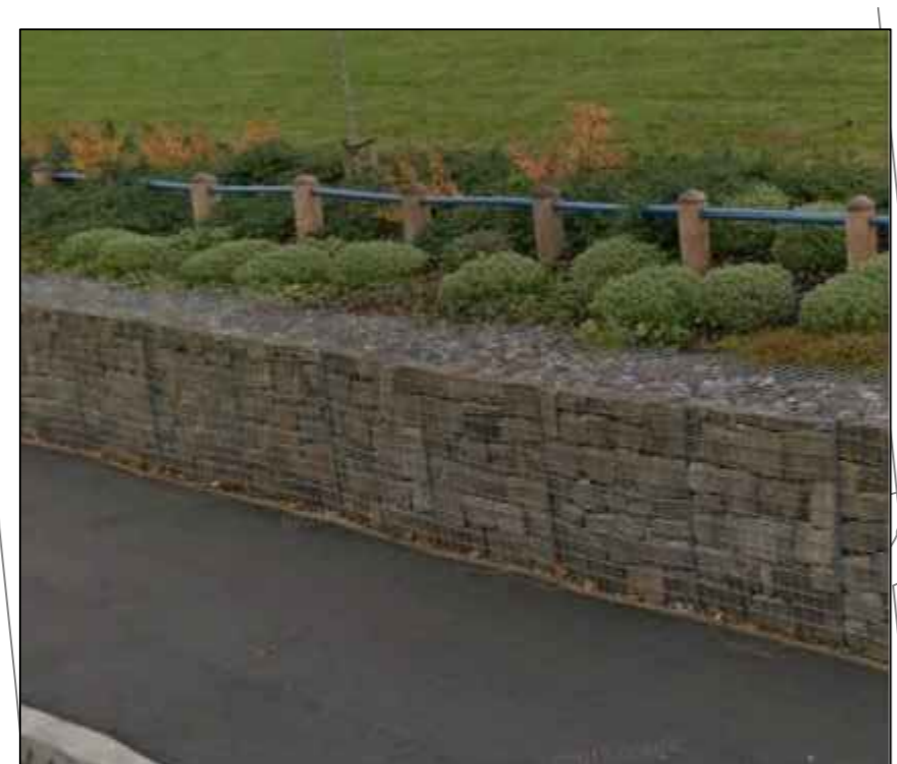
Paul Castle Service Director, Place Directorate
Environment & Transportation (Business Unit 6)
P.O. Box 601, Westgate Plaza One, Westgate
Barnsley. S70 9FA
Tel. (01226) 770770 Fax. (01226) 772222

Drawing No. **HD/7122127/PH01**

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EXAMPLE OF MUGA



GABION BASKETS WITH COURSED STONE FRONT AND SOLID CORE 1.5m HIGH



PARK BOW TOP FENCING



PLAY AND LEISURE NEAP



EXAMPLE OF PARK ENTRANCE ARCHWAY FEATURE



PARK BENCH TYPE

EXISTING CYCLE ROUTE TO BROADWAY (VIA CROWN HILL ROAD, MOORLAND AVENUE AND WOODLAND DRIVE)



LOW TIMBER BOLLARD & RAIL

KEY

- CARRIAGEWAY
- 3M WIDE SHARED USE FOOTWAY/CYCLEWAY
- FOOTWAY
- GREEN SPACE
- SIGNALISED PEDESTRIAN CROSSING POINT (INCORPORATING CYCLE FACILITIES WHERE REQUIRED)
- PROPOSED STOP LINE
- PROPOSED BOW TOP FENCING
- PROPOSED LOW TIMBER BOLLARD AND RAIL
- PROPOSED AREAS OF REPLACEMENT TREE PLANTING INCORPORATING ORNAMENTAL SHRUB PLANTING, NATIVE TREE AND SHRUB SCREEN PLANTING - REFER TO LANDSCAPE VISUAL IMPACT ASSESSMENT
- EXISTING TREE TO BE REMOVED
- TREE PROTECTION AREA



ACOUSTIC BARRIER

POTENTIAL BUS STOP LOCATION - TO BE AGREED

EXISTING EMERGENCY HELICOPTER LANDING AREA TO BE RELOCATED



EXAMPLE OF PARK ENTRANCE ARCHWAY FEATURE

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Rev.	By	Amendments	Date
A		Addition of proposed park features, noise barriers, trees to be removed/retained, new trees to be planted and change to key	Nov 18



Project
A628 DODWORTH RD / BROADWAY JUNCTION IMPROVEMENT

Drawing title
GENERAL LAYOUT

Scale	Drawn	Checked	Date
1:500			NOV 2018

Drawing No.	Revision	File
HD/7122127/C/1	A	

Paul Castle Service Director Place Directorate Environment & Transportation (Business Unit 6)
P.O. Box 601, Westgate Plaza One, Westgate Barnsley. S70 9FA
Tel. (01226) 770770 Fax. (01226) 772222

NOTES
CONSULTATION IS CURRENTLY TAKING PLACE WITH SYPTE AND STAGECOACH OVER NEW BUS STOP PROVISION
CONSULTATION IS ONGOING WITH EMBRACE CHILDRENS CHARITY REGARDING ACCOMMODATING THEIR AIR AMBULANCE EITHER ON OR OFF SITE

FOR EXISTING STORY TRAIL REFER TO DWG HD/7122127/C/2

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**Appendix 3
Copy of Appropriation Notice and Plan**

**BARNSLEY METROPOLITAN BOROUGH COUNCIL
LOCAL GOVERNMENT ACT 1972 - SECTION 122(1), (2A)
APPROPRIATION OF PUBLIC OPEN SPACE**

PROPOSED APPROPRIATION OF LAND AT PENNY PIE PARK, DODWORTH ROAD, BARNSLEY

NOTICE IS HEREBY GIVEN that Barnsley Metropolitan Borough Council intends to appropriate for public highway purposes an area of approximately 1.133 hectares of land at Penny Pie Park, Dodworth Road, Barnsley. The land is part of land presently classed as Public Open Space. The land is intended to be used for the purpose of a new highway scheme to alleviate traffic congestion and thereby to reduce air pollution.

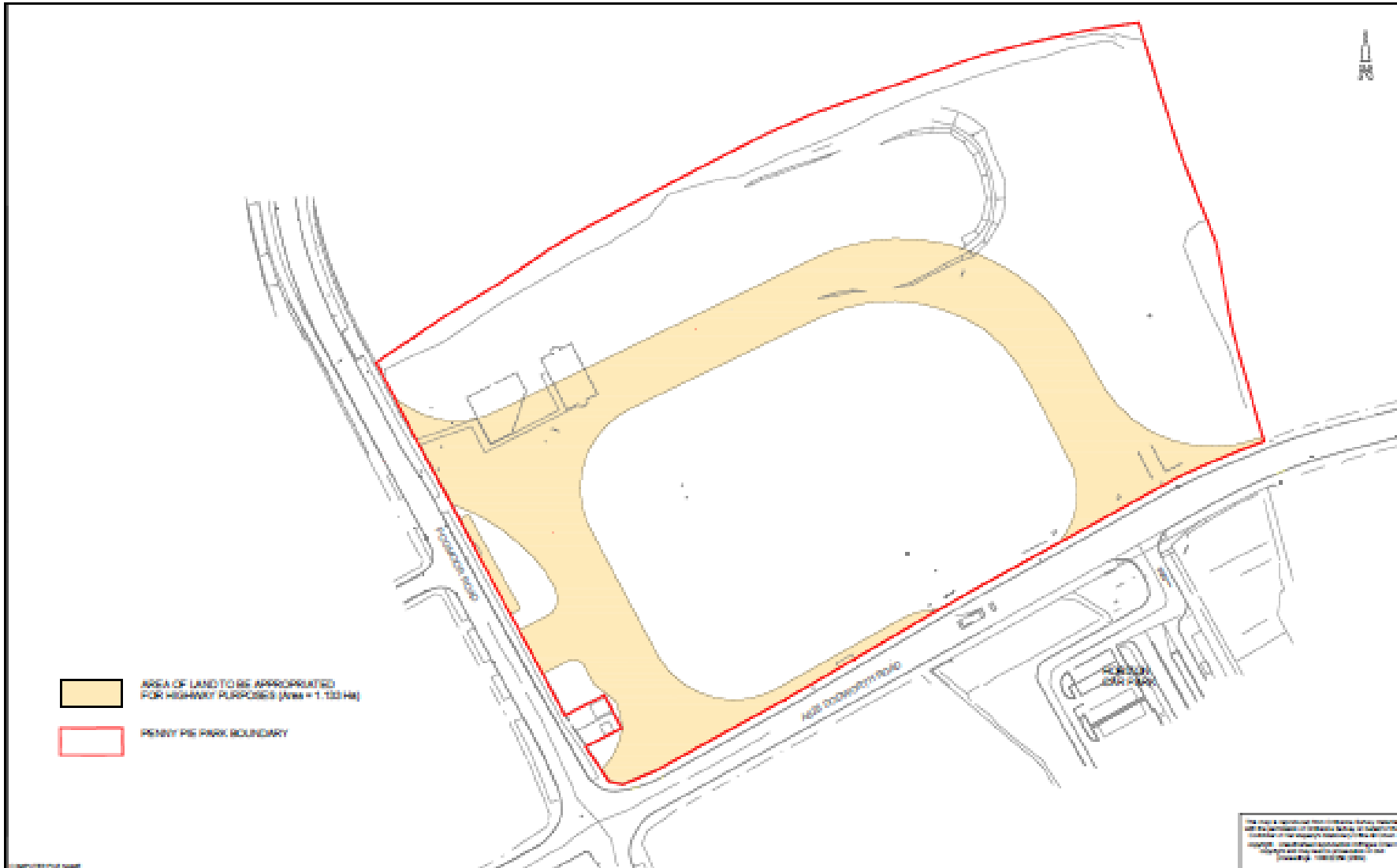
A copy of the plan showing the area in question may be inspected free of charge during normal office hours at Central Library, Wellington House, 36 Wellington Street, Barnsley, S70 1WA. (Plan reference: HD 7122127-PH01). It can also be viewed at www.barnsley.gov.uk/services/regeneration/key-projects/

Any person having any objection to the proposed appropriation should state the grounds of their objection in writing and send it, to be received NO LATER THAN 8th April 2019, either by post to A.C Frosdick LLB, Dip LG, Executive Director of Core Services and Solicitor to the Council, BMBC Legal Services, PO Box 600, Barnsley S70 9EZ, or by e-mail to pennypiepark@barnsley.gov.uk, quoting reference CR/HT/401/01

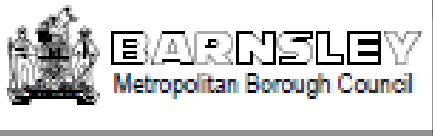
David Shepherd

Service Director, Regeneration and Property

Dated 8th March 2019



This map is reproduced from Ordnance Survey, licensed to the Council of Barnsley Metropolitan Borough Council. It is subject to the conditions of the licence. The Council is not responsible for any errors or omissions. The Council is not responsible for any loss or damage arising from the use of this map. The Council is not responsible for any loss or damage arising from the use of this map.



PENNY PIE PARK APPROPRIATION OF LAND FOR HIGHWAY PURPOSES

Scale	1:1250 @A3
Drawn	AJ
Date	JAN 2019
Checked	File
	7122127.1

Paul Castle Service Director, Place Director
 Environment & Transportation (Business Unit 8)
 P.O. Box 801, Westgate Place One, Westgate
 Barnsley, S70 8FA
 Tel: 01225 179170 Fax: 01225 170000
 Drawing No. HD/122127/PH01

Appendix 4

Summary of Appropriation Notice Consultation Responses

Generic Points Raised

1. There are comments that “there is no evidence” that the gyratory will achieve its objective of remedying the congestion on Dodworth Road.

The contention that there is no evidence that the gyratory will achieve its objective is incorrect. The assessment of the proposal, alternative solutions which included alternative Junction Layouts was presented in the report fully considered by Planning Regulatory Board on 18th December 2018. Each scheme was properly modelled by experienced highway consultants using industry standard software and compared on the basis of relevant criteria including congestion alleviation and cost. The other schemes considered and rejected are also summarised in section 5, consideration of alternative approaches section of this cabinet report.

2. That the highway scheme will have a harmful effect on air quality.

This issue was a relevant matter in the decision whether or not to grant planning permission. The issue of air quality was fully assessed in the report considered by Planning Regulatory Board on 18th December 2018 which advised that the scheme would in some parts give rise to a “slight adverse” impact and in others “negligible” or a “slight to substantial” beneficial” impact.

3. That the highway scheme will have a harmful effect on neighbouring occupants from traffic noise.

The issue of noise was fully assessed in the report considered by Planning Regulatory Board on 18th December 2018 and advised that with the introduction of noise mitigations on the west and north boundary adjacent Pogmoor Road and the boundary with the railway line/Pogmoor Recreation Ground in the form of 1.5m high gabion basket wall; to the east in the form of 3m acoustic fence which would sit alongside the existing vegetation on that boundary to limit noise affecting the houses beyond this boundary located on Grosvenor Walk and Dodworth Road; a similar 2.4m high fence built in the grass verge further to the south on the other side of Dodworth Road for the purposes of reducing sound levels at Firs Care Home at the side of the existing entrance to Horizon, the vast majority of properties within the noise calculation area will not experience significant adverse impacts. Some properties stand to benefit from the scheme if they accept a Noise Insulation Regulation package of measures which will be made available to the eligible residents. Nine properties were identified as likely to experience significant adverse impacts and this negative consequence was fully considered and balanced against the advantages that the scheme would give rise to in relation to congestion alleviation.

4. Loss of Mature trees

Impact of tree loss was fully assessed in the report fully considered by Planning Regulatory Board on 18th December 2018. Given the arboricultural implications of the proposal are naturally something that the Tree Officer is not supportive of, however he recognises that the scheme has been designed to limit the impacts on trees as far as possible and welcomes the most up to date mitigation plans which include substantial amount of replacement tree planting by way of compensation, which at least equals the number of trees that are to be removed. **Page 35**rees is recognised in the report and

is properly balanced against the advantages of the scheme referred to above. One correspondent referred to the “fact” that the existing mature trees would be replaced by small saplings. This is not the case as extra heavy standard trees are proposed to be planted.

5. Highway Safety

This representation is confined to the possibility of safety issues arising from the highway development itself and ignores the wider concern, which BMBC must take account of as highway authority of risks to safety arising from congestion and queuing of traffic on Dodworth road. In particular reference is made to the risk in the future that queuing traffic will back onto the carriageway of the M1 itself during rush hour periods. As to safety on and around the new gyratory highway this has been the subject of a stage 1 safety audit and will be subject to further staged audits of safety. The issue of safety was fully assessed the report fully considered by Planning Regulatory Board on 18th December 2018 and the conclusion reached was following completion of the detailed design an independent Stage 2 Road Safety Audit will be commissioned to identify any safety concerns which will be addressed prior to the construction phase. In addition, following the Stage 3 Road Safety Audit, which will be carried out on completion of the project, any recommendations will be considered and resolved and where appropriate implemented.

6. Habitat Loss

A number of correspondents referred to habitat loss as a result of the development and loss of trees. This issue was fully assessed in the report to Planning Regulatory Board on 18th December 2018 under the heading *Biodiversity*. The report said Overall the value of the existing habitat on the site and likelihood of significant numbers of protected species is sufficiently low that the significant impacts are not envisaged. The site is not designated for its ecological value. In addition the impacts can be reduced via mitigation including carrying out tree removal works outside of bird nesting season, ensuring that no bat roosts are present prior to felling works, replacement tree planting and the provision of new habitat to encourage protected species to nest and roost at the site.

7. Most correspondents refer to the loss of the green space. Epithets such as “destruction” “the park being taken away” and “vandalism” are used

The factual position is that a significant portion of the park will be lost to the new gyratory highway but 77.3% of the park will remain. Other correspondents refer to the harm to the character and tranquillity of the Park which will result from the development.

The Council accept that there will be an impact on the character of the park. Part of the area will be lost to the development and its character will be affected adversely by the new road. However the Council are required as the authority for both recreational land and highways to look at wider issues than the preservation of the park in its existing form. The Council were required to address the highway issue and looked at a range of solutions to the problem (See section 5 of this report). The comparative merits of the solutions were fully assessed prior to the making of a planning application and the reasons for choosing this particular scheme over rival schemes was fully detailed and explained and considered by Planning Regulatory Board on 18th December 2018. Once this scheme was judged to be the best and most effective approach the Council was left in the difficult position of balancing the benefits of the highway scheme against the harm that would be caused to the amenity of the park and local residents. ...making that balance the Council

came to the conclusion that the case for approving and implementing the gyratory highway scheme was more compelling than maintaining the park in its current form. The park will not be completely lost 22.7% will be given over to the highway scheme. In assessing overall public interest and the competing interests of open space and highway improvement the Council conclude that, in this case, the need for the highway works must prevail and as such the use of that part of Penny Pie Park proposed to be appropriated to Highway use is no longer required to be held by the Council for its existing purpose as public open space. In reaching this conclusion account was also taken of the works designed to improve that part of the park that will be retained following the implementation of the highway scheme. These improvements are detailed in section 4, the proposed scheme and its objectives of the cabinet report.

Specific Points Raised

8. That the highway scheme would attract more traffic which would rapidly remove any benefit.

The independent consultant that was commissioned to provide the Traffic Assessment, submitted in support of the Planning Application, has taken into account future traffic growth up to 2033.

9. That the highway scheme would facilitate the development at Capitol Park (MU1) which would have the effect described in 8 above

Evidence shows that there are compelling reasons to increase the capacity of the Dodworth Road/Broadway/Pogmoor Road junction based on existing congestion and committed development. However, to inform the amount of additional capacity that needs to be provided it is necessary to consider likely levels of future growth. The Council's Core Strategy, the current policy in place when the scheme was presented for consideration by Planning Regulatory Board on 18th December 2018, proposed to deliver 21,000 homes and 17,500 jobs on top of base development, and formed part of the current development plan for the borough until 2026, identifying Urban Barnsley as the area where the most development should take place in order to enhance Barnsley's role as a sub-regional town.

Future growth aspirations of the borough are also identified in the Economic and Housing Strategies and the Local Plan, which has now been adopted (Jan 2019) superseding the Core Strategy. This aims to significantly increase the local business base and number of new jobs in an attempt to close a substantial gap between the borough's job density and the regional and national averages. This is considered essential for the wellbeing and prosperity of the borough and its residents. The Core Strategy was not a spatial plan, so traffic modelling such a strategy presents a challenge. However Aecom have concluded that "it seems very reasonable to expect that the Core Strategy development would have a similar spatial distribution to the development of the emerging local plan, given the development levels in the emerging local plan and Core Strategy are broadly similar, the difference being that the Core Strategy would be delivered a few years earlier (2026 as opposed to 2033). Therefore the results of the local plan traffic modelling assessment for the junction/corridor can be used as a reasonable proxy for the purposes of understanding the potential impact of the Core Strategy".

10 . Adverse effect on emergency services and impact on use of the park as a landing pad for ambulance.

Reduction of congestion will benefit emergency service vehicles along with other users of the highway. The landing area is used by the Embrace Yorkshire and Humber Helicopter Service. Liaison is on-going with Embrace and it was confirmed in the Planning Report that this service would still continue to be permitted to land in the park after the development was completed. However the Council are aware that this service has been seeking alternatives.

11. It was suggested that the congestion problem could be solved by creating a 3rd lane to the slip road at junction 37 or allow use of the hard shoulder

The impact of the proposed highway scheme was fully considered by Highways England as a statutory consultee of Planning Process, and they have provided a formal response in favour of the planning application.

12. Particular concern about the safety of Horizon students leaving the school.

Reference is made to the answer given in response to objection no.5 above. Horizon were consulted as part of the planning application process and did not object to the proposed development. Safety on and around the new gyratory highway has been the subject of a stage 1 safety audit and will be subject to further staged audits of safety. The issue of safety was fully assessed the report fully considered by Planning Regulatory Board on 18th December 2018 and the conclusion reached was following completion of the detailed design an independent Stage 2 Road Safety Audit will be commissioned to identify any safety concerns which will be addressed prior to the construction phase. In addition, following the Stage 3 Road Safety Audit, which will be carried out on completion of the project, any recommendations will be considered and resolved and where appropriate implemented.

In addition, the scheme introduces a significant number of signalised toucan (pedestrian / cycle) crossing points.

13. A particular highway issue was raised about the gyratory leading to traffic hurtling down Shaw Lane onto Racecommon Road and hence to Townend Roundabout

A major highway improvement scheme will lead to redistribution of traffic around the network. This is true for the construction work phase and following completion of the project. However, with respect to Shaw Lane traffic calming measures are already in place to reduce traffic speed.

14. Many correspondents complained that this proposal runs contrary to National policy and the approach being taken in a number of Cities (including Leeds and Sheffield) that congestion in future would be addressed by restricting access by vehicles to urban areas/town centres.

The West Yorkshire Combined Authority (WYCA) Transport Strategy (August 2017) makes a very brief reference to "*balancing the needs for traffic access with creating spaces that people can live in and enjoy*". The Strategy however doesn't provide any specifics of how this would be achieved and the Leeds Transport Strategy is silent on this matter.

The approach taken by Sheffield in the Transport Strategy (June 2018), is to give certain roads different designations, and dependent on the designation, vehicle

access can be restricted. However the Sheffield Transport Strategy is clear this does not apply to roads designed to handle large volumes of traffic or to key public transport corridors. This approach would therefore not be appropriate for Dodworth Road.

There is also no contradiction with national policy as the National Planning Policy Framework (NPPF) – February 2019, is silent on restricting vehicle access to urban/town areas.

The NPPF does in section 102 encourage Local Authorities to identify and pursue opportunities to promote walking, cycling and public transport use. Improving bus journey times and punctuality of services along Dodworth Road will help achieve this and align with the Barnsley Transport Strategy's approach to promoting better connectivity. BMBC also in February 2019 adopted an Active Travel Strategy and is currently working on developing an Implementation Plan which will promote walking and cycling in Barnsley Town Centre and surrounding areas.

15. A number of correspondents referred to the high likelihood that the scheme would fail like other highway schemes; Birdwell, Lundwood/Cundy Cross.

