

MEETING:	Full Council
DATE:	Thursday, 25 July 2019
TIME:	10.30 am
VENUE:	Council Chamber, Barnsley Town Hall

AGENDA

1. Declarations of Interests

To receive any declarations of interest of a pecuniary or non-pecuniary nature from Members in respect of the items on this agenda (other than those already recorded within the minutes contained in the Minute Book).

2. Suspension of Standing Orders

To consider suspending Standing Order 13(5) in respect of the following presentation only (item 3 refers) insofar as it relates to restrictions on Members speaking more than once.

3. External Annual Governance Report - Presentation (*Pages 13 - 22*)

The Council will receive a presentation from the External Auditor on the External Annual Governance Report.

4. Audit Committee - 22nd June, 2019

5. Final Annual Governance Statement 2018/19 (*Pages 23 - 54*)

To consider a report of the Chief Executive and Executive Director Core Services seeking the approval of the Annual Governance Statement 2018/19.

6. External Audit Annual Governance Report 2018/19 (*Pages 55 - 240*)

To consider the External Auditor's Annual Governance Report for 2018/19.

7. Minutes (*Pages 241 - 280*)

To approve as a correct record the minutes of the meetings of the Council held on the 17th May, 2019 (Annual Council) and the 23rd May, 2018 (Ordinary meeting).

8. Communications

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

9. Questions by Elected Members

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

1 Councillor Carr – School Meals Service

'Should a Labour controlled Council be considering removing its school meals

service when we have one of the highest levels of high deprivation in the country?

Should we expect the service to make a profit or should we be happy just to cover the costs of providing that service?

I am led to believe that a consultant was recently employed to look at the service. What was the cost of this and what were the recommendations?

Would a decision to terminate the Service be a matter for consideration at full Council and what would be the costs to schools for providing a new service in terms of catering equipment and all that is required to deliver nutritious food?'

2 Councillor Barnard – Modern Foreign Language at GCSE

'Could the Cabinet Spokesperson inform the Council of the percentage of pupils in Barnsley Schools who studied a modern foreign language to GCSE level in the most recent year for which figures are available?'

3 Councillor Wright – Penny Pie Park Redevelopment

'Many will know my stance on the current Penny Pie Park redevelopment through various conversations I have had over the past 12 months.

However given that we are now keen to demonstrate to residents we are listening to concerns surrounding the scheme, could I therefore ask that a footbridge over the railway line be considered within the new developments that would link Penny Pie Park with Pogmoor Rec in order to effectively utilise as much of the remaining green space as possible?'

4 Councillor Fielding – Demolition of Council Houses

'Why has the Council instructed Berneslai Homes to evict the tenants and then demolish a pair of 4 bedroomed semi-detached council houses on South Road at Dodworth? '

5 Councillor Felton - Hospitality

Following the submission of a question by Councillor Greenhough on hospitality to the last Council and the response provided by Councillor Gardiner (Cabinet Spokesperson for Core Services) I submitted a request for further information to the finance team. I would firstly like to thank that team for taking time to gather the information I requested. Can I please, therefore, confirm that the hospitality on Armed Forces events is less than £5,100 and not what was quoted on a social media post?'

6 Councillor Wright – Development of new school

'I have been contacted by numerous residents in regards to the proposed new school and particularly as to where the new school will be built.

Can I therefore ask the cabinet member to explain how such a planning application is processed and what participation we as a Council will have within the proposed development?'

7 Councillor Hunt – Barnsley Market

'Traders in the new Barnsley Market have signed up to 5-year leases with a break clause after 3 years. What assumptions has the council made as to the likely numbers of market traders that will activate the break clause?'

8 Councillor Felton – Assisted Bin Collection

'Why do people who qualify for assisted bin collection have to pay the fee for a replacement bin when the damage has obviously been caused by a council employee or equipment?'

9 Councillor David Griffin – Local Plan and Barnsley's Road Infrastructure

'Was the impact of the Local Plan on Barnsley's road infrastructure evaluated for each of its housing sites and, in general, how is it expected to pay for any significant road improvements needed?'

10 Councillor Hunt – Glassworks

'How many new businesses has the Council signed up to the Glassworks since it opened last November, and how many of the units in the indoor market remain un-let?'