The Council was required to address the highway congestions issues and looked at a range of solutions to the problem (See section 5 of this report). The comparative merits of the solutions were fully assessed prior to the making of a planning application and the reasons for choosing this particular scheme over rival schemes was fully detailed and explained and considered by Planning Regulatory Board on 18th December 2018. The independent consultant that was commissioned to provide the Traffic Assessment, submitted in support of the Planning Application, has taken into account future traffic growth up to 2033. Similar congestion schemes that have been implemented at Birdwell has proved successful.

16. A specific respondent draws attention to a Freedom of Information response received in relation to the scheme.

No further comment to the response provided in the Freedom of Information reply.

17. A correspondent suggests that much of the congestion could be resolved from providing a one way traffic system for Horizon which would entail vehicles exiting the School on Broadway.

The Council was required to address the highway congestions issues and looked at a range of solutions to the problem (see section 5 of this report). The comparative merits of the solutions were fully assessed prior to the making of a planning application and the reasons for choosing this particular scheme over rival schemes was fully detailed and explained and considered by Planning Regulatory Board on 18th December 2018. The independent consultant that was commissioned to provide the Traffic Assessment, submitted in support of the Planning Application, has taken into account future traffic growth up to 2033.

18. That there is already insufficient open space with in the local area. That Dodworth has the least provision of open space compared with other wards. That there is no alternative park w^{Page 39}ithin a reasonable distance. That 90% of the park would be lost as a result of the development?

The Council was required to address the highway issue and looked at a range of solutions to the problem (see section 5 of this report). The comparative merits of the solutions were fully assessed prior to the making of a planning application and the reasons for choosing this particular scheme over rival schemes was fully detailed and explained and considered by Planning Regulatory Board on 18th December 2018. Once this scheme was judged to be the best and most effective approach the Council was left in the difficult position of balancing the benefits of the highway scheme against the harm that would be caused to the amenity of the park and local residents. In undertaking that balance the Council came to the conclusion that the case for approving and implementing the gyratory highway scheme was more compelling than maintaining the park in its current form. The park will not be completely lost, 22.7% will be given over to the highway scheme. In assessing overall public interest and the competing interests of open space and highway improvement the Council conclude that, in this case, the need for the highway works must prevail and as such the use of that part of Penny Pie Park proposed to be appropriated to Highway use is no longer required to be held by the Council for its existing purpose as public open space. In reaching this conclusion account was also taken of the works designed to improve that part of the park that will be retained following the implementation of the highway scheme. These improvements are detailed in section 4, the proposed scheme and its objectives of the cabinet report.

19. That the use would prejudice the use of the park for fairs and galas.

The council would not be opposed to the use of the site for fairs, Galas etc and these would be considered upon their merits as per elsewhere within the borough.

20. The park has had a lot of investment recently which would be wasted if the scheme went ahead.

The park will not be completely lost, 22.7% will be given over to the highway scheme. In assessing overall public interest and the competing interests of open space and highway improvement the Council conclude that, in this case, the need for the highway works must prevail and as such the use of that part of Penny Pie Park proposed to be appropriated to Highway use is no longer required to be held by the Council for its existing purpose as public open space. In reaching this conclusion account was also taken of the works designed to improve that part of the park that will be retained following the implementation of the highway scheme. These improvements are detailed in section 4, the proposed scheme and its objectives of the cabinet report.

Assets invested in the park will be retained where possible e.g. nature trail carvings and park equipment.

21. The Park is designated in the Local Plan as Green Space.

The Council was required to address the highway issue and looked at a range of solutions to the problem (see section 5 of this report). The comparative merits of the solutions were fully assessed prior to the making of a planning application and the reasons for choosing this particular scheme over rival schemes was fully detailed and explained and considered by Planning Regulatory Board on 18th December 2018. Once this scheme was judged to be the best and most effective approach the Council was left in the difficult position of balancing the benefits of the highway scheme against the harm that would be caused to the amenity of the park and local

residents. In undertaking that balance the Council came to the conclusion that the case for approving and implementing the gyratory highway scheme was more compelling than maintaining the park in its current form. The park will not be completely lost 22.7% will be given over to the highway scheme.

In reaching this conclusion account was also taken of the works designed to improve that part of the park that will be retained following the implementation of the highway scheme. These improvements are detailed in section 4 (The proposed scheme and its objectives) of the cabinet report.

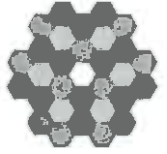
Many of the issues raised by correspondents are not properly concerned with the question of whether the land is no longer required to be held by the Council for its existing purpose as public open space. The majority of the points relate to asserted harm that will arise from the loss of the existing use and its supplanting with the proposed use. These issues are proper considerations for the determination of the planning application and were fully assessed in reaching the conclusion that planning permission should be granted.

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Appendix 5

**Containing Land Registry Official Copies,
Conveyance Details and Historical Maps**

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Official copy of register of title

Title number SYK541480

Edition date 19.09.2008

This official copy shows the entries on the register of title on 16 APR 2019 at 14:30:00.

This date must be quoted as the "search from date" in any official search application based on this copy.

The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 16 Apr 2019.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry, Nottingham Office.

A: Property Register

This register describes the land and estate comprised in the title.

SOUTH YORKSHIRE : BARNSELY

- 1 (07.11.2007) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Dodworth Road Recreation Ground, Dodworth Road, Barnsley.
- 2 (07.11.2007) The mines and minerals of the land tinted pink and the land tinted blue on the title plan together with ancillary powers of working are excepted.
- 3 (07.11.2007) The land has the benefit of the rights granted by but is subject to the rights reserved by a Conveyance of the land tinted pink on the title plan and other land dated 30 June 1948 made between (1) The Governors of the George Beaumont Foundation and (2) The Mayor Aldermen and Burgesses of the County Borough of Barnsley.

-NOTE: Copy filed.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (07.11.2007) PROPRIETOR: BARNSELY METROPOLITAN BOROUGH COUNCIL of Town Hall, Barnsley, South Yorkshire S70 2TA.
- 2 (07.11.2007) A Conveyance of the land tinted blue on the title plan dated 2 April 1931 made between (1) The Governing Body of the George Beaumont Foundation and (2) The Mayor Aldermen and Burgesses of the County Borough of Barnsley contains purchaser's personal covenants.

-NOTE: Copy filed.

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

Title number SYK541480

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (19.09.2008) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

Schedule of notices of leases

1	07.11.2007 Edged and numbered 1 in blue	Land on the north east side of Pogmoor Road	01.10.1982 60 years from 01/12/1981	SYK161151
2	07.11.2007 Edged and numbered 2 in blue	Electricity Substation, Pogmoor Road	05.01.1960 60 years from 1/10/1959	SYK557563

End of register

HM Land Registry
Official copy of
title plan

Title number **SYK541480**
Ordnance Survey map reference **SE3206SE**
Scale **1:2500 reduced from 1:1250**
Administrative area **South Yorkshire : Barnsley**



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These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

This official copy is issued on 16 February 2018 shows the state of this title plan on 16 February 2018 at 13:44:49. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).

This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by the HM Land Registry, Nottingham Office .

These are the notes referred to on the following official copy

Title Number SYK541480

The electronic official copy of the document follows this message.

This copy may not be the same size as the original.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

Dated 2nd April 1931

113

The Governing Body
of the George Beaumont
Foundation

— Co —

The Mayor Aldermen
and Burgesses of the
County Borough of Barnsley

Corveance

— Cp —

Freehold land situate in
Dodworth Road Barnsley
in the County of York

Corveance
2nd April 1931

(Handwritten mark)

(2)

H 946

1-1931

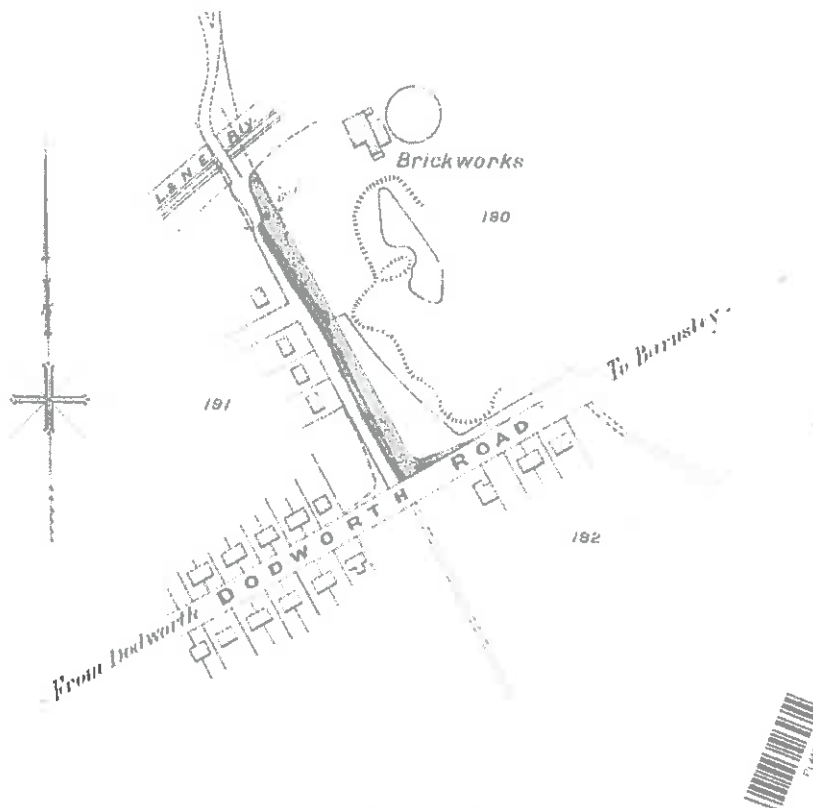
This Conveyance

WATER & GORE LIMITED
INCORPORATED IN ENGLAND



is made the
second day
of April One thousand nine hundred and thirty
one. **Between** Henry Gashwood Attorney
Leake Esquire the Secretary for the time being of
the Board of Charity Commissioners for England and
Wales and as such "the Official Trustee of Charity
Lands" of the first part John Montague Spencer
Maurice of Canon Hat near Barnstaple Timothy
Creecher of Higham Harry Smith of Higham
George Clarke Pickering of Higham aprentice
Hamsey Miller of Dartmoor The Reverend
Charles Randolph Purser of Darton aprentice
Joshua Frederick William Peckitt of Happoness
Sir Percy Richard Jackson B.C. 13 of Barnstaple
and James Lawrence Hammett of Barnstaple
all of the County of York the Learning Body of the

Area of the portion coloured Pink
is 2360 sq. yds. or thereabouts.



Scale 208.33 Feet to an Inch.

Charity of George Beaumont now known as The George Beaumont Foundation, hereinafter referred to as "the Vendors") of the second part and The Mayor Aldermen and Burgesses of the County Borough of Barnsley acting by the Council, hereinafter referred to as "the Corporation" of the third part **Whereas**:

1. The hereditaments hereinafter described and intended to be hereby conveyed are part of the property of the said Foundation and as such are held upon charitable trusts for educational purposes

2. The Vendors are the duly constituted Governors and Trustees of the said Foundation

3. By a Scheme made under the Endowed Schools Act and approved by His Majesty in Council on the sixth day of March One thousand nine hundred and two the legal estate in the said hereditaments was vested in the Official Trustee of Charity Lands in trust for the Foundation

4. By an Order made by the Board of Education on the twenty third day of December One thousand nine hundred and thirty the Governors were authorised within one year from the date thereof to sell the said hereditaments for Two hundred and sixty one pounds

5. The Vendors have agreed to sell the said hereditaments unto the Corporation at the price of Two hundred and sixty one pounds

Now, this Deed witnesseth as follows:

In consideration of the sum of Two hundred and sixty one pounds paid to the Vendors by the Corporation for the purchase of the fee simple of the said hereditaments (the receipt of which the Vendors hereby acknowledge) The said Henry Dashwood Staley Solicitor in pursuance of the said Order of the Board of Education and as the Official Trustee of Charitable Lands, by the Vendors in his name and on his behalf testified by their execution of these presents) hereby conveys and the Vendors as Trustees hereby convey and confirm unto the Corporation **All** that piece of land adjoining West End Road Barnsley aforesaid containing Two thousand three hundred and sixty square yards or thereabouts bounded on the North by the London and North Eastern Railway on the South by Dodworth Road Barnsley aforesaid and

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- 2) That the Corporation will make up the portion of the said piece of land hereby conveyed into part of the highway with proper sewers and drains thereunder and will for ever hereafter maintain the same
- 3) The Corporation will fence off the said piece of land from the adjoining land of the Vendors by the erection of a supporting wall of bricks to the level of the foot path to be faced in the said highway and by the erection of a fence above the said footpath of a height of not less than four feet above the said fence to consist of concrete posts and tubular rails of sufficient strength and margin to hold cattle and sheep from straying on to the adjoining lands of the Vendors
- 4) In constructing the surface water drains the Corporation will lay the same in such a way as to prevent flood water getting on to the adjoining lands of the Vendors

In witness whereof the Vendors on behalf of the Official Trustees of Charity Lands and also on their own behalf have hereunto set their hands and seals and the Corporation have caused their Corporate Seal to be hereunto affixed the day and year first before written

Signed, Sealed and Delivered
by the said John Montague Spence
Stanbone Harry Lamb, George Clarke
Pickering, Ramsay, Miles, Johna Redwitz
William Pickett and James Lawrence
Hammerston in the presence of

John Montague Spence
Harry Lamb

A. M. Lane
Clerk
The Corporate Seal of the Mayor
Aldermen and Burgesses of the County
Borough of Marnley was hereunto
affixed in the presence of:

Richard J. Pinner Mayor
A. J. Mason
Town Clerk



This official copy is incomplete without the preceding notes page.

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Signed seals and delivered
by the said Timothy Crowther }
in the presence of

J. C. Pichering

J. H. Hill
Debt to Messrs Messrs
Signed seals and delivered
by the said Charles Randolph }
in the presence of

Ramsay Miles

J. H. Hill
Debt to Messrs Messrs
John Hamilton

Charles Pinner

Signed seals and delivered
by the said Sir Percy Richard }
Jackson K.C.B. in the presence
of

J. H. Pickett

P. R. Jackson

Ernest J. Davis
Education Office, Leeds
Secretary for Education

M. Hammett

284

Registered at the West Riding Registry of Deeds at Wakefield
Thirtieth of April 1931 at 10.0 a.m.
in Volume 44 Page 665 Number 256

W. W. Harrington
F.A.

Registrar

I certify this to be a true copy of the original
[Signature]
Barnsley M.B.C.

Yorkshire

Published 1893

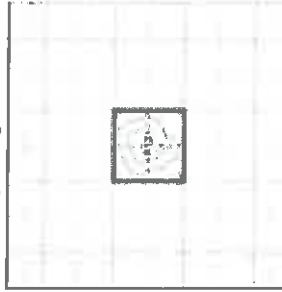
Source map scale - 1:2,500

The historical maps shown were reproduced from maps predominantly held at the scale adopted for the Ordnance Survey in the 1840s. In 1854 the 1:2,500 scale was adopted for mapping urban areas. The maps covered the whole of what were considered to be the cultivated parts of Great Britain. The published date given below is often some years later than the surveyed data. Before 1938, all OS maps were based on the Cassini Projection, with independent surveys of a single county or group of counties, giving rise to significant inaccuracies in outlying areas.

Map Name(s) and Date(s)

274.07 1865 1:2,500	274.07 1865 1:2,500
274.07 1865 1:2,500	274.07 1865 1:2,500

Historical Map - Segment A13



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National Grid Reference: 432760, 406250

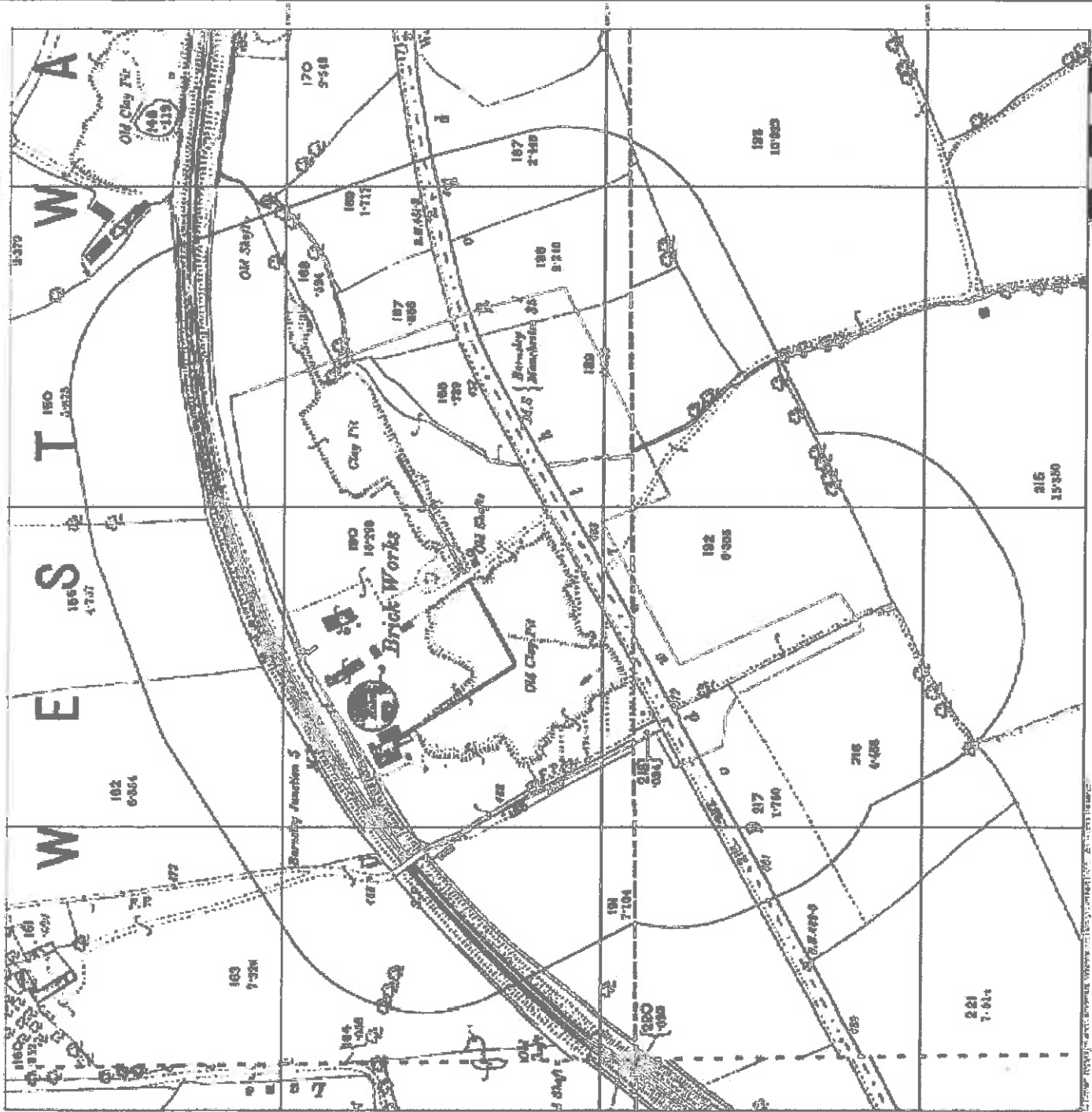
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Search Buffer (m): 100

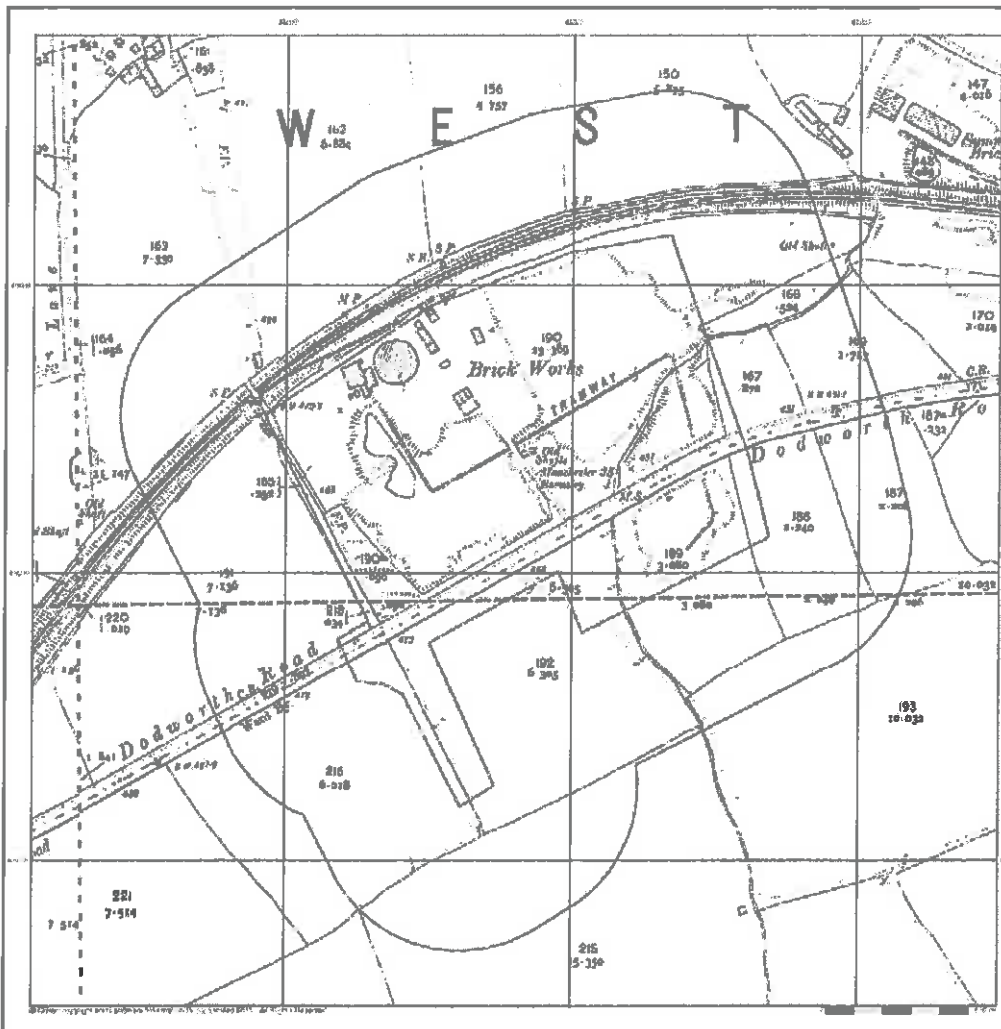
Site Details

137, Pogmoor Road, BARNESLEY, S70 6PT

Landmark
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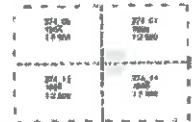
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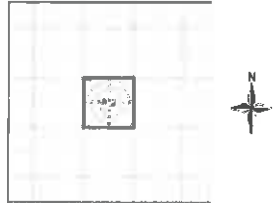
Yorkshire
 Published 1906
 Source map scale - 1:2,500

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840's. In 1854 the 1:2,500 scale was adopted for mapping urban areas and by 1868 it covered the whole of what were considered to be the cultivated parts of Great Britain. The published date shown below is often some years later than the surveyed date. Before 1830, all OS maps were based on the Cassini Projection, with independent surveys of a single county or group of counties, giving rise to significant tesserales in outlying areas.

Map Name(s) and Date(s)



Historical Map - Segment A13



Order Details

Order Number: 140225649_1_1
 Customer Ref: 151059-3168
 National Grid Reference: 432760, 406250
 Slice: A
 Site Area (Ha): 6.88
 Search Buffer (m): 100

Site Details

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Yorkshire

Published 1931

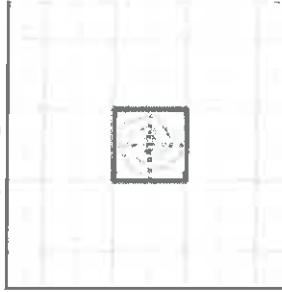
Source map scale - 1:2,500

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Map Name(s) and Date(s)

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Historical Map - Segment A13

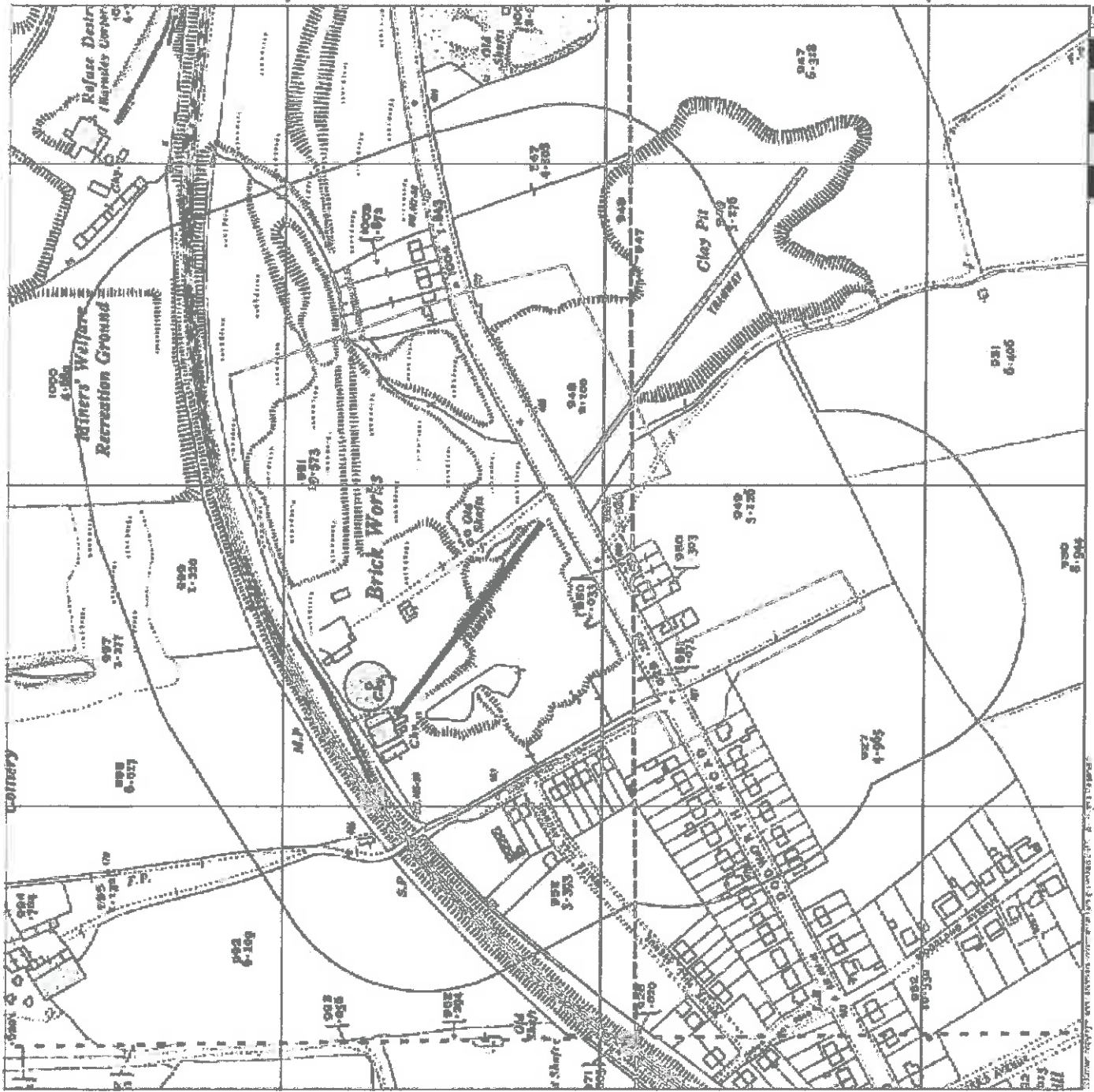


Order Details

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 Customer Ref: 151069-3168
 National Grid Reference: 432760, 406250
 Slice: A
 Site Area (Ha): 6.98
 Search Buffer (m): 100

Site Details

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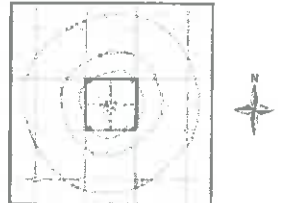
Ordnance Survey Plan
Published 1956
Source map scale - 1:10,000

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Gibraltar in the 1840's. In 1954 the 1:25,000 scale was adopted for mapping urban areas; these maps were used to update the 1:10,000 maps. The published date given therefore is often some years later than the surveyed date. Before 1956, all OS maps were based on the Cassini Projection, with independent surveys of a single county or group of counties, giving rise to significant inaccuracies in outlying areas. In the late 1940's, a Provisional Edition was produced, which updated the 1:10,000 mapping from a number of sources. The maps appear unfinished - with all military camps and other strategic sites removed. These maps were initially co-ordinated with the National Grid. In 1970, the first 1:10,000 maps were produced using the Transverse Mercator Projection. The revision process continued until recently, with new editions appearing every 10 years or so for urban areas.

Map Name(s) and Date(s)

- SE10NW 1956
- SE10SW 1956

Historical Map - Slice A



Order Details

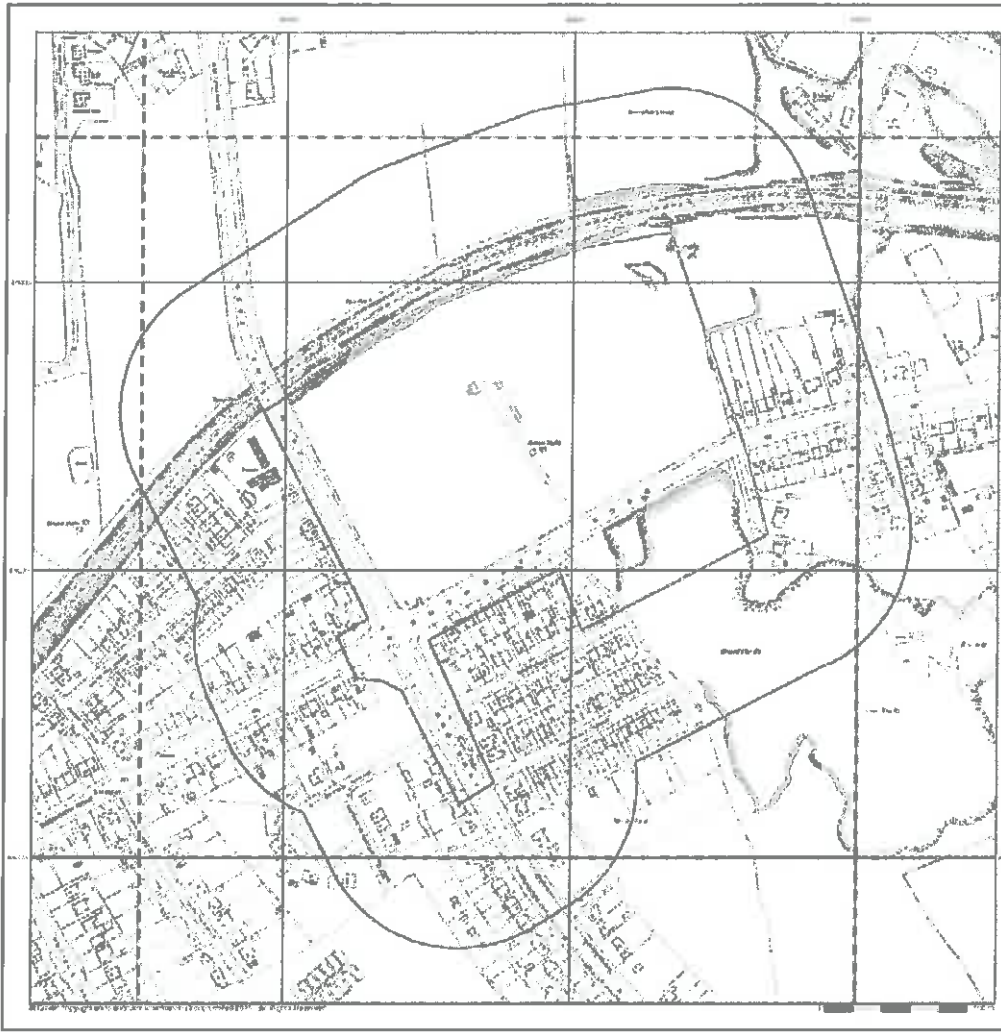
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 Customer Ref: 151069-3168
 National Grid Reference: 432760, 406250
 Slice: A
 Site Area (Ha): 6.98
 Search Buffer (m): 1000

Site Details

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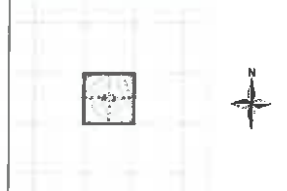
Ordnance Survey Plan
Published 1960
Source map scale - 1:1,250

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Map Name(s) and Date(s)

OS Grid Reference: 432760, 406250	Scale: 1:1,250
Map Name: OS 1:1,250	Year: 1960
Map Name: OS 1:1,250	Year: 1960
Map Name: OS 1:1,250	Year: 1960

Historical Map - Segment A13



Order Details

Order Number: 14022549_1_1
 Customer Ref: 151069-3168
 National Grid Reference: 432760, 406250
 Site: A
 Site Area (Ha): 5.98
 Search Buffer (m): 100

Site Details

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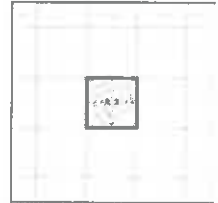
Ordnance Survey Plan
 Published 1969 - 1980
 Source map scale - 1:1,250

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Map Name(s) and Date(s)

Sheet No.	Scale	Date
1200	1:2500	1977
1200	1:2500	1979
1200	1:2500	1980
1200	1:2500	1981
1200	1:2500	1982
1200	1:2500	1983
1200	1:2500	1984
1200	1:2500	1985
1200	1:2500	1986
1200	1:2500	1987
1200	1:2500	1988
1200	1:2500	1989
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1200	1:2500	2016
1200	1:2500	2017
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1200	1:2500	2019
1200	1:2500	2020
1200	1:2500	2021
1200	1:2500	2022

Historical Map - Segment A13



Order Details

Order Number: 140225549_1_1
 Customer Ref: 151069-3155
 National Grid Reference: 432760, 406250
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 Search Buffer (m): 100

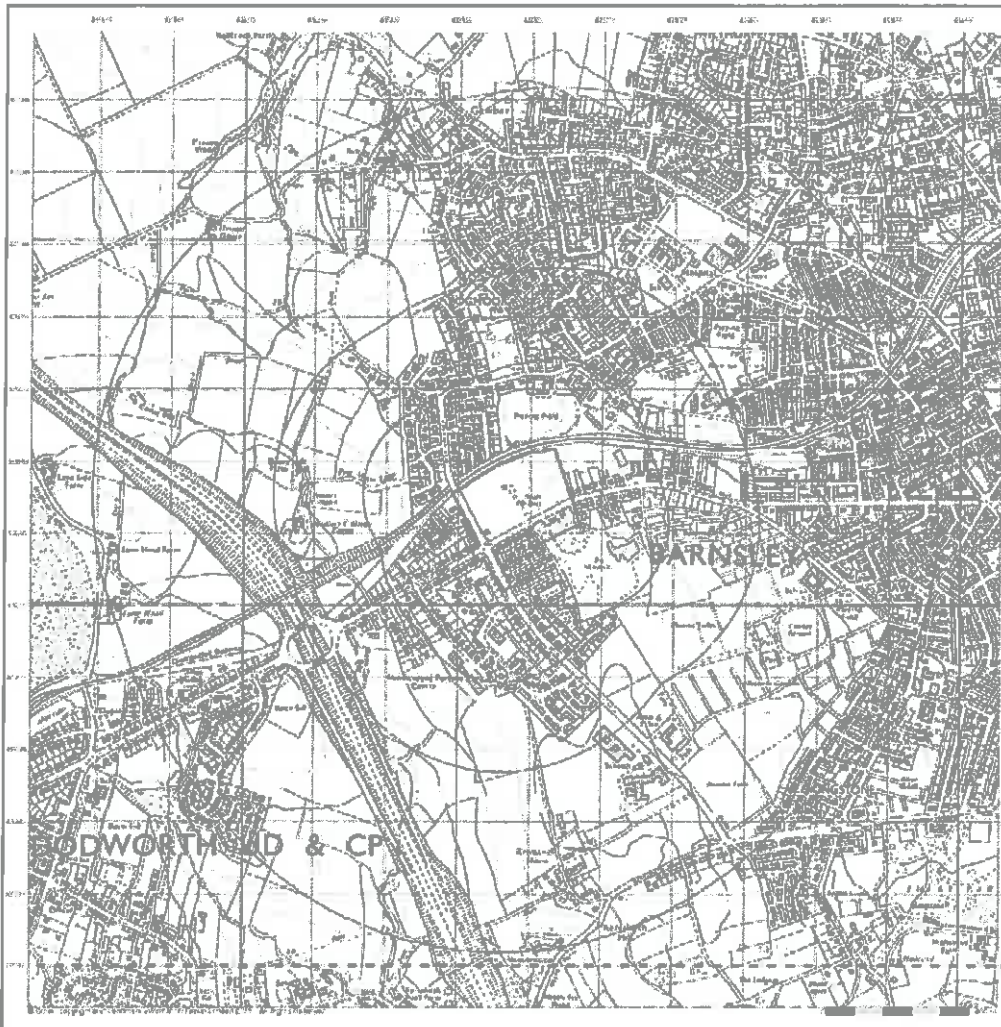
Site Details

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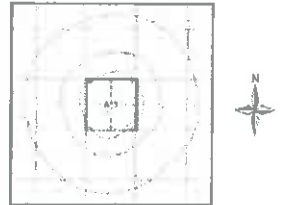
Ordnance Survey Plan
Published 1973 - 1978
 Source map scale - 1:10,000

The historical maps shown were reproduced from maps predominantly held at the scale adopted for England, Wales and Scotland in the 1840's. In 1854 the 1:2,500 scale was adopted for mapping urban areas; these maps were used to update the 1:10,000 maps. The published data given therefore is often some years later than the surveyed data. Before 1900, all OS maps were based on the Cassini Projection, with independent surveys of a single county or group of counties, giving rise to significant inaccuracies in outlying areas. In the late 1940's, a Provisional Edition was produced, which updated the 1:10,000 mapping from a number of sources. The maps appear unaltered - with all military camps and other strategic sites removed. These maps were initially overlaid with the National Grid. In 1970, the first 1:10,000 maps were produced using the Transverse Mercator Projection. The revision process continued until recently, with new editions appearing every 10 years or so for urban areas.

Map Name(s) and Date(s)

- OS 1:10,000
1973
- OS 1:10,000
1978

Historical Map - Slice A



Order Details

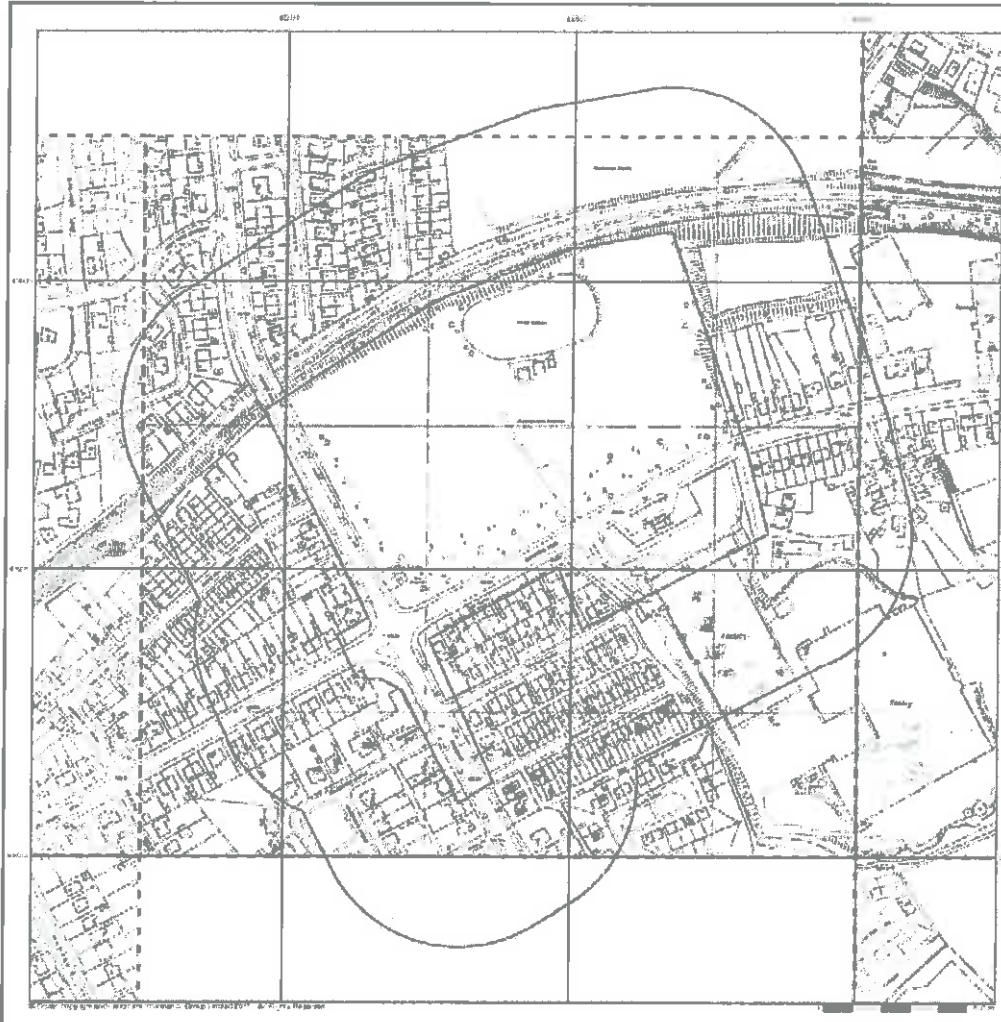
Order Number: 140225549_1_1
 Customer Ref: 161089-3168
 National Grid Reference: 432780, 406250
 Slice: A
 Site Area (Ha): 8.98
 Search Buffer (m): 1000

Site Details

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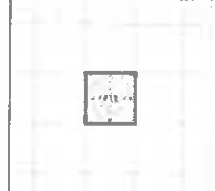
Additional SIMs
Published 1983 - 1991
Source map scale - 1:1,250

The SIM cards (Ordnance Survey's 'Survey of Information on Monuments') are further, minor editions of mapping which were produced and published in between the main editions as an area was updated. They date from 1947 to 1994, and contain detailed information on buildings, roads and land-uses. These maps were produced at both 1:2,500 and 1:1,250 scales.

Map Name(s) and Date(s)

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1:1250	1991
1:1250	1991
1:1250	1991
1:1250	1991
1:1250	1991

Historical Map - Segment A13



Order Details

Order Number: 14022549_1_1
Customer Ref: 151069-3159
National Grid Reference: 432760, 406250
Site: A
Site Area (Ha): 6.98
Search Buffer (m): 100

Site Details

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10k Raster Mapping

Published 2000

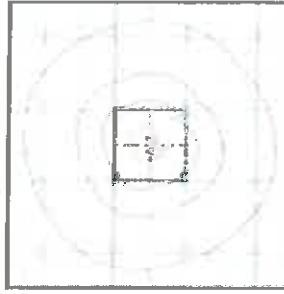
Source map scale - 1:10,000

The historical maps shown were produced from the Ordnance Survey's 1:10,000 colour raster mapping. These maps are derived from Landrapien which is highly detailed and 1:10,000 maps originally published in 1970. The data is highly detailed and includes roads, tracks and paths, road names, relevant road number and classification, boundary information, district, civil parish and constituency.