11 Councillor Hunt – Barnsley Market

'I am hearing from market traders who have reluctantly signed up to a 5-year lease that some other traders are now operating on daily licenses. How many businesses in the indoor market are on 5-year leases and how many are operating on daily licenses?'

12 Councillor Fielding – School Places and Development of new School

'It is clearly essential and to be welcomed that the Council provides the extra Secondary School places needed for the enlarged September 2021 intake in Barnsley.

With no site for the proposed new free school chosen yet, there must be a significant risk that it will not be ready for the September 2021 intake. If the new school is not ready on time, where and how will the Council educate the increased number of students?'

13 Councillor Hunt – Infrastructure in the Darton East Ward

'What, if anything, does the Council intend to do to address infrastructure in Darton East, such as improving roads and increasing primary school places, following the recent housing development on the site of the former North Gawber colliery and other potential developments contained within the Local Plan?'

14 Councillor Kitching – Barnsley Pride Events

'I thoroughly enjoyed the Barnsley Pride event that was held in the Town on July 14th. What plans do we as a Council have to support the growth and success of this relatively new event in future years?'

15 Councillor Kitching – Barnsley as a welcoming town for LGBT+ people

'What plans do we have to ensure that the town is a welcoming, friendly and space for LGBT+ people all year round, not just on Pride day?'

16 Councillor Hunt – Recycled Plastic and road repairs

'Has the Council considered the use of recycled plastic in the material used to undertake road repairs? This is already used in other parts of the UK, including Cumbria, and would show Barnsley is amongst those leading the way in positive recycling for a better environment'

17 Councillor Kitching – LGA Conference

'I was delighted to see Councillors Andrews, Howard and Cave at the recent Local Government Association (LGA) Conference in Bournemouth. Could the Cabinet members please detail what they learnt at the event? What ideas and initiatives have they brought back to Barnsley to implement here and benefit the residents of this authority?'

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

Minutes of the South Yorkshire Pensions Authority, South Yorkshire Fire and Rescue Authority, Sheffield City Region Combined Authority, and Police and Crime Panel

No questions have been submitted.

Minutes of the South Yorkshire Pensions Authority, South Yorkshire Fire and Rescue Authority, Sheffield City Region Combined Authority, and Police and Crime Panel

Any Member of the Council shall have the opportunity to comment on any matters referred to in the following minutes.

The relevant representatives shall then be given the opportunity to respond to any comments made by Members on those minutes.

11. Police and Crime Panel (Annual) - 3rd June, 2019 (Pages 281 - 294)

12. South Yorkshire Pensions Authority (Annual) (Draft) - 13th June, 2019 (Pages 295 - 298)

13. South Yorkshire Pensions Authority (Ordinary) (Draft) - 13th June, 2019 (Pages

299 - 308)

14. South Yorkshire Fire and Rescue Authority (Extra Ordinary) - 14th June, 2019
(Pages 309 - 314)
15. South Yorkshire Fire and Rescue Authority (Annual) (Draft) - 24th June, 2019
(Pages 315 - 320)

Minutes of the Regulatory Boards

16. Planning Regulatory Board - 21st May, 2019 (Pages 321 - 324)
17. Audit Committee - 5th June, 2019 (Pages 325 - 330)
18. Planning Regulatory Board - 25th June, 2019 (Pages 331 - 332)
19. General Licensing Regulatory Board - 26th June, 2019 (Pages 333 - 334)
20. Statutory Licensing Regulatory Board - 26th June, 2019 (Pages 335 - 336)
21. General Licensing Panel - Various (Pages 337 - 338)
22. Appeals, Awards and Standards - Various (Pages 339 - 342)

Minutes of the Health and Wellbeing Board

23. Health and Wellbeing Board - 4th June, 2019 (Pages 343 - 346)

Minutes of the Scrutiny Committees

24. Overview and Scrutiny Committee (Thriving and Vibrant Economy Work Stream) -
4th June, 2019 (Pages 347 - 350)
25. Overview and Scrutiny Committee (People Achieving their Potential Work
Stream) - 18th June, 2019 (Pages 351 - 354)

Minutes of the Area Councils

26. Dearne Area Council - 13th May, 2019 (Pages 355 - 360)
27. North Area Council - 13th May, 2019 (Pages 361 - 364)
28. North East Area Council - 23rd May, 2019 (Pages 365 - 368)
29. Central Area Council - 3rd June, 2019 (Pages 369 - 374)
30. Penistone Area Council - 13th June, 2019 (Pages 375 - 380)
31. South Area Council - 14th June, 2019 (Pages 381 - 384)
32. North Area Council - 27th June, 2019 (Pages 385 - 386)

33. Statutory Polling District and Station Review (*Pages 387 - 390*)

The Executive Director Core Services will submit a report on the final proposals arising from a Review of Polling Districts and Polling Station provision which the Council is required to undertake under the Electoral Administration Act 2006.

34. Representation on Regulatory Boards, Overview and Scrutiny Committee and Outside Bodies

To approve the changes to representation on the Regulatory Boards, Overview and Scrutiny Committee and Outside Bodies indicated:

Appeals, Awards and Standards

Proposed

Delete - S Carvell and M Moore

Add – Mrs J Cairns

General Licensing Regulatory Board

Proposed

Delete – Councillors Phillips, Pickering and Spence

Add – Councillors Clarke and Williams and one Vacancy (Lab)

Statutory Licensing Regulatory Board

Proposed

Delete – Councillor Phillips and Spence

Add – Councillor Williams and one Vacancy (Lab)

Overview & Scrutiny Committee

Proposed

Delete – Councillor Wright

Add – Councillor Pickering

Overview & Scrutiny Committee (People Achieving their Potential Work Stream)

Proposed

Delete – Councillor Smith

Add – Councillor Felton

Overview & Scrutiny Committee (Thriving and Vibrant Economy Work Stream)

Proposed

Delete – Councillors Felton, Stowe and Wright

Add – Councillors Gollick, Pickering and Smith

Overview & Scrutiny Committee (Strong and Resilient Communities Work Stream)

Proposed

Delete – Councillors Gollick

Add – Councillor Stowe

Planning Regulatory Board

Proposed

Delete – Councillors Clarke, Lofts and Williams

Add – Councillors Pickering, Phillips and Wright and one Vacancy (Lib Dem)

Berneslai Homes Board

Proposed

Add – Councillor Tattersall and one Vacancy (Lab)

Cooper Art Gallery

Proposed

Delete – Councillor D Birkinshaw

Add – Councillor Makinson

Environmental Protection UK

Proposed

Add – Councillor Williams

Fostering Panel

Proposed

Add – Councillor Hayward

George Beaumont Foundation

Proposed

Add – Councillor Hunt

Safer Barnsley Partnership

Proposed

Add – Councillor Mitchell

Schools Forum

Proposed

Add – Councillor Lodge

Sheffield City Region Housing Board

Proposed

Delete – Councillor Lamb

Add – Councillor Cheetham

Virtual School Governors

Proposed

Add – Councillors Felton, Lodge, Williams and Wilson

Minutes of the Cabinet Meetings

- 35. Cabinet Meeting - 15th May, 2019 (*Pages 391 - 396*)
- 36. Cabinet Meeting - 29th May, 2019 (*Pages 397 - 400*)
- 37. Cabinet Meeting - 24th June, 2019 (*Pages 401 - 406*)
- 38. Cabinet meeting - 10th July, 2019 (*Pages 407 - 410*)

(NB. Minute 31 'Appropriation of land at Penny Pie Park for highway purpose' on the Cabinet meeting held on the 10th July, 2019 has been called in.)

- 39. Notice of Motion - Standing Orders of the Council - Public Questions at Council Meetings

Notice of Motion submitted in accordance with Standing Order No 6

Note: In accordance with Standing Order No. 41 this Motion having been moved and seconded was deferred from the meeting of the Council held on the 23rd May, 2019.

Moved by Councillor Kitching – Seconded by Councillor Hunt.

Public questions at Full Council Meetings

This Council believes that:

- (1) Its primary role is to both serve and empower local residents and to work with them to help Barnsley achieve its full potential.
- (2) In order to do this effectively it is imperative that it is a Council that actively engages with and listens to its residents and acts on local people's issues.
- (3) Accepting Public Questions delivered by residents at Full Council meetings is an excellent and widely adopted way of starting to ensure that culture of engagement, openness and listening.