Map Name(s) and Date(s)

SECTORS	1
DATE	2000
SCALE	1:10,000
PROJECTION	OSGB36
UNIT	M
COORDINATE SYSTEM	OSGB36
UNIT	M

Historical Map - Slice A



Order Details

Order Number: 140225549_1_1

Customer Ref: 151069-3168

National Grid Reference: 432760, 408250

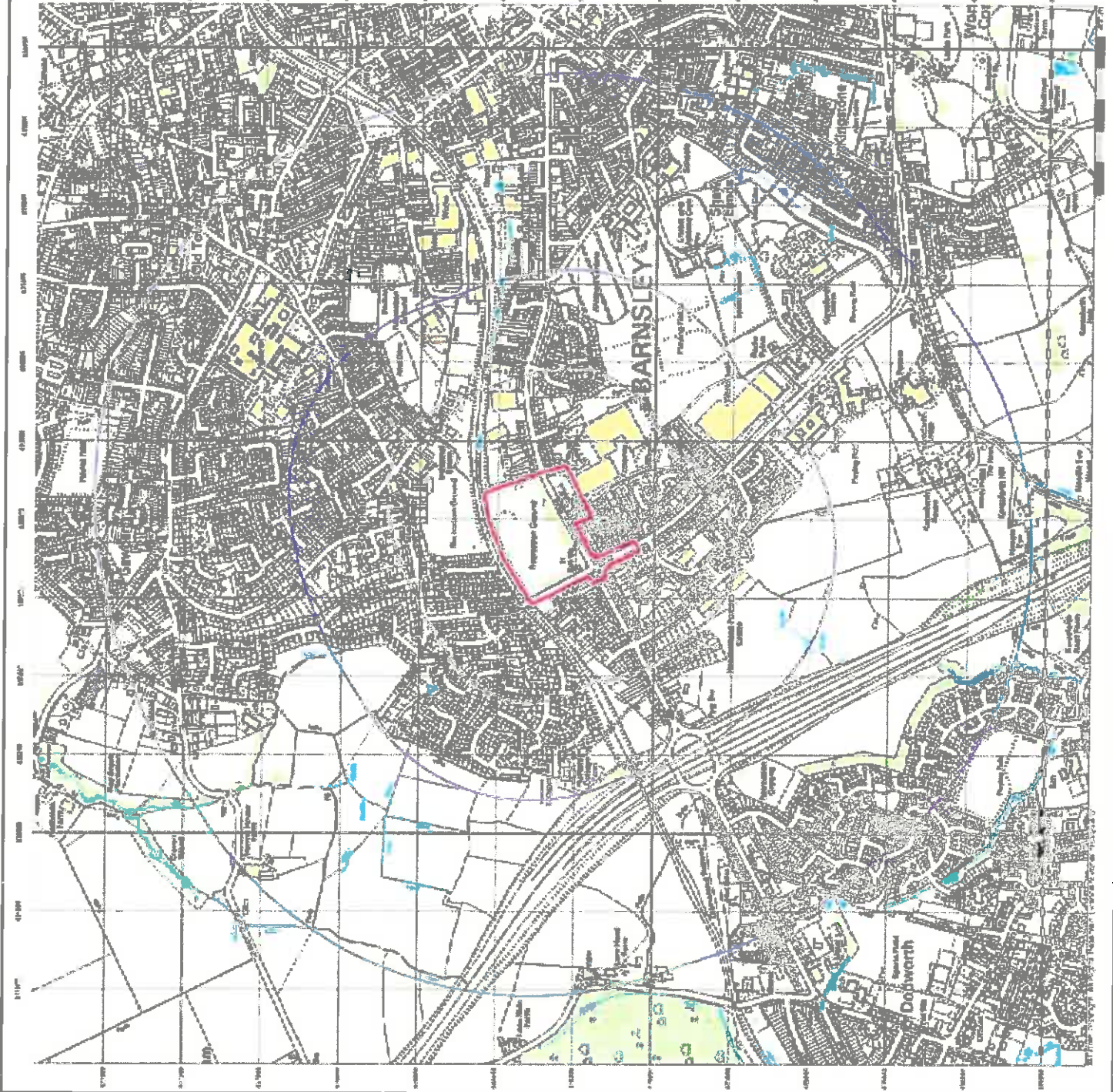
Slice: A

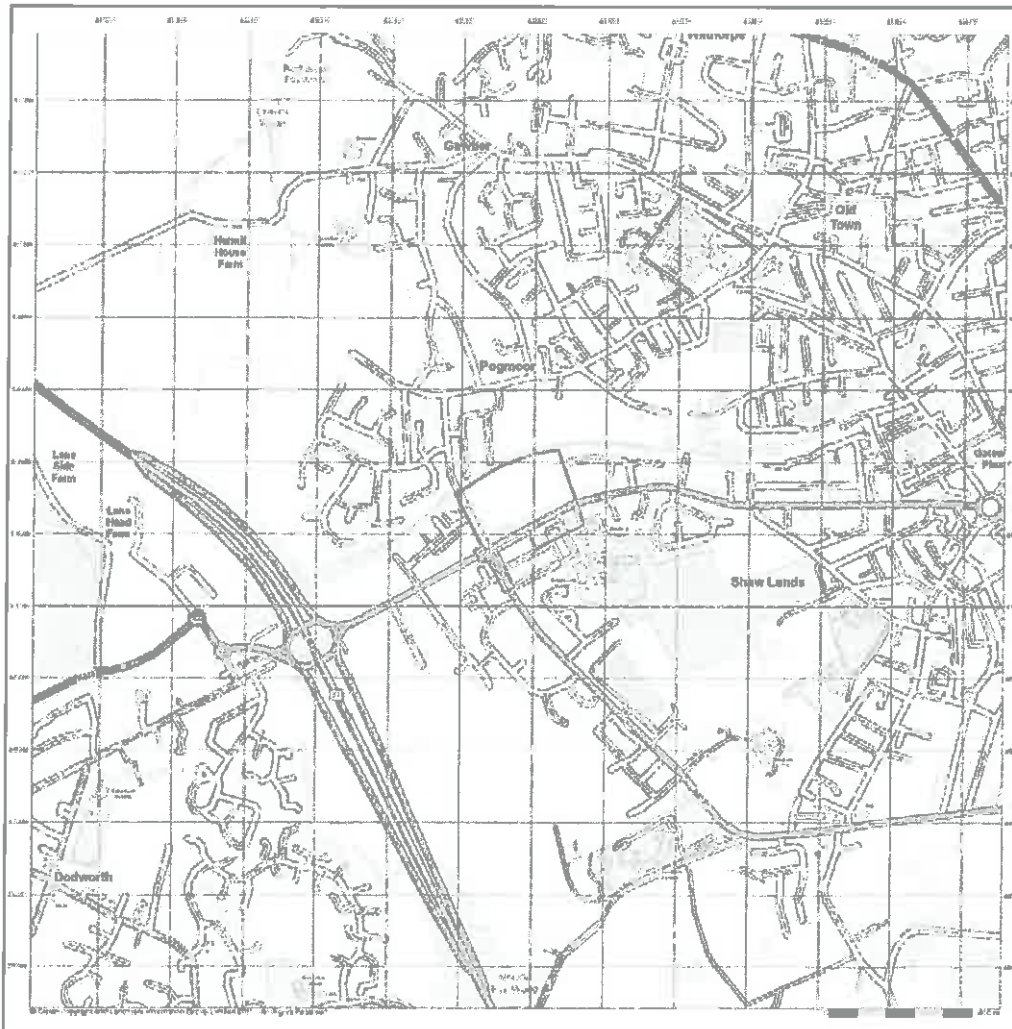
Site Area (Ha): 6.88

Search Buffer (m): 1000

Site Details

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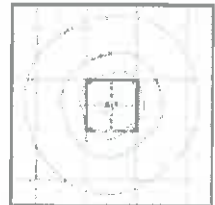
Street View
Published 2017
Source map scale - 1:10,000

Street View is a street-level map for the whole of Great Britain produced by the Ordnance Survey. These maps are provided at a nominal scale of 1:10,000

Map Name(s) and Date(s)



Street View Map - Slice A



Order Details
 Order Number: 140225549_1_1
 Customer Ref: 181068-3188
 National Grid Reference: 432780, 408250
 Slice: A
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 Search Buffer (m): 1000

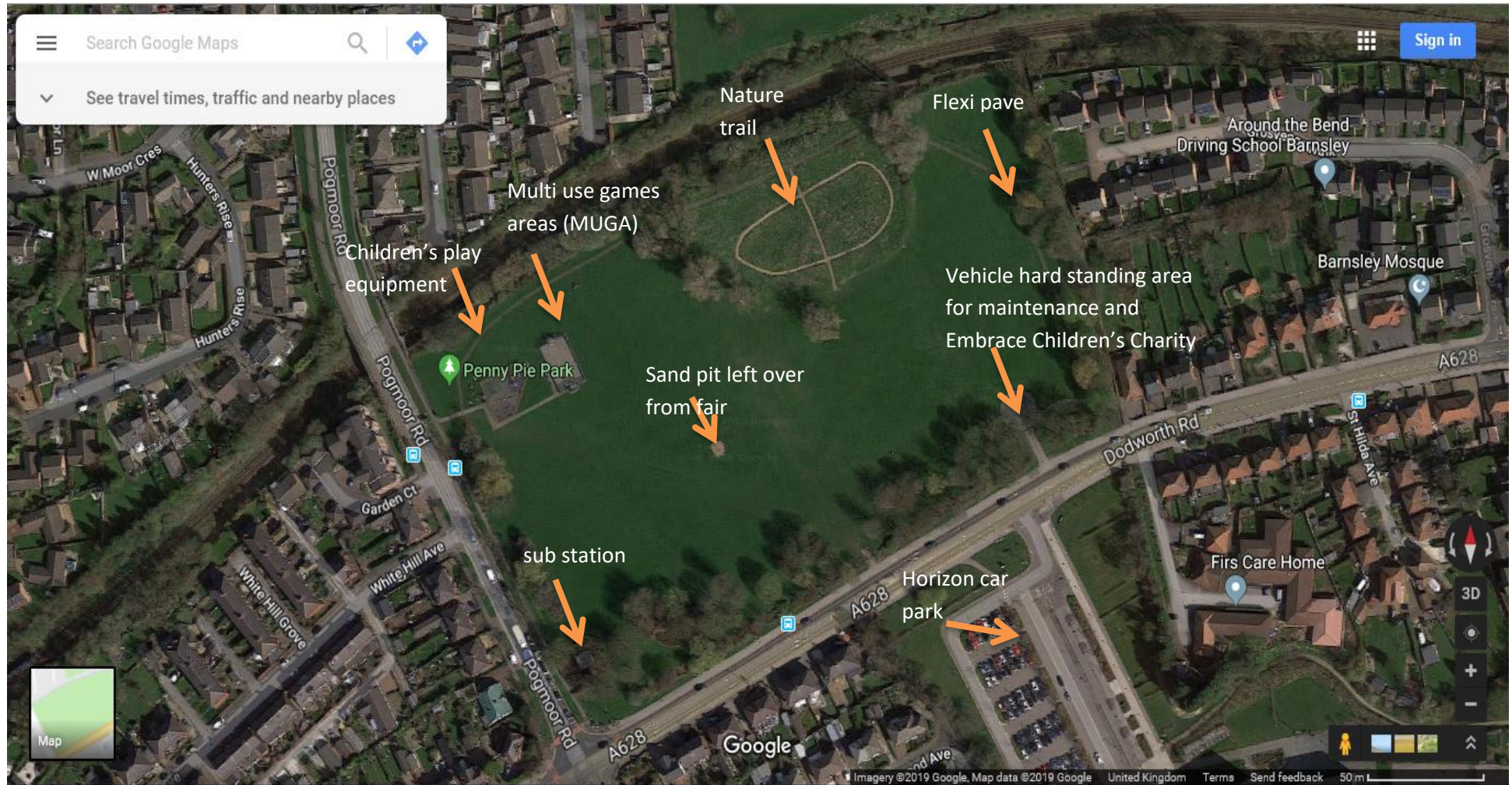
Site Details
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Appendix 6

Plan showing current features in Penny Pie Park obtained from Imagery©2019 Google Map data © Google United Kingdom



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PLAY AREA



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VEGETATION

- existing mature tree
- existing shrubs or scrub
- existing tree planted by Friends of Penny Pie Park
- tree to be removed - see below*
- additional orchard tree to be planted
- avenue or feature tree to be planted
- proposed shrubs
- proposed woodland buffer planting
- proposed wildflower meadow
- existing crocus bulbs
- proposed daffodil planting
- Low mound up to 1m high



BARRIERS

- metal railings, 1.5m high, black, with concrete block/slab mowing margin
- metal arch for pedestrian entrance to park
- maintenance access point
- Acoustic fence, timber, 3m high
- Acoustic wall, gabions, either 1m high or 1.5m high

PATHS AND PAVING

- 3.0m wide Flexistone path with low key lighting
- 1.8m wide Flexistone path
- 1.2m wide Flexistone path
- route for fairground vehicles with reinforced cross over path
- central seating area with space for outdoor cinema and other gatherings
- paved area with raised dais

FURNITURE AND EQUIPMENT

- welcome board
- picnic bench, Lightmain flat bar, green, with access for wheelchair or pushchair
- seat, Lightmain round bar, green
- bin for litter and dog waste, Wybone MLB/160R
- story trail feature to remain in current location
- story trail feature to be relocated as shown, with name
- Friends of Penny Pie Park container cafe

Bird and bat boxes to be installed with assistance of Friends of Penny Pie Park

500m

* Tree Survey and Arboricultural Assessment' updated 28 June 2018 by Wainwright Landscape Architecture.

BARNLEY MBC	
PENNY PIE PARK	
SKETCH PROPOSALS	

Rev 4: 10 June 2019. Addition of trees to be removed.	1:1000 @ A3	April 2019	KE	PPP/557/01
Rev 3: 7 June 2019. Small amendments and minor additions.	1:500 @ A1			rev 4

BOUNDARY RAILINGS AND ARCHES



MULTI USE GAMES AREA



HORIZON COLLEGE CAR PARK

GARDEN COURT

WHITE HILL AVENUE

POGMOOR ROAD

DODWORTH ROAD

Christmas tree

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Appendix 8

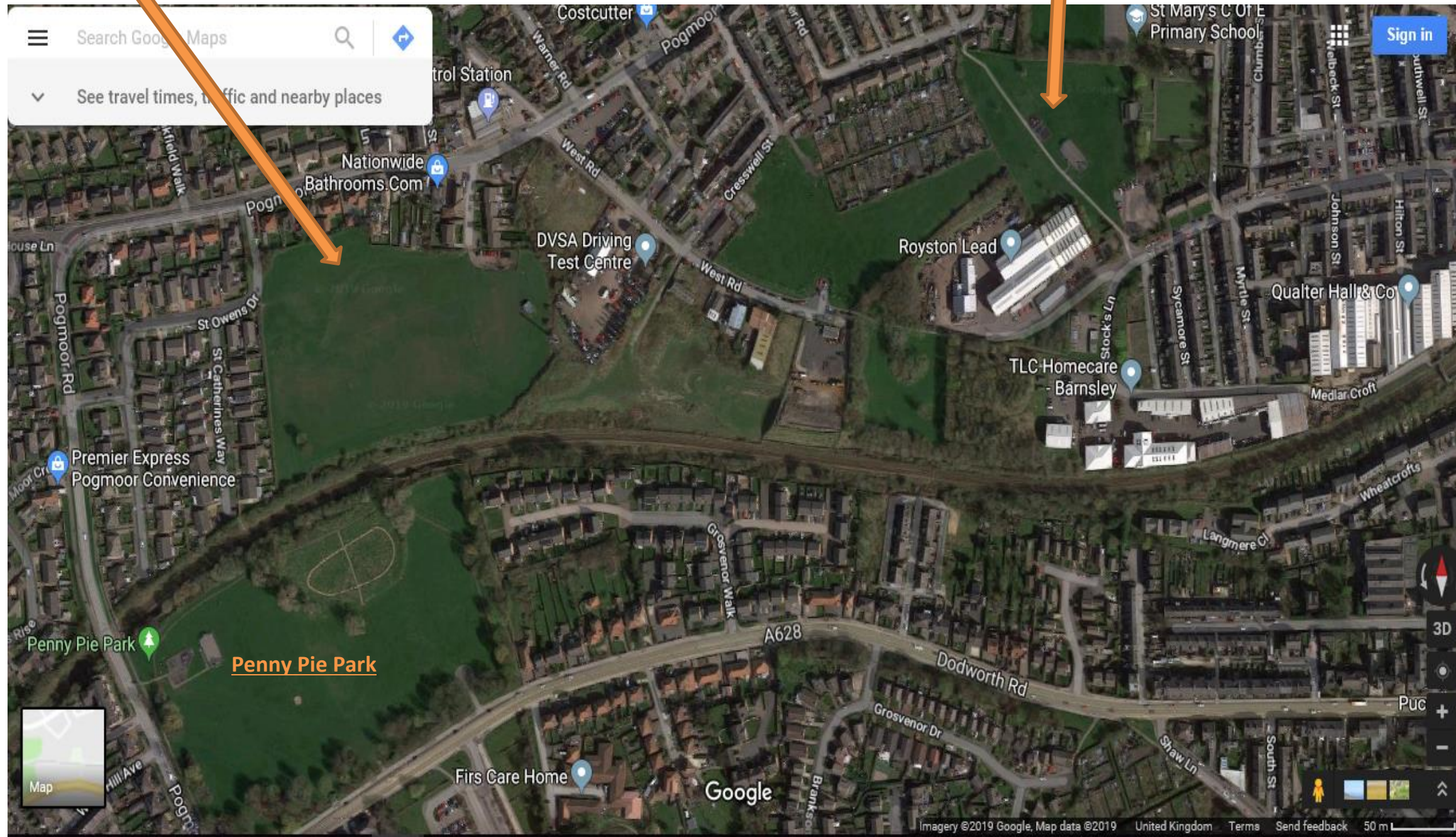
Plan showing location of Pogmoor Recreation Ground and Sugden's (Stocks Lane) Recreation Ground that will also benefit from improvements as part of the mitigations. Plan obtained from Imagery©2019 Google Map data © Google United Kingdom

Pogmoor Recreation Ground -

Football Pitch retained with improved pedestrian access with provision of footpath, benches and dog fouling bins.

Sugden's Recreation Ground -

Neighbourhood Equipped Play Area (NEAP). 8 pieces of play equipment. Mini orchard and seating.



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BARNSELY METROPOLITAN BOROUGH COUNCIL (BMBC)

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 Directors
PLACE & Communities**

**SCRUTINY TASK AND FINISH GROUP (TFG) REPORT ON
SOCIAL HOUSING**

1. Purpose of report

- 1.1 To report to the recommendations as set out by the Overview & Scrutiny Committee (OSC) from the investigation undertaken on its behalf by the Social Housing Task & Finish Group (TFG).

2. Recommendations

- 2.1 **Members endorse the responses to each of the recommendations made by the PLACE and Communities Directorates as outlined in section 4 of the report.**

3. Introduction/Background

- 3.1 As part of its work programme the OSC agreed to undertake a TFG investigation into Social Housing provision in Barnsley. This was in response to, amongst other things, the publication of the Government's Social Housing Green Paper and the recent changes to Housing Services in Barnsley following the Housing Services Review.
- 3.2 The members of the TFG who undertook this investigation included the following: Councillor Gail Charlesworth (TFG Lead Member), Councillor Gill Carr, Councillor Malcolm Clements, Councillor Jeff Ennis, Councillor Joe Hayward, Councillor Sarah Tattersall, Councillor Kevin Williams and Councillor John Wilson.

4. Specific Recommendations and Responses

- 4.1 The TFG recognised the complexities involved in the provision of social housing and ensuring the needs of all our communities are met. This is against a backdrop of austerity, as well as national policies which compound the challenges being faced by services. Whilst recognising the excellent work being undertaken, the TFG made 6 recommendations in support of the continuous improvement of local services and support to local communities. Each recommendation has been considered and the response included below:
- 4.2 **Recommendation 1 ACROSS ALL TFGs: A Multi-Agency Conference is held in relation to addressing the complex needs in our communities covering Housing, Substance Misuse and Adult Mental Health.**

RESPONSE: *This recommendation is accepted. The recommendation has been made in three Scrutiny Task and Finish Group Reports in relation to housing, substance misuse and mental health. Whilst carried out as separate investigations, the discussions and findings demonstrated the significant overlap and interdependencies that exists across these areas. It is recognised that there is further work to be done in relation to addressing the issues and challenges that have been raised across the three areas. This work will be driven through existing mechanisms that are in place namely the Public Sector Housing Task and Finish Group, the Mental Health Crisis Care Concordat Group and the 'complex lives' work stream, where relevant officers and key partners at both strategic and operational levels, will work together to address the issues and identify solutions. The lead officers will take stock of developments and review the value/format of an event as this work progresses over the next 12 months.*

4.3 Recommendation 2: OSC Members are engaged in the upcoming review of the Council's Housing Strategy

RESPONSE: *This recommendation is accepted. The Council's Housing Strategy covers the period 2014-33. It is a Strategic Strategy which sets out the Council's ambitions for housing provision, investment and management in the borough over the next 20 years. Following adoption of the Local Plan in January 2019, officers will undertake a light touch review of the Housing Strategy in the autumn of 2019 to ensure consistency with the Local Plan, to consider our approach to Affordable Housing Need (following the completion of an updated Strategic Housing Market Assessment planned for summer 2019) and to ensure that our 5 corporate priorities remain fit for purpose. There will be a consultation process on the DRAFT refreshed Housing Strategy. Officers are happy to meet with the TFG members separately as part of this process. The revised Strategy will need Cabinet/Council approval. The updated Housing Strategy will directly reference and link to the Supported Housing Strategy currently being developed by Communities (and of course vice versa).*

4.4 Recommendation 3: Increasing work is done to engage with private sector landlords

The group acknowledged the challenge this presents and the work being done in partnership with others to meet this need. This includes advising them in supporting vulnerable residents. The TFG however recognise that due to the shortage of social housing, there are increasing numbers of residents in private tenancies with vulnerabilities that need support services. This is especially prevalent within HMOs; therefore the TFG welcome additional work being undertaken to combat and manage this.

RESPONSE: *This recommendation is accepted. Deeper engagement with Private Sector Landlords is a developing cross cutting theme within the Council. A coordinating Task and Finish Group, under the leadership of the Head of Commissioning, is reviewing how differing Council teams are able to work with Private Sector Landlords to deliver better outcomes for the sector and Borough. This broadly includes but is not restricted to:*

- *Supporting Landlords re: how they can support vulnerable residents, especially those within Houses of Multiple Occupation (HMO's)*

- *Accessing the Private Rented Sector to support residents at risk of homelessness*
- *Improving the physical condition of properties, especially for those at risk of fuel poverty*
- *Improving the knowledge and skills of Private Sector Landlords through on going continuous professional development*
- *Improving the 'renting' offer and experience within the Borough*

4.5 Recommendation 4: OSC Members are involved in contributing to the review of the Tenancy Strategy

RESPONSE: *This recommendation is accepted. The Tenancy Strategy was reviewed during early 2019 as part of the 5-year review required under the Localism Act. It was determined that the policy continues to remain fit for purpose; striking an appropriate balance between offering our tenants security of tenure, creating sustainable communities where people want to live and meeting the needs of those in the greatest housing need. The revised Strategy will be presented to Cabinet in July 2019 for approval. The current Lettings Policy was agreed by the Council and implemented from April 2014 (following the 2013/14 Review). Although there have been minor amendments to the Lettings Policy over the last five years, the policy is, and has remained, fit for purpose. In brief summary, the changes in the period since 2014 have included:*

- *Revisions to the designated 'age restricted' properties*
- *Changes in the ways in which vacant properties are advertised and the methods by which applicants are able to apply for properties following the Access to Services Review.*
- *Changes required responding (and un-responding) to Universal Credit regulations relating to housing costs for 18 to under 22 year olds.*
- *Changes to ensure compliance with new legislation (and the accompanying Code of Guidance) following the Homeless Reduction Act 2017 coming into force (3rd April 2018)*

There are no current plans to amend the Tenancy Strategy nor the Lettings Policy further over the coming year, although this will be reviewed should additional legislation/policy emerge and/or the Council have concerns that the needs of those most in need of affordable housing are not being met. Consultation will be undertaken with local members, the 'tenant' engagement model and the Council.

4.6 Recommendation 5: All Elected Members are reminded of access to the Cautionary Contacts Database and the need to report any incidents to ensure timely updates are entered on the system

RESPONSE: *This recommendation is accepted. An email communication will be distributed to all members via the 'Councillors' inbox to advise on the Cautionary Contacts Database process.*

4.7 Recommendation 6: Proactive contact is made by local Housing Association Officers, especially with Elected Members where large numbers of particular Housing Association properties are located.

RESPONSE: *This recommendation is accepted.* In response to the recommendation, Members have already been provided with an updated list of contacts for the active Housing Associations operating in the borough and the Council holds a list of all Housing Association accommodation. Any new build schemes are subject to consultation with local members and the surrounding community (to the scheme) in advance of a planning submission. For schemes over 10 units, a community consultation event is required.

Officers hold regular liaison meetings with our framework general needs Housing Associations and will seek to replicate these meetings jointly with the RP framework of supported providers, once established. Should Members wish to raise any issues, they can do so via the Housing Growth Team and/or via the Housing Association directly.

5. Implications for local people / service users

5.1 The responses provided are in support of improving outcomes for people in Barnsley, especially in relation to meeting their housing needs.

6. Financial implications

6.1 There are no direct financial implications associated with this report.

7. Employee implications

7.1 There are no specific employee implications.

8. Communications implications

8.1 Officers recognise the knowledge that local members hold on their communities and community issues and welcome further engagement with the TFG in the development of emerging strategies/policies, where appropriate.

9. Consultations

9.1 Consultations have taken place with: the Social Housing TFG Members; the OSC; Councillor Roy Miller; Council Officers from Housing Growth, Community Safety, Enforcement and Stronger Communities; Berneslai Homes; YHA; and the Council's Senior Management Team.

10. The Corporate Plan and the Council's Performance Management Framework

10.1 As outlined in the Corporate Plan, the three priorities for Barnsley are: a thriving and vibrant economy, strong and resilient communities; and citizens achieving their potential. It is essential the Council and its partner organisations work together to support these aims, which includes meeting housing needs across the borough, including support for our most vulnerable residents.

11. Promoting equality & diversity and social inclusion

- 11.1 In responding to the recommendations, the PLACE and Communities directorate aims to ensure that all Council services and activities are accessible to all its communities.

12. Tackling the impact of poverty

- 12.1 There are numerous information sources and academic studies which highlight the links between housing and poverty, including how housing can both mitigate as well as exacerbate the impact of poverty on people's lives. To tackle the impact of poverty it is important that efforts are made to limit rent costs, maintain good housing conditions in all tenures and monitor the impact of cuts to welfare benefits, especially for vulnerable residents.

13. Tackling Health Inequalities

- 13.1 There are large health inequalities between Barnsley and England and within Barnsley itself. Improving access to housing and reducing health inequalities will help local people to reach their full potential. The investigation undertaken by the TFG and recommendations made are in support of improving outcomes across the borough; with recognition that additional work is required in particular communities to help address health inequalities.

14. Risk management issues

- 14.1 This issue relates to the following risks currently logged on the Council's Strategic Risk Register (SRR), as follows:

- 3025 – 'Failure to Safeguard vulnerable service users'
- 3026 – 'Failure to achieve a reduction in Health inequalities within the Borough'
- 3047 – 'Failure to protect the health of the population from preventable health threats'

- 14.2 It is likely the recommended activities detailed in this report will contribute further to the effective mitigation of these risks, and it would be appropriate for any follow-up report to be cognisant of these risks.

15. Glossary

ALMO	Arm's Length Management Organisation
AMIB	All Member Information Briefing
ASB	Anti-Social Behaviour
BMBC	Barnsley Metropolitan borough Council
HMO	Houses in Multiple Occupation
HRA	Housing Revenue Account
OSC	Overview and Scrutiny Committee
RTB	Right To Buy
SCR	Sheffield City Region
SYP	South Yorkshire Police
TFG	Task and Finish Group

16. Background papers

- Barnsley Council Housing Strategy:
<https://www.barnsley.gov.uk/services/housing/housing-strategies/housing-strategy/>
- Social Housing Green Paper: A New Deal for Social Housing:
<https://www.gov.uk/government/news/social-housing-green-paper-a-new-deal-for-social-housing>

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: Sarah Cartwright
Date: 17th June 2019

BARNSELEY 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 DIRECTOR OF PUBLIC HEALTH TO CABINET ON 10th JULY 2019

**TITLE: RESPONSE TO THE SCRUTINY TASK AND FINISH GROUP (TFG)
REPORT ON ADULT MENTAL HEALTH CRISIS CARE**

1. PURPOSE OF REPORT

- 1.1 To report progress to Cabinet against the findings and recommendations of the Overview & Scrutiny Committee (OSC) from the investigation undertaken on its behalf by the Adult Mental Health Task & Finish Group (TFG).

2. RECOMMENDATIONS

- 2.1 Members support the progress made against each of the recommendations and endorse the proposals made to inform local strategy over the next 12 months.**

3. INTRODUCTION

- 3.1 As part of its work programme the OSC agreed to undertake a TFG investigation into adult mental health. This included understanding the broad spectrum of mental health illness and related services, which led to a specific focus on crisis care.
- 3.2 In their report, the TFG acknowledged that demand for mental health services across the continuum is increasing both locally and nationally against a backdrop of limited resource. Whilst recognising that there is evidence of excellent partnership working across the system, the TFG made 10 recommendations to support the continual improvement of services and support to local communities.

4. SPECIFIC RECOMMENDATIONS AND RESPONSES

- 4.1 Recommendation 1 ACROSS ALL TFGs: A Multi-Agency Conference is held in relation to addressing the complex needs in our communities covering Housing, Substance Misuse and Adult Mental Health.** [A common feature of the OSC TFG's undertaken in 2018-19 on Social Housing, Substance Misuse and Adult Mental Health is the close, cyclical links between them. Each service area has raised challenges in relation to accessing the other services, difficulties in sharing information between them, as well as demands on services which could be avoided. It is therefore recommended that a large conference is held for those working at both a strategic and operational level in these and partner services to come

together and develop an action plan to address some of these issues and monitor this on an ongoing basis.]

This recommendation was made in three Scrutiny Task and Finish Group Reports in relation to housing, substance misuse and mental health. Whilst carried out as separate investigations the discussions and findings demonstrated the significant overlap and interdependencies that exists across these areas. It is recognised that there is further work to be done in relation to addressing the issues and challenges that have been raised across the three areas. This work will be driven through existing mechanisms that are in place namely the Public Sector Housing Task and Finish Group, the Mental Health Crisis Care Concordat Group and the 'complex lives' work stream, where relevant officers and key partners at both strategic and operational levels, will work together to address the issues and identify solutions. The lead officers will take stock of developments and review whether such an event would be of value as this work progresses over the next 12 months.

4.2 Recommendation 2: A Strategic Mental Health Alliance is formed which can oversee all the work that is taking place across the continuum of mental health services and agencies involved in meeting mental health needs.

[The TFG are acutely aware of both the number of agencies undertaking work to support those with mental health needs across the continuum and the challenges they face. The group therefore feel it is important that there is some co-ordinated strategic oversight of this to assist in enabling them to operate effectively, especially given the challenges highlighted in relation to information sharing.]

Proposals were presented to the Health and Wellbeing Board (HWB) in February 2019 regarding the development of a virtual mental health alliance with highlight reporting introduced to improve coordination of activity across the continuum.

This will ensure the HWB is fully updated in terms of what is working well but also where there are risks and most importantly, where the HWB and other agencies can make a difference.

It is proposed that the virtual mental health alliance is achieved through highlight reporting at least every quarterly to be coordinated by public health.

To further inform these proposals, we are learning from 'Thriving Kirklees', 'Thrive West Midlands' and other models and partnerships of local health and wellbeing providers working together to support children, young people and their families to thrive and be healthy. We will review these models and use them to design a resilience framework for Barnsley and to further develop the local mental health alliance.

4.3 Recommendation 3: Focus is given by all agencies to reinvigorate the Barnsley Crisis Care Concordat (CCC). [Linked with recommendation two, the group feel that as well as strategic oversight, there needs to be opportunity for those making decisions at an operational level to communicate, share information and work together to resolve issues arising in dealing with mental health crisis care. It is important that each agency signed up to the CCC sends appropriate representation who can attend consistently and help drive the improvement and efficiency of crisis care responses 24/7; especially as most 999 and 111 calls in relation to mental health occur out of office hours.]

Public Health now co-chairs the Suicide Prevention and Crisis Care Concordat strategic group with the CCG. Although the group was reviewed last year, as a result of feedback from the TFG and other national drivers, the terms of reference and membership will be reviewed again to ensure the group is fit for purpose with the correct representation.

- 4.4 **Recommendation 4: Consideration is given to the commissioning of a non-clinical transport service.** [Given the high-demand being placed on police and ambulance services in responding to incidents, the TFG feels that having access to a non-blue light transport service for patients would be beneficial. This would both reduce the amount of inefficient use of police time and provide a more appropriate, discreet response for patients.

The CCG has stated that this is an issue which is highlighted in the NHS Long Term Plan and is being considered by the NHS England Specialised Commissioning Team.

Spot purchasing of such transport already occurs where it is felt appropriate.

- 4.5 **Recommendation 5: Professional Mental Health Workers within the Safer Neighbourhood Service Hub are assigned as part of core funding arrangements.** [Due to the challenges of information sharing and the positive impact having Professional Mental Health Workers in the Hub with access to patient information has, the TFG feel that this professional support should be considered as a core part of this service, rather than something which only has time-limited funding.

Mental health case management capacity has been incorporated into the SNS hub as part of the multi-disciplinary approach developed. The initial inclusion has been directly linked to the Liaison and Diversion team who provide mental health assessment and intervention for those entering police custody with the aim of preventing those suffering from mental health problems being unhelpfully drawn into the criminal justice system.

The resource has proved a valuable added dimension to the SNS however initial funding had only been secured for a fixed term. BMBC will discuss sustainability with the CCG and SWYFT with regards to long term funding of mental health capacity and the inclusion of the mental health workers as part of the Complex Lives offer.

- 4.6 **Recommendation 6: An Elected Member Talkabout is held on Mental Health.** [As a result of the evidence of increases in mental ill-health amongst all our communities across the mental health continuum and the rising demand for services; the TFG feel it would be beneficial for all Members to better understand differing mental health conditions as well as the services available in Barnsley, including the Recovery College which is open to everyone. This session would also provide opportunity for Members to think about their own mental wellbeing and how they can help themselves and others to be more resilient, incorporating elements of Mental Health First Aid (MHFA) Training as well as inviting local speakers to bring to life their experiences of mental illness.]

Public health will develop, deliver and facilitate this session and is working with colleagues in Organisation and Workforce Improvement with regards to confirming a date and an agenda.

4.7 Recommendation 7: The Overview and Scrutiny Committee undertakes further investigation of Adult Mental Health Services as part of its future work programme, with a focus on early intervention and preventative services.

[Given the mental health continuum and acknowledgment of both the spectrum of illness and therefore the appropriate response, the group focused their investigation on crisis care. It is evident that there continues to be challenges of access to mental health services in Barnsley, especially in relation to lower level support services which help to prevent issues escalating, which merit further investigation and clarity.]

50% of mental health problems are established by age 14 and 75% by age 24 (Mental Health Foundation, 2019) which is why a focus on early intervention and prevention is so important with children and young people living in Barnsley.

Building individual resilience so that residents are able to better cope with life's challenges and adversities is a priority for public health and is a priority in the refreshed public health strategy. It is difficult to create a system wide action plan to tackle this issue as what makes one person resilient may be different to another's. Public health is working with partners and colleagues across the council to review success in other areas and learning from work that has already been undertaken across the country including *Thriving Kirklees* and *Thrive West Midlands*. Public health would welcome further support from the OSC in this area.

4.8 Recommendation 8: The Police Crime Panel (PCP) undertakes further investigation into the 'Policing and Mental Health: Picking up the Pieces' report and the implications for local services. [As highlighted by the investigation, there is evidence that issues identified on a national level are present for our local services. Therefore, the TFG would recommend that the findings in this report are explored at a local level and assurance sought in relation to long term solutions being put in place].

The Police and Crime Panel covers the whole of South Yorkshire and so assurance needs to be sought from the other districts that they are agreeable for the Panel to conduct this review particularly because what may be an issue in Barnsley, may not be for Sheffield, for example.

Officers supporting the Police and Crime Panel have stated that capacity to undertake reviews such as this is an issue. That said, the Panel is keen to take on more dedicated pieces of scrutiny work and therefore the Panel will consider the merits of the recommendation, liaise with the other three districts ahead of the OPCC making a final decision.

In the meantime, the Barnsley Suicide Prevention and Crisis Care strategic group will convene a time limited task and finish group to review the report identifying and implications and recommendations locally.

4.9 Recommendation 9: The Council's Elected Member Mental Health Champion and Senior Management Team Champion should lead on driving the Mental Health agenda including acting as an advocate for the above recommendations. [Helping to drive this agenda is a role which is key for both the Council's Elected Member Mental Health Champion, which is currently Cllr Margaret Bruff and the Council's Senior Management Team Champion, which is

currently Wendy Lowder. The TFG recognises the importance of this agenda being driven at a strategic level in support of enabling effective services at an operational level. It is important that these 'Mental Health Champion' roles continue to be assigned appropriately to relevant representatives within the Council.]

Local authorities have a key role in promoting wellbeing and improving mental health in their communities and The Mental Health Challenge (<http://www.mentalhealthchallenge.org.uk/the-challenge/>) was created to provide support and encouragement in taking a proactive approach to this crucial issue.

The Mental Health Challenge began in 2013 and was set up by the Association of Mental Health Providers, the Centre for Mental Health, Mental Health Foundation, Mind, National Survivor User Network, Rethink Mental Illness, the Royal College of Psychiatrists and YoungMinds.

Since then, 120 local councils have signed up each with an elected member champion for mental health.

This is a significant role for an elected member to take on and the TFG report is a timely reminder of the need to review the existing local arrangements regarding leadership at a political and senior management level which will be coordinated by public health.

4.10 Recommendation 10: Steps are taken to ensure that there is access to 24/7 mental health crisis care support, especially out of office hours. [Given the local knowledge and experience of TFG members, as well as the evidence presented, the group constantly highlighted and challenged the importance and availability of access to 24/7 service provision. It was evident that calls for support crisis from the public often occurred out of office hours. This created challenges not only for service users, but also for those trying to provide support having difficulty in contacting other professionals required. By providing effective out of hours support, it is hoped that the need for s136 detentions could be reduced which is of benefit both to service users as well as services themselves.]

The CCG has stated that crisis services are commissioned on a 24/7 basis. It is acknowledged that there are some challenges and issues that need addressing which the Suicide Prevention and Crisis Care Concordat group will examine. A task and finish group will be convened and will start their work by reviewing 'the provision of mental health care to patients presenting at the emergency department' which has been published by the Healthcare Safety Investigation Branch (<https://www.hsib.org.uk/investigations-cases/provision-mental-health-services-emergency-departments/>)

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

6.1 Responding to the recommendations within the OSC TFG report will contribute to addressing the mental health problems residents experience across the borough.

7. FINANCIAL IMPLICATIONS

7.1 There may be financial implications of recommendations 1, 4 and 5 so further consideration will need to be given.

8. EMPLOYEE IMPLICATIONS

- 8.1 The recommendations contained within this report will all have a positive impact on the mental health and wellbeing of employees and their families.

9. LEGAL IMPLICATIONS

- 9.1 A mental health condition is considered a disability if it has a long-term effect on someone's normal day-to-day activity. This is defined under the Equality Act 2010. A mental health condition is 'long term' if it lasts, or is likely to last, 12 months.
- 9.2 If someone's mental illness has a significant, adverse and long-term effect on their ability to carry out normal day-to-day activities, it is likely to be covered by the Disability Discrimination Act

10. CUSTOMER AND DIGITAL IMPLICATIONS

- 10.1 None

11. COMMUNICATIONS IMPLICATIONS

- 11.1 A communication strategy for mental health and wellbeing will be considered in the context of building resilience and reducing stigma.

12. CONSULTATIONS

- 12.1 Colleagues within the council and CCG have been consulted in the production of this report.

13. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

- 13.1 The recommendations will contribute to:

- Thriving and Vibrant Economy
- People Achieving Their Potential
- Strong and Resilient Communities

14. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

- 14.1 Engagement will continue with the local mental health forum and other service user groups to ensure the recommendations positively impact on groups where more support is needed including children and young people, middle aged men etc.

15. TACKLING THE IMPACT OF POVERTY

- 15.1 There is a strong socioeconomic gradient in mental health, with people of lower socioeconomic status having a higher likelihood of developing and experiencing mental health problems. Children and adults living in households in the lowest 20% income bracket in Great Britain are two to three times more likely to develop mental health problems than those in the highest (Mental Health Foundation, 2019).

16. TACKLING HEALTH INEQUALITIES

- 16.1 The World Health Organisation defines social determinants of health as the circumstances in which people are born, grow, live, work and age. These conditions are influenced by the distribution of money, power and resources operating at global, national and local levels.

Increasingly, it is recognised that these conditions impact mental (as well as physical) health. Recent research highlights the extent to which life circumstances can determine mental health and create inequalities between societies and communities.

- 16.2 50% of mental health problems are established by age 14 and 75% by age 24 (Mental Health Foundation, 2019).

17. REDUCTION OF CRIME AND DISORDER

- 17.1 People with mental health problems are three times more likely to be victims of crime and more likely to be a repeat victim, experiencing different types of crime. People with mental health problems are more likely to feel the impact of being a victim of crime more acutely and are less likely to get the support they need (Mind, 2018).

18. BACKGROUND PAPERS

Mind (2018). At risk, yet dismissed.

<https://www.mind.org.uk/about-us/our-policy-work/victims-of-crime/>

Mental Health Foundation (2019).

<https://www.mentalhealth.org.uk/statistics/mental-health-statistics-children-and-young-people>

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: Diane Lee, Head of Public Health

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BARNSELEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan.

REPORT OF THE DIRECTOR OF PUBLIC HEALTH TO CABINET ON 10 JULY 2019

Sexual Health Procurement

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek Cabinet approval to award a contract following a competitive procurement process for an Integrated Sexual Health Service for Barnsley.

2. RECOMMENDATIONS

- 2.1 That Cabinet authorises the award of a contract for an integrated sexual health service on completion of a competitive tender process.

3. INTRODUCTION

- 3.1 BMBC has a mandated duty under the Health and Social Care Act 2012 to commission comprehensive, open access sexual health services including contraceptive services (but excluding GP provided contraception), testing provision for sexually transmitted infections (STI's) and treatment, chlamydia screening and HIV testing, specialist services, including young people's sexual health, teenage pregnancy services, outreach, HIV prevention, sexual health promotion, services in schools, college and pharmacies.

As a result investment is aligned from the public health grant to ensure an adequate sexual health and contraceptive offer and ensure that we can deliver this important mandated duty which has such a significant impact upon our residents lives.

- 3.2 There is currently one contract for an Integrated Sexual Health Service in place with the provider - Spectrum CIC, a community interest provider. The contract commenced on March 31st 2015 and was commissioned on a 3+1+1 year contract term. It is proposed that the new contract/s which will commence on the 1st of April 2020 will offer a provider/s a 5 year term initially with the opportunity to continue providing the service for a 3 year term (2+1) if both parties are agreeable.

4. PROPOSAL AND JUSTIFICATION

- 4.1 It is proposed that Public Health secures another contract term with a provider/s in order to deliver our mandated sexual health and contraception provision across the borough. The indicated budget follows an 8% cut in 2018/19 and is in line with the

investment spend per head average across the region. This means that the value of the contract is currently £2,090,944.

The current contract cannot be extended for any additional years as it will be at the end of its term on the 1st of April 2020. This means that BMBC only has the option to procure a new service with a provider ready to commence on April 1st 2020.

Our ambition is to progress to a future increasingly joined up commissioning approach for sexual health services with our NHS partners. We want to commission services that communicate with each other and keep patient outcomes central to the offer. This will mean that all organisations with a responsibility to provide sexual health, contraception, abortion and HIV services will work closer together from procurement to provision. This will provide greater scope for organisations to move towards an integrated care landscape. Within this ambition we recognise the emerging landscape of primary care networks and integrated neighbourhood working and seek to include flexibility within a new contract to work within this.

- 4.2 We intend to undertake a tender exercise for a service through an open tender process. The service will be procured in-line with the 'Light Touch Regime' in public procurement. The rules of procedure governing the LTR are set out in Regulations 74 to 76, Public Contracts Regulations 2015 ("PCR") and notification of the contract award will be notified through an Official Journal of European Union (OJEU) Award notice. Bids will be evaluated according to a number of standard criteria, cost & quality measures. There will also be a presentation from providers for a new contract to run for a period of five years from 1st April 2020, with the option of two further extensions +2 years followed by +1 years. After seeking procurement advice and given the market information available this was considered to be the strategy that would increase the likelihood of securing a service and optimising outcomes. The new service will commence in line with the end of the current contract.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 Partner with another authority and procure together. The planning to jointly commission with another area requires considerable planning time and whilst having some benefits, there are also additional risks associated. This planning work has not happened and no other YH region authority has followed this route to date.
- 5.2 Formalise partnership whole system commissioning arrangements. Whilst we have taken clear steps to ensure that partners are consulted and have input into the commissioning process, and that dialogue is transparent, over time we can do more. In line with our ambition in relation to integrated care, as the provider/commissioning organisation landscape develops we will be well placed to adapt and transform to a whole system delivery model.
- 5.3 Pathway tariff-based pricing model with a chosen provider over the life of the contract. Under this model, providers are paid for treatments provided to service users rather than given block funding to cover the variable costs of a range of treatments (as is the case with the current service model). Although a tariff model is expected to deliver some cost efficiencies, the very nature of this on-demand service may impact on the ability to maintain open access provision whilst at the

same time staying in budget. Although a ceiling price can be aligned to the arrangement it may both set a path for provider/s to fail in their commitments and detract from securing the necessary outcomes. Therefore, a tariff model would require extensive consideration before it is introduced as a formal mechanism for payment spend with a budget at the same time as maintaining open access. STI's are infectious pathogens, as guided by the national institute if someone needs to test regularly then that needs to be both provided and encouraged in order to maintain control against outbreaks or increases in infections due to untreated infections.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 6.1 An integrated sexual health model will improve access to sexual health services and facilitate patient choice. It will enable residents to have their sexual health service needs met using methods and approaches which provide greater access and flexibility. This includes postal and pick up STI test kits, online marketing, greater access to free condoms, and rapid access services (such as emergency hormone contraception provision) yielding direct benefits on the health and well-being for people in Barnsley. The new Integrated contract will also require the lead provider to offer opportunistic cervical screening (not currently a BMBC service – but offered via tariff payment by NHSE). The system design has been informed by both our partners at the CCG and NHSE further working towards a whole system approach.

At present, whilst we are improving on some outcomes we need to do better to guide improvements in sexual health outcomes in Barnsley, and make this shift quicker. Under 18 conceptions provide one such example which requires focus. In the last fully reported year (2017) a rate of 29.1 (births per 1,000 females ages 15 19 in a given year) is reported, which equates to 109 conceptions amongst under 18's across the borough, this is the highest in the region and significantly higher than the national average, however in 2011 our rate was 39.5 meaning that 80 more young people age 16 and 17 conceived that year than did in 2017. Although Barnsley's 2017 rate is the highest of the four South Yorkshire authorities, when compared to statistical neighbours, it has dropped from being the highest in 2016 to the third highest.

The new service specification will strive to deliver improved outcomes by ensuring:

- A clear online presence and engaging with the digital offer.
- Services are provided with patient choice in mind, including online access.
- The provider/s prioritises skilling the wider health workforce to enable staff in other organisations to provide interventions e.g. school nurses, youth workers, substance misuse teams, looked after children staff.
- There is a clear focus and partnership with primary care in relation to SH and contraception.
- Those most at risk of STI's & HIV have rapid access to a range of test options, including HIV postal testing.
- Young people have a clear service offer that meets their needs, and in conjunction with primary care partners, to make sure that young people can access the most appropriate service quickly, this will include a new partnership with the 0-19 services and clinically leading – clinic in a box.

- There is ownership and a plan to improve our sexual health and contraception outcomes, including our nationally indicated outcomes listed below.

Barnsley's nationally indicated SH outcomes, compared to our 15 statistical neighbours are set out below:

- U18 conception 2.04 - 13th position[RED]- Rate: 29.1
- HIV late diagnosis 3.04 - 13th position [RED]-Percentage%: 52.2
- Chlamydia Detection 3.02 - 10th position[AMBER]- Rate: **2138/100,000 (15-24)**

Please note, as it is important that we move towards whole system care it is important to consider the wider sexual health, contraception and abortion outcomes which are provided as a link at the end of the report.

Focus: Tailored provision to those within the borough who have the poorest sexual health outcomes must have a priority focus. Whilst this may not necessarily be tailored geographically, in terms of the offer, it should be an equitable offer based upon evidence needs targetted at specific groups and people who face additional access barriers.

7. FINANCIAL IMPLICATIONS

- 7.1 Consultations have taken place with representatives of the Service Director Finance (Section 151 Officer).
- 7.2 The purpose of the report is to gain approval to procure a contract for an Integrated Sexual Health Service for Barnsley, for an initial period of five years (with the option to continue providing the service for a 3 year term (2+1) if both parties are agreeable).
- 7.3 The annual contract value in 2019/20 is £2,090,944. It is proposed that this level of investment remains the same when procuring the new contract commencing April 2020, (a total of £10,454,720 over a five year period to 2025/26). The contract is currently funded via the councils Public Health Grant allocation and has been considered as part of the current 4 year financial plan through to 2022/23, funding past this date will need to be considered as part of the councils Medium Term Financial Strategy and the ongoing availability of Public Health funding.
- 7.4 It is recognised that there is significant uncertainty in the future of Local Authority funding, the Invitation to Tender will make it clear that the price agreed for the contract is subject to the ongoing availability of sufficient funding, and that in the event that during the contract period the local authority does not have sufficient funds to continue with the arrangement, the Contractor will jointly develop and agree a contract variation with the Commissioner such that the contract price remains affordable and within the funding resources available whilst still delivering the required outcomes.

8. EMPLOYEE IMPLICATIONS

- 8.1 TUPE will apply; the current provider will be required to complete their return so that the details are available to providers during the tender process.

9. LEGAL IMPLICATIONS

- 9.1 To be advised, but alignment to CQC standards for provision and recognition of service delivery that is clinically safe for patients is required, as is a satisfactory level of indemnity insurance.

10. CUSTOMER AND DIGITAL IMPLICATIONS

- 10.1 The provider will increase the current digital offer ensuring that there is a targeted offer to certain population groups and individuals with poorer sexual health outcomes. The marketing strategy for the service will be predominantly digital and online.

11. COMMUNICATIONS IMPLICATIONS

- 11.1 It is clear that provision of confidential services are considered essential in relation to providing this service offer, it is therefore essential that confidentiality is communicated.

The provider/s will utilise ***You're Welcome*** principles and ensure that residents know clearly what the service offer is and how to access it. Communication to residents will utilise key health promotion principles (supporting healthier choices not diminishing choice).

The service/s will provide both harm reduction and behavior change interventions and communication will reflect this.

The provider and BMBC, in line with most other health interventions, will encourage and support self-care approaches. Communication will be positive, for example, communications in relation to teenage pregnancy will ensure that language and tone is respectful to young parents.

Communication will be sex positive, recognising the sex is a natural, normal, healthy and enjoyable part of life for most adults and respectfully recognize diversity.

12. CONSULTATIONS

- 12.1 The CCG and NHSE are key partners, BMBC's aim is to secure outcomes that are collaboratively addressed in partnership utilising a system wide approach. We are currently seeking external independent advice (as advised to have). Both the CCG and NHSE are aware of the process and have opportunity to influence the specification. We have invited regional PHE insight. GP's will be contacted by the independent advisor when we have appointed one, Primary care have a potential conflicts of interest to consider re direct input.

Public consultation will take the form of three smart surveys.

1) Young people access to Condom's Survey

How – Targeted smartsurvey via workforce.

Who – Primarily aimed at reaching those young people who have faced additional challenges in their lives e.g. looked after children, NEET, young people with addictions...

Why – Help improve health outcomes. Help BMBC to understand access barriers, help inform future provision and provide a number of key sexual health messages to young people.

2) All age access to contraception and sexual health information:

How – Smartsurvey, via workforce and social media platforms, aimed at reaching sexually active residents.

Who – It is expected that more women will be reached during this consultation than men, this is because women access contraception services much more frequently than men.

Why – Help improve health outcomes. Help BMBC understand access barriers, help inform future provision and provide some key sexual health messages. We know that some residents are having problems getting prompt access into health services to access contraception and sexual health information.

3) LGBT+ patient experiences of obtaining sexual health and contraceptive services.

How – Smartsurvey, via workforce and via health services.

Who – It is expected that more Gay men, Lesbian women and Bisexual residents will be reached during this consultation than those identifying as Trans or Non-Binary but efforts will be made to ensure the survey is available within different settings to secure a range of participants.

Why – Help improve health outcomes. Help BMBC understand access barriers, help inform future provision and provide some key sexual health messages.

- We know that LGBT+ populations can face additional barriers to health service access and can experience homophobia and discrimination.
- BMBC want Barnsley LGBT+ residents to have timely access to sexual health and contraception services that are appropriate to need and acceptable to those individuals.

Note: The following headings **may** be included in sequence, if there is considerable relevant detail to include (ie a list of headings with the comment "none" is not generally required). Otherwise, any information relevant to these issues may be incorporated in the above sections, with appropriate references:-

13. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

- 13.1 Contractual meetings will occur monthly in the first six months and move to quarterly, performance will be monitored via key performance indicators which are guided nationally but will have local variation.

14. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

- 14.1 Poorer sexual health outcomes are experienced by those who are marginalised, often poorer, and having fewer life choices. The service specification and delivery will reflect local need and be guided by the appropriate standards and national guidance. Looked after young people, those living with addiction, those with less secure tenancies, LGBT+ , BAME etc will specifically need to have their needs considered. An Equality Impact Assessment has been completed.

15. TACKLING THE IMPACT OF POVERTY

- 15.1 NICE guidance PH51 provides some financial modelling and explanatory information.

A decrease in the number of unintended pregnancies leading to birth for young women up to the age of 25 is well documented.

As well as the costs associated with pregnancy and birth, under-18 conceptions can lead to socioeconomic deprivation, mental health difficulties and lower levels of educational attainment. It is estimated that the cost of teenage pregnancies to the NHS is around £63 million per year

In 2006/07 local authorities spent £23 million on support services for teenage parents. A decrease in the number of abortions for young women. The average cost of an abortion is around £680 and it is estimated that abortions for women aged under 25 cost the NHS approximately £56.4 million in 2011 (National Statistics data on abortions during 2011, combined with reference cost data for the same year).

Access to contraceptive services is most problematic for people in disadvantaged communities and improving this access should reduce unintended pregnancies and abortions.

A reduction in the number of sexually transmitted infections if condom use increases. Savings associated with the treatment of these infections may therefore be possible. The cost of treating an episode of pelvic inflammatory disease (PID) is estimated at £2846

Improved opportunities for young people to continue education and training, and associated employment opportunities.

Health benefits associated with some forms of contraception including regulation of the menstrual cycle, reduced menstrual pain, reduced risk of pelvic inflammatory disease, reduced risk of endometrial and ovarian cancer and reduced risk of osteoporosis.

16. TACKLING HEALTH INEQUALITIES

- 16.1 Sexual Health provision requires both commissioners and providers to be pragmatic and innovative in approach and recognise that both culture and personal circumstances significantly impact upon the way people can interact with services. It is intended that the provider/s will take opportunities to reach out to people who have limited ability to influence provision and fewer chances to access services. Choice in how services are accessed is a fundamental consideration.

17. REDUCTION OF CRIME AND DISORDER

- 17.1 Not applicable

18. RISK MANAGEMENT ISSUES

- 18.1 National Guidance exists which helps to mitigate risk e.g there is a national integrated service specification, however issues such as the rising test costs of provision, a national shortage of nurses, limited suitable buildings

19. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

- 19.1 As with any provider the provider will be required to consider relevant health and safety legislation, BMBC will be required to ensure that any provider has the appropriate level of liabilities insurance and that the provider has relevant CQC compliances. Emergency planning details will be required in terms of close down periods or sudden building closures. The provider will be required to interact with the relevant emergency planning colleagues at BMBC, including the health protection board in relation to STI and BBV outbreaks.

20. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

- 20.1 Sexual Health providers have additional requirements in law to ensure privacy and confidentiality, an example of how this is realized in practice includes not interacting with any other service without the service users permission (including the service users GP) unless it is required under safeguarding circumstances.

Specifically article 8 protects the service users rights and requires the provider/s to respect private and family life, their home and correspondence. This means that the provider will recognise that service users have the right to live their life with privacy and without interference by the state. It covers things like:

- your sexuality
- your body
- personal identity and how you look and dress
- forming and maintaining relationships with other people
- how your personal information is held and protected

21. CONSERVATION OF BIODIVERSITY

- 21.1 Recognised but no update available at this time.

22. GLOSSARY

BBV: Blood Borne Viruses

HIV: Human Immunodeficiency Virus

STI'S: Sexually Transmitted Infection's

LARC: Long Acting Reversible Contraception

Service User. The person who accesses provision, also termed as patient or customer regardless of whether the intervention is face to face

23. LIST OF APPENDICES

Appendix A: Financial Implications

24. BACKGROUND PAPERS

If you would like to inspect any of the background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made to view the following;

Integrated Service Specification: National Guidance

National U18 conception data

Sexual Health Fingertips: National data comparisons and PHOF indicator.

Report author: David Armitage & Alicia Marcroft

Prepared on Behalf of the Director of Finance

FINANCIAL IMPLICATIONS

Procurement of Integrated Sexual Health Service

i) <u>Capital Expenditure</u>	<u>2019/20</u> £	<u>2020/21</u> £	<u>2021/22</u> £	<u>Total</u> £
				0
Total Funding Requirement	0	0	0	0
To be financed from:				
	0	0	0	0

ii) <u>Revenue Effects</u>	<u>2019/20</u> £	<u>2020/21</u> £	<u>2021/22</u> £	<u>Total</u> <u>Costs for 5</u> <u>Years</u> £
Current Contract Values				
Integrated Sexual Health	0	2,090,944	2,090,944	10,454,720
Total Cost/(Savings)	0	2,090,944	2,090,944	10,454,720

To be Financed from:
Public Health Grant

Impact on Medium Term Financial Strategy:

There is no impact on the Councils current Medium Term Financial Strategy, this proposal will be funded via the councils

	<u>2019/20</u> £m	<u>2020/21</u> £m	<u>2021/22</u> £m
Current forecast budget gap	0	0.028	4.857
Requested approval	0	0	0
Revised forecast budget gap	0	0.028	4.857

Agreed by:  On behalf of the Director of Finance

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BARNSELEY 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 OF COMMUNITIES CABINET ON 10 JULY 2019

SCRUTINY TASK AND FINISH GROUP (TFG) REPORT ON SUBSTANCE MISUSE

1. PURPOSE OF REPORT

- 1.1 To report to Cabinet the responses to the recommendations as set out in the Overview & Scrutiny Committee investigation undertaken on its behalf by the Substance Misuse Task and Finish Group.

2. RECOMMENDATIONS

- 2.1 Members endorse the responses to each of the recommendations as outlined in section 4 of the report.

3. INTRODUCTION

- 3.1 As part of its work programme the Overview & Scrutiny Committee agreed to undertake a Task and Finish Group investigation into substance misuse in Barnsley. Given the heightened profile of substance misuse both locally and nationally, the Overview & Scrutiny Committee felt it was an opportune time to undertake work in this area.
- 3.2 The investigation sought to better understand the extent of substance misuse in Barnsley, the challenges being faced by services in tackling this, including community safety and enforcement as well as provision of support services for young people and adults.
- 3.3 The Task and Finish Group undertook a number of 'check and challenge' sessions with officers regarding the work being carried out and future plans. This involved asking questions of them regarding their work, their involvement and partnership working with other agencies including the impact of this on Barnsley residents. This included:
- Meeting with Council representatives working in Community Safety Services;
 - Meeting with Council officers responsible for the commissioning of Adult Substance Misuse Services;
 - Undertaking site visits to meet with managers and practitioners from the adult substance misuse service, as well as a service user, at the Service's Hubs at Burleigh Court in the Town Centre and at The Factory in the Dearne;
 - Meeting with officers from South Yorkshire Police;
 - Meeting with the Cabinet Member and Executive Director of the Communities Directorate;

- And finally, meeting with Council officers responsible for the commissioning and management of the Children and Young Peoples Substance Misuse Service.

4. PROPOSAL AND JUSTIFICATION

- 4.1 The findings from the Scrutiny Task and Finish Group investigation resulted in six recommendations being made. Each recommendation is supported by the service areas involved and the responses to how these will be addressed are included below;
- 4.2 **Recommendation 1: A Multi-Agency Conference is held in relation to addressing the complex needs in our communities covering Housing, Substance Misuse and Adult Mental Health**

This recommendation was made in three Scrutiny Task and Finish Group Reports in relation to housing, substance misuse and mental health. Whilst carried out as separate investigations the discussions and findings demonstrated the significant overlap and interdependencies that exists across these areas.

It is recognised that there is further work to be done in relation to addressing the issues and challenges that have been raised across the three areas. This work will be driven through existing mechanisms that are in place namely the Public Sector Housing Task and Finish Group, the Mental Health Crisis Care Concordat Group and the 'complex lives' work stream, where relevant officers and key partners at both strategic and operational levels, will work together to address the issues and identify solutions. The lead officers will take stock of developments and review whether such an event would be of value as this work progresses over the next 12 months.

- 4.3 **Recommendation 2: An All Member Information Briefing (AMIB) is held on the structure and function of the Safer Neighbourhood Service including the Hub as well as our local Substance Misuse Services (following the re-launch of the Children's Service)**

The Safer Neighbourhoods Service Executive "Gold" group has agreed that an All Member Information Brief would be a welcome opportunity for the integrated team to raise awareness of the service and the functions within.

The service would like to focus on the following;

- Vision and Objectives
- Functions and Structures
- Achievements to Date
- Challenges and Future Service Improvement Priorities
- Opportunities for Broader Public Sector Collaboration in neighbourhoods and with clients with complex lives.

A provisional date of 9th July 2019 has been set for this briefing session.

4.4 **Recommendation 3: Humankind increase proactive outreach work and visits to people in their own homes.**

Barnsley Recovery Steps (Humankind) understand the need to proactively reach individuals and communities whose complexities or other needs make it more difficult for them to access treatment and services. The Service recognises that this can be for a variety of reasons such as physical health problems, mental health issues, financial pressures including the sometimes prohibitive cost of public transport, and also the stigma attached to treatment buildings, and are always looking at ways to improve access to support.

In terms of hard to reach communities or individuals, Barnsley Recovery Steps work in partnership with other agencies or workers. Some examples of this work include:

- Regular Outreach sessions with the Safer Neighborhoods Service and the outreach workers based in the Housing and Welfare team.
- Outreach in the town centre targeting particular areas and groups.
- Outreach in community pharmacies and Barnsley Hospital.
- Outreach in Family Centres targeting families impacted by substance misuse

Barnsley Recovery Steps will continue to work with GPs, under a Shared Care Model, where GPs provide prescribing for the service users with Recovery Navigators from Barnsley Recovery Steps based in the practices coordinating care and delivering psychosocial and recovery support. Whilst Shared Care isn't suitable for all service users, this does allow people to be seen and receive treatment in their local community.

Building positive social networks/relationships and integrating with community activities and peers is an important part of an individual's recovery, however, there are times when service users require home visits and the service does accommodate this. Recovery Navigators undertake home visits and clinical interventions at home on a needs / risk assessed basis particularly where an individual has high complex needs and is vulnerable.

Barnsley Recovery Steps are working collaboratively with the Family Centre service and Early Help team to improve the identification of parents who are substance misusers who would benefit from early interventions and targeted support within the context of families and their parenting role. The use of Family Centres will enable better joint working between the adult substance misuse service and children's services to take place.

Whilst the above work will continue to be developed Barnsley Recovery Steps are planning to improve their offer to reach hard to engage communities and individuals. These include:

- A move to offering increased shared care provision across Barnsley, with 4 GP surgeries across the locality offering a wider range of treatment options.
- Home visits and joint appointments with Barnsley Thrive, the service commissioned for people with multiple and complex needs.
- Joint assessments, appointments and interventions delivered at Family Centres across the borough
- A potential pilot with Public Health providing outreach in the night time economy.

- A new premise to deliver recovery based intervention with less stigma attached.
- Contribution at key meetings and forums such as mental health crisis care concordat and 'cuckooing task and finish group' allowing us to work in a multi-agency way with hard to reach groups.
- The expansion of the volunteering and peer mentor offer allowing the service more capacity to undertake more home visits and outreach.
- Utilisation of the Library@the Lightbox to deliver groups and one to one sessions in a building with no stigma attached. There are also plans to deliver drug and alcohol awareness sessions to professionals and local businesses in this building.

4.5 **Recommendation 4: Local employers are encouraged to ensure they have effective substance misuse policies and procedures in place which support staff to access treatment services**

The BMBC Be Well@Work offer includes a range of options to encourage employers to improve health and wellbeing within the workplace. This offer includes signposting employers to local support services such as Barnsley Recovery Steps where employers can advertise treatment services but also access awareness training from the Service. Employers can also progress towards the Be Well@Work award of which one of the themes is drugs and alcohol which encourages employers to meet a number of criteria such as signposting of services, developing of policies and training of staff in relation to drugs and alcohol.

Barnsley Recovery Steps have also made excellent links with the Barnsley Chamber of Commerce and are now working with local employers to encourage them to have/develop substance misuse policies and procedures which positively support staff to access treatment services where appropriate. The service supports and advises a number of local employers who refer staff members in to the service when they are identified as having problems with drugs and/or alcohol with the ultimate aim of maintaining employment status.

A particular example being the support offered to ASOS and their employees. The organisation has welcomed the Service into their premises to engage with employees who may be experiencing drug and/or alcohol problems. Barnsley Recovery Steps have a drop in and promotional stand in the ASOS Break-Away area where staff take their breaks allowing them to seek information, advice and support. Plans are in place to increase this type of work with more employers over the next year.

Barnsley Recovery Steps attends the Workplace Health Champion Network meetings when invited, where representatives from businesses across Barnsley meet to exchange good practice and ideas on how they can improve health and wellbeing within their workplace. The network provides opportunity for the workplace health champions to connect with Barnsley Recovery Steps and learn what support the service can offer to both employers and employees.

4.6 **Recommendation 5: Barnsley Schools Alliance undertakes specific work to identify and share good practice in relation to substance misuse prevention work through the PSHE curriculum and that this is delivered to ALL Barnsley pupils**

As of 2020, schools will be mandated to deliver health education. Part of this education is around risks and keeping safe (of which substance misuse forms a part). The government has not currently been prescriptive as to how this curriculum should be delivered.

Whilst we recognise the importance of substance misuse prevention work being delivered in schools it should be noted that as a council we have no direct control over how schools choose to deliver the PHSE Curriculum. However, we are working with school leaders to influence the content of the curriculum through a PHSE network.

In addition, we are developing an online hub of resources to support schools around the PSHE curriculum. This will contain a section on evidence based substance misuse resources that would be suitable for use in schools. The officer leading on this piece of work will continue to work in partnership with the Barnsley Schools Alliance and other key partners to highlight the importance of substance misuse prevention and education and will feedback progress as this work develops.

4.7 Recommendation 6: OSC Members are consulted on the Substance Misuse Strategy Refresh and local partners take the opportunity to review their contribution to these vital preventative services

A key piece of work with regards to refreshing our substance misuse strategic priorities is the completion of a needs assessment so we can gain a clear understanding of the local substance misusing population and their needs. Integral to the needs assessment is the consultation with key partners and stakeholders to review their contribution to the substance misuse support available including any specific delivery from their organization. This work will be completed by early July.

Findings from the needs assessment, a strategic review of the substance misuse service and the Alcohol Clear Assessment recently completed by Public Health will then;

- inform our strategic approach
- identify the local priorities
- enable the development of a multi-agency substance misuse plan to achieve the identified priorities

Officers within Healthier Communities undertaking this work welcome the opportunity to consult with the Overview and Scrutiny Committee on the identified priorities and draft multi-agency plan before taking through the relevant governance channels for approval.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

5.1 There are no alternative approaches recommended for consideration.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

6.1 The responses to the recommendations made are in support of improving access to support and improving outcomes for people in Barnsley. Council officers, partners and services recognise the importance of people's physical and mental health in all

aspects of their life and the negative impacts substance misuse and poor wellbeing can have on individuals and communities.

7. FINANCIAL IMPLICATIONS

- 7.1 There may be financial implications with regards to recommendations 1 and 5 so further consideration will need to be given.

8. EMPLOYEE IMPLICATIONS

- 8.1 There are no specific employee implications in responding to the recommendations in the report.

9. LEGAL IMPLICATIONS

- 9.1 There are no specific legal implications in responding to the recommendations in the report.

10. COMMUNICATIONS IMPLICATIONS

- 10.1 The recommendations and responses consistently highlight the importance of effective communication to promote the availability of and access to local substance misuse services both for young people and adults. This includes both clarity of information provided and the utilization of a range of communication channels, including digital platforms, to ensure messages reach target audiences.

11. CONSULTATIONS

- 11.1 Consultations have taken place with: the Substance Misuse Task and Finish Group Members; the Overview Scrutiny Committee; Councillor Jenny Platts; Council Officers from the Communities and People Directorates; Humankind Substance Misuse Service; South Yorkshire Police; and the Council's Senior Management Team.

12. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

- 12.1 As outlined in the Corporate Plan, the three priorities for Barnsley are: a thriving and vibrant economy, strong and resilient communities; and citizens achieving their potential. Positive physical and mental wellbeing are central to achieving all of these priorities; therefore it is essential the Council and its partner organisations continue to work together to support these aims, in particular by preventing and supporting individuals and families involved and affected by substance misuse.

13. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

- 13.1 Throughout the Task and Finish Groups involvement in this work they have specifically referred to making sure services are accessible to all, particularly given the vulnerabilities of those requiring substance misuse support. Often those with complex and unmet needs are those most likely to turn to substance misuse and are in need of support services. As highlighted in the responses to the

recommendations, council officers, partners and services are committed in ensuring that services and support are accessible to all individuals and communities.

14. TACKLING THE IMPACT OF POVERTY

- 14.1 Encouraging people to have healthy lifestyles and avoiding the use of substances can help in tackling the impact of poverty. There are strong links between poverty, deprivation, widening inequalities and problem drug use. It does not mean that all those facing these challenges will develop problems; however the most vulnerable in our society are most at risk. It is therefore important that the Council and its partner organisations continue to ensure that services and support are accessible to all and in particular those with multiple and complex needs and vulnerabilities.

15. TACKLING HEALTH INEQUALITIES

- 15.1 There are large health inequalities between Barnsley and England, and within Barnsley itself. Improving people's mental wellbeing and reducing health inequalities will help local people to reach their full potential. The investigation undertaken by the Task and Finish Group, and subsequent responses to the recommendations made, are in support of improving health outcomes and services across the borough; with recognition that additional work is required in specific communities to help address health inequalities.

16. REDUCTION OF CRIME AND DISORDER

- 16.1 It is likely that the recommended activities and responses to these will contribute further to the effective mitigation of these risks --

17. RISK MANAGEMENT ISSUES

- 17.1 This issue relates to the following risks currently logged on the Council's Strategic Risk Register, as follows:

3025 – 'Failure to Safeguard vulnerable service users'

3026 – 'Failure to achieve a reduction in Health inequalities within the Borough'

3047 – 'Failure to protect the health of the population from preventable health threats'

- 17.2 It is likely that the recommended activities and responses to these will contribute further to the effective mitigation of these risks, and it would be appropriate for any follow-up report to be cognisant of these risks.

89. 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: Jo Ekin

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BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

**REPORT OF THE
EXECUTIVE DIRECTOR OF COMMUNITIES
TO CABINET****Capital funding – Housing with support for vulnerable and homeless adults with complex needs****1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to seek approval for funding for the re-provision of Holden House in partnership with Humankind. A proposal will be submitted for delegated approval to the capital board.

2. RECOMMENDATIONS

- 2.1 To support investment of £725,000 for the re-provision of Holden House**

3. INTRODUCTION

- 3.1 Holden House (former Race Street baths) is a grade 2 listed building that was leased on 9 February 1994 to a company called The Riverside Group (at that time known as English Churches Group). The lease is for 64 years. The House has 28 units of accommodation. The intended use of the building is for adults with support needs. Note Riverside Group is a social housing association and registered with Homes England. The Riverside Group also has 14 self-contained flats adjacent to Holden House. These are known as Holden Court and have also been used for the same purpose. These were built as a condition of the lease with capital provided by the then Housing Corporation.
- 3.2 Since 1994 and up until April 2017 the House and Court was leased and managed by the now Riverside Group to support vulnerable adults. They held a contract with the Council that paid for funding the support to the vulnerable tenants. This was through the former Supporting People grant funding scheme.
- 3.3 The support contract had never been tendered. In 2016 the service was tendered out with Riverside losing their support contract which was awarded to West Yorkshire CRC (WYCRC). The new service was for vulnerable adults aged 25 plus who presented with multiple and complex needs. WYCR was the primary contract holder with sub-contracts with two companies; Foundation and Touchstone. Under these arrangements Foundation was responsible for the support to the vulnerable people in the House and Court. Under the new arrangements Riverside continued to hold the lease with a management agreement with Foundation.

- 3.4 Since inception the Council and WYRCR have experienced a number of difficulties with the service. In early 2018 WYCRC (as the prime contract holder) approached the Council to say that the difficulties were proving too much of a challenge to overcome. This included:
- Fulfilling their obligations as per their contract in relation to service delivery.
 - Being unable to deliver the service in accordance with the contract whilst running a significant deficit of around £50,000 per annum.
 - Managing relationships with their sub-contractors (Foundation and Touchstone).
 - Issues that they hadn't anticipated in managing a large hostel of 28 complex individuals.
 - Anti-social behaviours with increased numbers of people turning up at Holden House to commit offences even though they were non-residents.
- 3.5 Commissioners spent several months in early 2018 trying to support WYCRC through a resolution and remedial action plan. However this was unsuccessful and resulted in a no fault termination notice being served on WYCRC in July 2018.
- 3.6 As a result of the decision to terminate the contract commissioners took the opportunity to consider an alternative model to support the most complex vulnerable adults. A waiver was approved to issue a company called Humankind with a contract to support this client group. This was done so on the grounds of:
- Their ability to mobilise a service quickly (noting that WYCRC had 6 months-notice).
 - Experience in supporting this client group.
 - Capacity to utilise their existing stock for assessment beds.
- 3.7 In July 2018, commissioners submitted a request for capital and revenue funding to support the changes required to decommission Holden House and Court.
- 3.8. The funding request was for revenue to support the mobilisation of a new service at the same time as the old service was closing. It was also for the purchase of properties to enable the new model to work.
- 3.8.1 **Revenue** – Humankind set up a new support service in November 2018 to enable a seamless transition from Holden House. This allowed service users to move out of Holden House but with continued support. Without this we could not have started to move people out of Holden House.
- 3.8.2 **Capital** – One of the key elements of the new model is to provide housing with support in our community as opposed to a large hostel which is what we had with Holden House. The capital will be used to purchase housing specifically for this purpose and the support for the vulnerable people will come from the new service through their community team.
- 3.9 **Demand** – we have carried out some recent analysis of demand and this tells us that we have an annual turnover/need for 4 units of accommodation for single people, and 2 units for couples. This is data specifically from our homeless team. We estimate a higher demand for people leaving our homeless assessment unit but recognise that not all will need to move on or direct access from our homeless team. We are also working with the private sector through new initiatives and with

Berneslai Homes to help meet demand recognising that we should have many housing solutions. Therefore at this stage we are hoping to secure a minimum of 6 units per annum and the capital will help toward these developments.

- 3.10 **Acquisition and location of properties** – we aim to select a Registered Provider to acquire the properties and the location will be agreed with them after consultation with partners such as safer neighbourhood services. We are acutely aware of hot spots and will avoid purchase in those areas.
- 3.11 Holden House is now occupied by Guardians who are people in employment and happy to live on a temporary basis in such accommodation. Riverside has carried out an options appraisal for the future use of the property and the Council is in negotiation with them about their preferred option. These are not yet agreed but in any circumstance the property will be used to meet the strategic needs of the borough and negotiations are taking place between Communities and Place.

4. PROPOSAL AND JUSTIFICATION

- 4.1 To seek funding to support the new housing and support model for people with multiple and complex needs.
- 4.2 A business case was approved for the commission of the service in 2016. The new model has provided commissioners with an opportunity to rethink how the service will be delivered.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 The Council could have retained the existing contract with WYCRC but the risks were deemed to be too high.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 6.1 Reduced anti-social behavior couple with a more pro-active approach to supporting people with multiple and complex needs.

7. FINANCIAL IMPLICATIONS

- 7.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 7.2 The proposal seeks approval to utilise £0.725M from HRA reserves on following basis:
- **Cost of Change £0.250M (Revenue)** – this is required to ensure continuity of provision for a large volume of people with complex needs, whilst supporting the transition to a new service along with the management of those risks associated with the closure of Holden House. In order to support this continuity of service, it has been necessary to incur expenditure during 2018/19 of up to £0.140M (Appendix A refers).
 - **Contribution to the Acquisition of 6 Supported Housing Properties / Units** - up to a total value of £0.475m (Capital), including provision for

stamp duty and associated fees, to be used to support the purchase of suitable properties, in partnership with a Registered Provider, to deliver support to individuals with complex needs.

7.3 It should be noted that a risk exists in that the acquisition of the properties (yet to be confirmed) is dependent on the identification of an appropriate Registered Provider with the ability to secure additional funding from Homes England to support the purchase costs (and to complement the council's £0.475m capital funding). A further report will be brought back into Cabinet should there be any issues with the identification of a suitable Registered Provider and the level of financial contribution required to meet the purchase cost.

7.4 The £0.725M funding for this proposal has been set aside in principle by SMT / Members and has been formally approved as part of the 2019/20 HRA Budget Planning process that were submitted to Cabinet in January 2019 (Cab.9.1.2019/11 refers). This proposal forms part of the Housing Growth Investment Strategy and is funded from earmarked HRA reserves.

7.5 All other costs (e.g. building running costs) are estimated to total £0.500M. It is proposed that these costs will be contained within existing budgets within the Communities directorate which relate to the provision of the contract for support individuals with multiple and complex needs, that is due to end.

7.6 The financial implications are shown in the attached Appendix A.

8. EMPLOYEE IMPLICATIONS

8.1 None

9. LEGAL IMPLICATIONS

9.1 It is the intention to tender for a Registered provider to acquire the properties.

10. CUSTOMER AND DIGITAL IMPLICATIONS

10.1 None

11. COMMUNICATIONS IMPLICATIONS

11.1 None

12. CONSULTATIONS

12.1 Humankind
Housing Options
Safer Neighbourhood Services

12.2 Governance – progress will be reported through the Housing and Energy Board.

13. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

13.1 People achieving their potential:

- People are healthier, happier, independent and active.
- Reducing demand through improving access to early help.

14. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

14.1 Better accessible services for vulnerable people.

15. TACKLING THE IMPACT OF POVERTY

15.1 The service addresses financial challenges and access to employment for vulnerable people.

16. TACKLING HEALTH INEQUALITIES

16.1 The service addresses a number of health inequalities linked to people's vulnerabilities, including but not limited to:

Mental health
Domestic abuse
Employment
Reducing crime
Reducing hospital admissions

17. REDUCTION OF CRIME AND DISORDER

17.1 Reducing reoffending, violent crime and anti-social behavior.

18. RISK MANAGEMENT ISSUES

18.1 None

19. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

19.1 None

20. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

20.1 None

21. CONSERVATION OF BIODIVERSITY

21.1 None

22. GLOSSARY

None

23. LIST OF APPENDICES

Appendix A: Financial Implications.

24. BACKGROUND PAPERS

None

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: Jayne Hellowell

Report of the Executive Director - Communities Place

FINANCIAL IMPLICATIONS

Capital Funding – Re-provision of Holden House

i) <u>Capital Expenditure</u>	<u>2018/19</u> £	<u>2019/20</u> £	<u>2020/21</u> £	<u>2021/22</u> £
Funding contribution to the acquisition of 6 x Supported Housing Properties		475,000		
	<u>0</u>	<u>475,000</u>	<u>0</u>	<u>0</u>
To be financed from: Housing Revenue Account Reserves				
ii) <u>Revenue Effects</u>	<u>2018/19</u> (£)	<u>2019/20</u> (£)	<u>2020/21</u> (£)	<u>2021/22</u> (£)
Cost of Change costs - to support transition to new service.	140,000	110,000		
	<u>140,000</u>	<u>110,000</u>	<u>0</u>	<u>0</u>
To be financed from: Housing Revenue Account Reserves	-140,000	-110,000		

iii) Impact on Medium Term Financial Strategy

Not applicable in this report

Agreed by:  On behalf of the Service Director-Finance

1/07/19

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BARNSLEY 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 of Place to Cabinet

Home to School Travel Assistance Policy 2018 – 2020 – Personal Travel Budget report.

1. Purpose of report

1.1 The purpose of this report is to summarise the outcome of the pilot Personal Travel budget (PTB) scheme launched in September 2018 and to seek approval to making the scheme a permanent addition to the suite of travel assistance options contained in BMBC's Home to School Travel Assistance Policy 2018 – 2020.

2. Recommendations

2.1 That Cabinet approves that:

2.2 The pilot Personal Travel Budget Scheme which commenced in late September 2018 has been successful and that the rate of pay trialled in the pilot (60p per mile x two return journeys per day for the shortest distance between the pupil's normal place of residency and school) be confirmed as the rate of pay in the permanent PTB scheme.

2.3 The Group Manager Travel Assistance has delegated powers to increase the standard offer in exceptional circumstances providing it remains economically viable to do so, with the Service Director (Environment and Transport) as the accountable officer.

2.4 That the threshold for adjustment to payment for non-attendance is set at below 90% for the term.

3. Introduction

3.1 BMBC has a statutory duty under section 508A and 508D of the Education Act 1996 (amended by the Education and Inspections Act 2006) to ensure that travel assistance as it considers necessary are made to facilitate attendance at school for eligible children or students. BMBC's Home to School Travel Assistance Policy 2018 – 2020 (approved February 2018) sets out BMBC's arrangement for facilitating this duty.

3.2 For children and students with Special Educational Needs and Disabilities (SEND) a menu of travel options is included in this policy. These are independent travel training, mileage reimbursement, personal travel budgets, school minibus, taxis or

zero fare pass. This report focuses on the PTB option seeking to determine the level of the offer and the process for obtaining it.

- 3.3 A PTB is a payment made to parent/carers of children as an alternative to transport provided by BMBC for primary and secondary aged children and young people eligible for home to school travel support. It is up to the families how they use the money as long as it helps their child get to school or college. Examples could include;
- Covering fuel costs including wear and tear on the vehicle;
 - Paying for a shared taxis with other students, organised by the parent or carer;
 - Making necessary arrangements and paying other people to take their child to school when they are unable;
 - Paying for a chaperone;
 - Paying for child care for other children whilst they take/collect their child where a PTB payment is being made; or
 - Buying travel passes for other children so they can get to and from school whilst the parent/carer takes their child with SEN to school.
- 3.4 The advantage of a PTB for parents /carers is that it offers the family greater flexibility and choice than a standard council provided home to school taxi service.
- 3.5 Once a pupil or student has had their travel assistance approved by the Travel Assistance Panel and there is no existing available transport the option of a personal travel budget will be offered to the parent/carers. Once the family has had an opportunity to consider the personal travel budget option officers will discuss with the family if this is this appropriate for them and if not will work with the family to find a solution that is practicable for them.
- 3.6 A PTB can be set at any level as long as it is made clear that it is not a mileage payment if it is to be set above the HMRC threshold. It should not have any tax implications as it is a sum of money that is paid for the child in lieu of transport arrangements to school and is not designed to provide the family with any financial gain.
- 3.7 In September 2018 approval was obtained to launch a pilot Personal Travel Budget scheme based on 60 pence per mile for 2 return journeys for the shortest distance between the pupil's normal place of residency and the nearest school. In line with BMBC Home to School travel assistance policy a PTB will be offered where there is no existing form of transport available such as a taxi or minibus with a spare seat. Unfortunately the pilot scheme launch date missed the August travel assessment panel when the highest numbers of children approved for travel assistance in time for the start of the new academic year is traditionally made, limiting potential opportunity for the PTB pilot scheme.
- 3.8 Between September 2018 and March 2019 a total of 27 PTB's were offered and 24 (89%) were taken up, equating to 3.6% of the total number of pupils receiving travel assistance which is a positive start. A survey of the views and experiences of

the parents / carers who elected to take part in the pilot was carried out and the results can be found in appendix B.

- 3.9 The majority of the parents in the survey could think of no improvements that needed to be made to the scheme. A few stated that they were never sure when the payment was going to land into their account causing a minor issue for them. Currently the payments are made according to parent/carers wishes e.g some like it to be paid in arrears and some like it up front. Some are happy to be paid for the entire term and others like it half termly. It is clear that this random method is not working because it is difficult for officers to keep a track on when someone needs payment and even parent/ carers themselves find it hard to keep track. It is proposed therefore that the payment will be standardised to the start of each half term. At the end of the term the child's attendance at school will be checked. It is recommended that the threshold for adjustment to payment is altered from 85% (contained in the pilot scheme) to a minimum of 90% to tie in with the threshold for a child being considered permanently absent. If it has fallen below, the figures will be adjusted for the next payment. If a child continues to have low attendance rates we will write to parents warning them that if attendance continues to be low the PTB will be withdrawn. Once a child is recording a low attendance additional attendance monitoring checks will be put in place in conjunction with the school and EHCP team.
- 3.10 A couple of other comments made was that we needed to have a degree of flexibility around the 60p per mile offer because there may be extenuating reasons why a top up is required such as a carer needs to be provided to travel with the child, or a wheelchair accessible vehicle is used which can be more expensive to run. It is proposed therefore that the Service Director Place and Group Manager Travel Assistance can consider these particular requests and agree to pay an additional amount if required, as long as it continues to remain economically viable to the Council.
- 3.11 The overall outcome of the survey was very positive. A key point to note is that parents /carers were asked to score the scheme out of 10 (10 being excellent) and the average score given was 9.6. This is a strong endorsement of the scheme from its users and importantly all of them wanted the scheme to continue.
- 3.12 Between mid-September 2018 and 31 March 2019, due to the take-up of personal budget transport payments, the Council has reduced its costs by £34k. If this scheme had been in place for the entire academic year this reduction in costs could have been in the region of £75k.

4 Proposal and Justification

- 4.1 It is proposed to make the personal travel budget scheme a permanent fixture in the suite of travel assistance offers for home to school transport and to retain the current rate of 60 per mile for 2 return journeys over the shortest distance between home and the nearest school.
- 4.2 It is also proposed that the Group Manager Travel Assistance has delegated powers to raise this offer in extenuating circumstances for example to cover the additional running costs of a wheelchair accessible vehicle, or the cost of a carer to travel with the child if required, as long as the overall cost of the personal travel budget remains

economically viable for BMBC with the Service Director (Environmental and Transport) as the accountable officer..

- 4.3 In order to qualify for a PTB the travel requirements of the student needs to be over a long period of time. There will be cases where a child requires temporary travel assistance for example where a child is moved to a different school as a “managed moved” for a short period of time. This is where two schools agree to exchange a pupil for a period of time as a prevention measure to the pupil being permanently excluded from their school. Under the Fair Access Protocol BMBC may have to provide travel assistance and in occasions such as this a temporary mileage payment will be offered.
- 4.4 PTB’s will only be offered where we are unable to fit a child onto an existing route, unless the cost of the PTB is less than the increase contract cost for accepting the child onto the vehicle, for example the cost of increasing the size of vehicle on a route. The cost of a PTB must also be no more than the cost of a single occupancy taxi contract. Occasionally a child may have severe anxiety about travelling on school transport and in these situations even though there is space available the parent/carer will be offered a PTB.
- 4.5 Sometimes a parent/carer may approach the team to request that their child is taken off transport and given a PTB instead. Unless there is an urgent reason for doing this such as the child is experiencing bullying the request will be deferred until another child requires a seat.

5 Consideration of alternative approaches

- 5.1 Do nothing – The revised Home to School Travel Assistance policy 2018 – 2020 (approved February 2018) contains the proposal to offer PTB’s to parents / carers as an alternative option to a minibus or taxis where it is a cost effective way of arranging for a pupil to get to school. Not setting a rate and establishing the process for the PTB will mean that officers will be unable to fully comply with the policy, causing potential distress to some families.
- 5.2 Set the PTB at a lower amount for example 50p per mile but open it to all parent/carers regardless of whether their child has a seat on transport. This would be a more equitable system but the incentive for families to take up this offer would be reduced and would not be much different to the existing mileage reimbursement scheme which parents are able to request regardless of whether there is a place on existing transport.
- 5.3 Set the PTB at a higher rate than 60p per mile. The level of the PTB will be reviewed each year but currently it appears to be working well at 60p

6. Implications for local people and service users

- 6.1 An Equality Impact Assessment was prepared for the Home to School Travel Assistance Policy 2018 – 2020 (February 2018). It highlights the key inequality issue that remains unresolved is the lack of transport to enrichment classes and after school clubs. A number of parents/carers have commented that because their child or children use school transport due to their disabilities, they are unable to access these clubs like mainstream children. This is particularly concerning when schools advise that attendance at enrichment classes may help to improve their

child's grades. The provision of transport for these activities would be a discretionary element which is not offered in the Home to School Travel Assistance Policy. However the introduction of PTB's in the policy does offer parent/carers flexibility with the transport, for example they could choose to accept a PTB or mileage reimbursement which would enable them to build in after school club times into the daily journey and goes some way to redressing this potential inequality.

7 Financial Implications

- 7.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 7.2 Based on this trial of 24 pupils which commenced in September 2018, the reduction in cost to the service during the six month period to 31 March 2019 was £34K. Over a full academic year, based on the PTB for these 24 pupils alone this saving is expected to be approximately £75K. The amount is greater than two times the £34k due to timing differences around the actual start date of each plan in 2018.
- 7.3 There is an expectation that pupil numbers requiring this service will increase. So, if this scheme is extended as detailed in section 4, then further savings could be achieved in future years. The savings will depend on take up rates and the amount saved on each individual plan. It is therefore difficult to quantify the total saving at this stage. Any savings will help offset inflationary pressures and increases due to additional pupil numbers.
- 7.3 A summary of the above financial implications is attached at Appendix A.

8 Employee implications

- 8.1 In the present and foreseeable future demand is expected to rise for children who are or will be eligible for Travel Assistance. This will mean that additional resources will need to be provided to support service users. It is anticipated that this additional resourcing will be focused around managing the service.

9 Legal Implications

- 9.1 There is a risk that we may have to end up recovering funds if the recipient of a PTB fails to abide by the terms and conditions. The potential risk to the Council is reduced by paying in half termly instalments because the sums of money required to be recovered will always remain small. It states on the terms and conditions that the agreement is a legally binding contract between the recipient and BMBC and can be enforced through the courts.

10 Customer and Digital Implications

- 10.1 There are no specific customer and digital implications.

11 Communications activity

- 11.1 Information about PTBs including frequently asked questions will be placed on the website in the school transport section

12 Consultations

- 12.1 As part of the preparation of the Home to School Transport Policy 2018 – 2020 a comprehensive engagement process was undertaken. This included the proposal to include PTBs as part of a menu of travel options to be offered to families with children eligible for school travel assistance.
- 12.2 Once a formal parent/carer forum has been established it is the intention to co-produce a set of guidelines for home to school transport and the operation of the Personal Travel Budget will be included.
- 12.3 Officers in the People Directorate have been consulted on the proposal via the Home to School task and finish group.

13 List of Appendices

- 13.1 Appendix A – Financial implications
- 13.2 Appendix B - Pilot Personal Travel Budget parent/carer survey

14 Background Papers

- 14.1 Home to School Travel Assistance Policy 2018 – 2020
- 14.2 Home to School Travel Assistance Policy 2018 – 2020 Personal Travel Budget report pilot scheme. June 2018

Officer Contact Sally Killips

Date April 2019

APPENDIX A
Report of the Executive Director of Place

FINANCIAL IMPLICATIONS

Home to School Travel Assistance Policy - Person Travel Budget Report


i) <u>Capital Expenditure</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>	<u>Total</u>
	£	£	£	
Not applicable in this instance	0	0	0	0
	0	0	0	0
	0	0	0	0
To be financed from:				
	0	0	0	0
	0	0	0	0
	0	0	0	0

ii) <u>Revenue Effects</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>	<u>Later</u>
	£	£	£	Years
				£
<u>Expenditure</u>				
Potential transport savings through PTB	-75,000	-75,000	-75,000	-75,000
	-75,000	-75,000	-75,000	-75,000
To be Financed from:				
To offset the increased costs within Home to School Budget	75,000	75,000	75,000	75,000
	0	0	0	0

Impact on Medium Term Financial Strategy

This report has no impact on the Authority's Medium Term Financial Strategy.

	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>
	£m	£m	£m
Current forecast budget gap	0	0.028	4.857
Requested approval	0	0	0
Revised forecast budget gap	0	0.028	4.857

Agreed by: .. On behalf of the Service Director and Section 151 Officer - Finance

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PILOT PERSONAL TRAVEL BUDGET PARENT/CARERS SURVEY.

APPENDIX B

NAME	Does it work for your family	Why does it work?	What improvements would you make?	What score out of 10 would you give the scheme (10 being excellent)	Would you like the scheme to continue?
1	Yes it really does	If my daughter has a bad start to the day she used to miss the taxi and that was it she did not attend school. Now however if she has a bad start we just ring up college and say that she will be late in and it works really well.	The scheme needs to be more flexible. One price does not fit all. We need to establish the actual true cost of taking the child to school/college and then pay that amount.	10	yes
2	yes	so easy and streamlined. No messing about and able to plan because you know exactly when your money is coming and how much will it be	an email saying that the money has been paid into your account	8	yes
3	yes. At first was in 2 minds because didn't think it would work out but it does work really well.. Importantly my son feels it works well.	much more reliable then the taxi service and a lot less stressful	none	10	yes
4	yes my son has complex needs and taking the taxi ride out of the day gives him one less thing to worry about.	all very y straight forward. Do not have to chase anyone	none	10	yes
5&6 (siblings)	Don't have to worry about anything. No paperwork, money goes in on time	much better then old mileage scheme	none	10	yes
7	My son's attendance at school has improved. He actually wants to go to school in the morning now.	they use the money to pay for a taxi service and the same man turns up every day and he doesn't have to share the taxi with other kids.	none	10	yes
8	I can control him getting to school. He can kick off on the way to school and I think I can cope with him better then a PA would.	money goes in fine. It covers all my costs and email comes telling me the money is going in	none	10	yes
9	Yes	Sometimes we get him a taxi and sometimes his sister takes him	none	10	yes
10	yes	we like taking him to school and helps us to also get to know the school.	none	10	yes
11	yes	He does not have to travel with other students or travel round everywhere picking up students and therefore he has more time in the morning. This all helps to get him to school in a far calmer frame of mind.	would be better if we were paid monthly or weekly but do understand that it is difficult with needing to establish attendance rates.	9	yes
12	yes	The scheme does not put us out of pocket. I am able to take the dog with me in the car which helps to calm my daughter down.	none	10	yes
14	yes	It works now that we have got over the teething problems of taxi company not fully understanding what we wanted. I do feel that there is more responsibility on me to get in touch with taxi company and arrange it all and then pay them	None. I have found the Council to be very helpful at explaining how the scheme works and lending support in setting it up.	10	yes
15	yes	feel more in control with regards to when he is picked up etc.	none	8	yes
16	yes	allows me to take him to school and get him settled. It also has enabled me to get to know his teachers	none	10	yes
18	yes	lady (family friend) comes and takes him to school which gives me special time with my two youngest getting them ready for school	none	9	yes
19	yes	Mum takes him on the bus some days and friend takes him in the car some days and this really works.	none	10	yes
20	yes	It is easier for mum to take him rather then chopping and changing him all the time.	none	10	yes
21	yes	We moved into Barnsley from out of area and he stayed at the same school because he is in year 11. This made it easy for us to get him to school,	none - some parents may like smaller payments more often but for us it was fine.	10	yes
22	yes	it works because our daughter's school is understanding. Sometimes in the afternoons we are late to pick her up because we have had to wait for our son to come out of his school. We currently have three children all at different schools which is logistically difficult but we manage it	Communication was not great at first because we tried to find out where our money was and no one seemed to know. Then we got two payments in one go. but things seem to have sorted themselves out now	9	yes as long as we are able to get our youngest daughter into the breakfast club
23	yes	It works because we were able to get a second car and can now take both our children to their separate schools. We really needed a second vehicle and the PTB money has assisted us to do that.	none	9	yes

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BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

**REPORT OF THE EXECUTIVE DIRECTOR (PEOPLE)
TO CABINET ON 10 JULY 2019**

**PROPOSAL FOR A YOUNG MAYOR OF BARNSELY: SHADOWING
ARRANGEMENTS (2019/20)**

1.0 PURPOSE OF REPORT

- 1.1 To seek Cabinet's approval for the proposed appointment of a Young Mayor to represent the young people of the Borough and subsequent arrangements for the Young Mayor to 'shadow' the Mayor of Barnsley as part of the latter's civic duties.

2. RECOMMENDATIONS

- 2.1 That Cabinet gives approval for the appointment of a Young Mayor for Barnsley and the development of arrangements for the Young Mayor to shadow the Mayor of Barnsley as part of mayoral civic duties, during 2019/20.**

3.0 INTRODUCTION

- 3.1 In Barnsley, young people's democratic engagement is coordinated and supported through the Youth Voice and Participation Team who are part of the Local Authority's Targeted Youth Support Service. This Service employs a range of professionally qualified participation posts with a specific remit to support young people to participate and engage in co-production activities through meaningful voice and influence activity. Paramount to this activity is the requirement to work within structures that are safe and supported and which safeguard and protect young people, working within the auspices of Barnsley Youth Council to ensure their successful involvement.
- 3.2 There are a number of routes and pathways through which the Service engages with young people who wish to be involved in influencing policies and decision making processes that affect them and their lives. Traditionally, Barnsley's young democratic body is channeled through the Youth Council. The Youth Council comprises of between 30-35 young people aged 11-19 years who are democratically elected through schools, colleges and education providers across the Borough. Members are appointed from educational establishments across the Borough to represent their peers and influence positive change. The structure is purposefully designed to replicate adult democratic structures and to provide an interface between the voice of young people and the Borough's formal decision making processes.
- 3.3 Barnsley Youth Council members are elected for a two year period after which, their term of office ceases and the recruitment process of electing a new cohort begins.

The current Youth Council model elects a chair and deputy chair. Further individual member responsibilities are apportioned through representation on local, regional and national sub committees, bodies and advisory groups. Throughout each term of election, two Youth Councillors are also elected by their peers within the cohort to represent Barnsley at the United Kingdom Youth Parliament, which is supported by the Regional Youth Work Unit. This ensures that Barnsley's young people have a voice on a national stage and that their priorities are used to champion and influence national campaigns and activities.

- 3.4 In March 2019, Barnsley's young people voted for a new Youth Council cohort who will serve their term in office from April 2019 until March 2021. A number of these young people have previously served as Youth Councillors and have been re-elected by constituents for a second or third term of office. This represents a timely opportunity to nominate or elect a Young Mayor from within the new cohort of Youth Councillors.

4.0 PROPOSAL AND JUSTIFICATION

- 4.1 In view of the significant contribution which young people have made to local democracy and civic life in the Borough, including through initiatives such as the National Takeover Challenge, our proposal is that for a Youth Councillor to be considered for the role of Young Mayor. The young person would have had to have been elected as a Youth Councillor for two consecutive terms of office; in essence, mirroring where possible arrangements for the adult mayor role.

- 4.2 The Council Governance Unit has been consulted on this proposal and their advice and guidance has been incorporated within this report so that both the young and adult mayor roles can work in synergy where possible. The Mayor of Barnsley adopts a ceremonial role and not an executive role as in other areas. This in itself would more closely support the remit to have a Young Mayor and to continue to have a Youth Council alongside it as the two would have distinct roles and responsibilities and avoid duplication. The role therefore would focus more on civic duties and responsibilities as opposed to delegated powers to represent young people's views.

4.3 Issues to Consider

- 4.4 The role of Young Mayor would be restricted to an older, young person to ensure that the young mayor was suitability 'qualified and experienced' in order to undertake the role, having stood for Youth Council on a number of occasions successfully. It is paramount to ensure that the Young Mayor is safeguarded and that the experience is positive. Therefore it is proposed that an older young person with previous experience of a similar role would be more suitable and more likely to achieve positive outcomes as a result.

- 4.5 Safeguarding protocols would need to underpin any arrangements. The role of the young person in the shadowing period would need to be clearly defined with specific attention to planning for their attendance at events and activities. It is proposed that the Young Mayor would have their own agreed 'theme' for their period in office which would be focused on advocating for and on behalf of the priorities of young people within the Borough in alignment with the role of the Adult Mayor. The Young Mayor would pick up specified dates within the civic calendar

and / or public events and would work closely alongside the Mayor of Barnsley and his / her staff. The serving Mayor of Barnsley and Chauffeur/Attendant would need to be DBS checked to meet safeguarding requirements.

- 4.6 There would be an expectation that the Young Mayor takes an active and participatory role alongside the Mayor of Barnsley and that they would be written into any programme / preparatory work where their attendance was expected, being recognised as the representative of young people within the Borough, in their public role and duties. The Participation Worker would work closely with the Mayor's Office to agree a shared programme of events and protocols in anticipation of joint attendance at civic events.
- 4.7 The Young Mayor would be provided with a gown to replicate that of the Adult Mayor within a set budget. As the programme would be in a pilot year during 2019/20, costs would be kept to a minimum until further consideration was given as to how the programme might develop and be sustained over a longer term. For security and safeguarding purposes, the Young Mayor would not be provided with a chain as this could increase the need and cost for security to protect them whilst in the role, as currently happens with the Adult Mayor and their attendant. At the end of their term as Mayor, the young person would be awarded with small gift and gesture from the Adult Mayor to recognise their efforts and contribution to the Borough on behalf of the young people they have represented. It is expected that these small ancillary costs would be minimal.
- 4.9 The Benefits of Having A Young Mayor Of Barnsley
- 4.10 There are many benefits to having a designated Young Mayor(s) Programme in Barnsley. If endorsed as a way forward, the 2019/20 shadowing arrangements will allow both young people and professionals to decide and co-produce the scale, shape and support required to implement a full programme in 2021.
- 4.11 A high-profile elected representative raises the profile of issues that matter to young people and influences local opinion-formers. A Young Mayor would ensure that young people's views are more vocal and public and that more positive community perceptions of young people are channelled across the Borough at high profile events and opportunities.
- 4.12. An individual would serve a one-year term as Young Mayor and their shadowing duties could include:
- Attendance at specific and identified civic receptions as part of an annual calendar of events and public speaking / advocacy for young people
 - Informing and advising the Mayor of Barnsley on issues relating to young people

In practice, this would allow for a Young Mayor to be appointed for each year of the two year Youth Council reign. The additional opportunity afforded through the programme would expand the progression opportunities for young people who have a specific interest in democracy and engagement as they develop their skills and experience, but would be ring-fenced to older young people who had served time as Youth Councillors previously.

- 4.13. A Young Mayor's scheme would enable a high profile and positive recognition to be given for young people across the Borough and would complement existing structures that facilitate young people's voice, engagement and democracy. Whilst there is a strategic and operational case for the scheme to be managed through the Targeted Youth Support Service there would be a requirement for additional capacity within the Service. An additional financial resource would need to be identified to support any proposed shadowing arrangements for the year 2019/20 (Please see Section 7.0 and Appendix 'A').
- 4.14 The proposed shadowing period, during 2019-2021 would allow the programme to develop a clear remit and purpose and to agree governance, boundaries and any issues in the run up to a full implementation by April 2021. The programme would require the support and buy in of the Council whose contribution would be to raise the profile of the role of Young Mayor and to demonstrate the role's impact within communities. The relationship between the Youth Council and other participation infrastructures would need to be clear and distinguished.
- 4.15 The incoming Youth Council cohort would be further consulted on the proposal for a Young Mayor and make recommendations as to how the two bodies can work together collaboratively to raise the positive profile of young people and their chosen campaigns across the Borough.

5.0 CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 Cabinet could opt not to appoint a Young Mayor. In considering this option, Cabinet will need to give due regard to the fact that, during consultation, members of the Barnsley Youth Council indicated that they would welcome such an appointment and the additional recognition and awareness, which the Young Mayor could bring to issues which matter to young people.

6.0 IMPLICATIONS FOR LOCAL PEOPLE AND SERVICE USERS

- 6.1 The appointment of a Young Mayor for the Borough, together with the proposed shadowing arrangements, would be a non-political arrangement and the appointee will act as an impartial advocate and promoter of all young people's interests, wherever they may live in Barnsley.

7.0 FINANCIAL IMPLICATIONS

- 7.1 The financial costs of supporting a Young Mayor role would be minimised and cost effective by adopting this model and taking a whole-Council approach. It is proposed that there would be an additional resource required to assist, develop and work alongside the young person. This could be accommodated by creating an additional 18.5 hour per week Grade 4 Youth Participation position, the costs of which would be between £13,003 – £14,075 including on costs. It is proposed that this funding commitment is considered in the next review of the council's medium term financial strategy (within the context of previously agreed efficiencies in 2020/21 and a funding gap in 2021/22).

8.0 EMPLOYEE IMPLICATIONS

- 8.1 Subject to Cabinet's agreement for the proposal, the arrangements for supporting the Young Mayor programme would include the creation of a Youth Participation

Worker, please see Paragraph 7.1. There are no further employee implications emerging through the proposal.

9.0 LEGAL IMPLICATIONS

9.1 There are no legal implications for the Council emerging through this proposal. A key consideration within the proposal will be that the appropriate steps will be taken to ensure the Young Mayor is safeguarded from the risk of any potential harm.

10.0 CUSTOMER AND DIGITAL IMPLICATIONS

10.1 There are no implications for using the existing range of channels in accessing the Council's services or the onus towards Digital First and online transactions.

11.0 COMMUNICATIONS IMPLICATIONS

11.1 If approved, the appointment of the Young Mayor and the proposed shadowing programme concerning his/her duties, will be promoted via the Council's communications networks.

12.0 CONSULTATIONS

12.1 The Barnsley Youth Council and the Local Authority's Senior Management Team have been consulted on the proposal within this report. The Youth Council has given unequivocal support for a Young Mayor of Barnsley. In addition, the Lord Lieutenant for South Yorkshire has formally given The Crown's approval to the proposal.

13.0 THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

13.1 The proposed Young Mayor programme will support the overall vision, strategic priorities and key outcomes of the refreshed Borough Children and Young People's Plan (2019-21) as follows:

Vision (3)

- Strong families and a strong Barnsley.
- Every child in a good school
- Success in learning and work.

Strategic Priorities (5 of 6)

- Keeping children and young people safe, including from emerging threats, including serious youth violence; county lines and criminal exploitation.
- Improving education, achievement and employability.
- Tackling child poverty and improving family life.
- Supporting all children, young people and families to make healthy lifestyle choices.
- Encouraging positive relationships and strengthening emotional health.

Outcomes (5)

- Being healthy.
- Staying safe.
- Obtaining the confidence to enjoy and achieve their potential and aspirations. .
- Being an active citizen.
- Earning a good living, including through improved life chances and social mobility.

14.0 PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

14.1 As a reflection of the Borough's evolving communities, the Young Mayor programme will include a commitment towards promoting equality, diversity and social inclusion and to help eliminate unlawful discrimination.

15.0 TACKLING THE IMPACT OF POVERTY

15.1 Similarly, the Young Mayor will champion the cause of disadvantaged young people for whom opportunities are limited due to the impact of poverty and deprivation in order to help improve the range of outcomes and life chances, including through social mobility.

16.0 TACKLING HEALTH INEQUALITIES

16.1 Please see Paragraph 16.1.

17.0 REDUCTION OF CRIME AND DISORDER

17.1 In particular, please see Paragraph 13.1.

18.0 RISK MANAGEMENT ISSUES

18.1 There should be no risks to the Council in appointing a Youth Mayor, particularly since the Youth Mayor Programme will ensure that safeguarding considerations are paramount in the arrangements.

19.0 HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

19.1 There are no implications for the health and safety of the public or employees and for the resilience of the Borough, emerging through compilation of this report.

20.0 COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

20.1 The proposal is compatible with the Articles and Protocols of the Convention.

21.0 CONSERVATION OF BIODIVERSITY

21.1 There are no implications for the local environment or for the conservation of biodiversity arising through the proposal.

22.0 GLOSSARY

22.1 None applicable.

23.0 LIST OF APPENDICES

23.1 Appendix 'A': Summary of financial implications.

24.0 BACKGROUND PAPERS

24.1 If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Margaret Libreri (Service Director: Education, Early Start and Prevention)

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APPENDIX A
Prepared on Behalf of the Finance Service Director

FINANCIAL IMPLICATIONS

Proposal for a young Mayor of Barnsley: Shadowing arrangements (2019/20)

i) <u>Capital Expenditure</u>	<u>2019/20</u> £	<u>2020/21</u> £	<u>2021/22</u> £	<u>Total</u> £
Capital Works				0
	0	0	0	0

To be financed from:

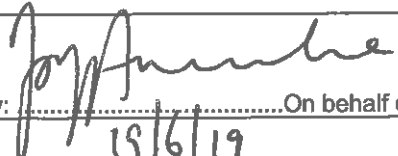
ii) <u>Revenue Expenditure</u>	<u>2019/20</u> £	<u>2020/21</u> £	<u>2021/22</u> £	<u>Total</u> £
Grade 4 Youth Participation officer (18.5hrs)	8,210	14,075	14,075	
	8,210	14,075	14,075	0

To be Financed from:

To be considered as part of the review of MTFS (see below)

iii) Impact on Medium Term Financial Strategy

It is proposed that this funding commitment is considered in the next review of the council's medium term financial strategy (within the context of previously agreed efficiencies in 2020/21 and a funding gap in 2021/22).

 Agreed by: On behalf of the Finance Service Director 19/6/19
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