Therefore, this Council calls for:

- (4) A portion of every Full Council meeting to be reserved for questions and relevant supplementary questions asked by Members of the Public to Cabinet Members.
- (5) That appropriate amendments be made to Standing Orders.

- 40. Notice of Motion - Improving air quality in Barnsley

Notice of Motion submitted in accordance with Standing Order No 6

Proposer – Councillor Fielding

Seconder – Councillor Hunt

This Council notes:

- (i) Breathing clean air is essential to health and well being
- (ii) Air pollution from vehicles has a significant and detrimental impact on the health of all people, but particularly children
- (iii) The areas of particular concern in the authority are the Air Quality Management Areas such as the M1 corridor and Dodworth Road where air quality objectives are known to be regularly breached
- (iv) The Council, through its actions, has the ability to significantly affect the levels of exposure to harmful air pollution within its area by all people, but particularly children

Furthermore, this Council believes that:

- (v) Local authorities should not be facilitating or encouraging the building of houses, schools or leisure facilities or the siting of play areas in areas with high levels of air pollution, particularly in air quality management areas
- (vi) Efforts should be made during all planning processes to minimise the exposure of people to poor air quality

Therefore, this Council calls for:

- (vii) An end to all new housing, school and leisure development (including outdoor play areas, sports pitches and gyms) in air quality management areas
- (viii) In the light of the adoption of the Local Plan and the consequent expected high levels of development in the area, and the increasing body of evidence of the significant harm that poor air quality has on children, the Councils Air Quality Management Strategy is fully reviewed immediately, rather than waiting for the permitted 5-year review period
- (ix) An immediate review of the Local Plan to remove all proposed development sites that are situated within an air quality management area

41. Notice of Motion - Improving affordability of school uniform

Notice of Motion submitted in accordance with Standing Order No 6

Proposer – Councillor Greenhough

Seconder – Councillor Kitching

This Council notes:

- (i) That schools in the authority are implementing ever stricter school uniform policies, forcing families to purchase uniform from just one supplier
- (ii) That the cost of school uniform, including required footwear, bags and sportswear can be in excess of £250 per child
- (iii) That such practice disproportionately affects families from more deprived backgrounds, including but not limited to refugees
- (iv) That children have been missing school due to their family's financial inability to purchase the required uniform to allow them to attend

Furthermore, this Council believes that:

- (v) No child should be prohibited from attending school by the cost of uniform
- (vi) It is possible for schools to take measures, such as those recently brought into statutory legislation in Wales, to make school uniform affordable, accessible and gender neutral

Therefore, this Council calls for:

- (vii) The Leader of the Council to write to all Head Teachers in the authority, stating this Council's wishes that:
 - (a) The cost of uniform should never prohibit a child from attending school
 - (b) That they exercise discretion in implementing and policing uniform policy to take account of family's abilities to meet the policy's requirements
 - (c) That uniform policies are reviewed, to facilitate purchase of uniform from a range of suppliers, including affordable options and the second hand market
 - (d) That consideration is given as to whether school logos are necessary, or if a generic, more affordable option should be permitted
- (viii) The Leader of the Council to write to the Secretary of State for Education, stating this Council's wishes that the Government makes efforts to introduce statutory guidance to mirror that recently implemented in Wales, which provides a pupil development grant of £125 if the pupil qualifies for free school meals, and £200 to help with the costs of beginning secondary school for eligible Year 7 pupils.

42. Notice of Motion - Penny Pie Park

Notice of Motion submitted in accordance with Standing Order No 6

Proposer – Councillor Fielding

Seconded – Councillor Kitching

This Council notes:

- (i) The overwhelming public opposition to the construction of a gyratory road junction on Penny Pie Park
- (ii) The widespread harm to the community that will be caused by the construction of the gyratory on Penny Pie Park
- (iii) The proximity of the proposed gyratory road junction to the 2,100 pupil Horizon Community College

Furthermore, this Council believes that:

- (iv) The felling of over 75 mature urban trees should be avoided at all costs
- (v) The increase in air pollution that the scheme will cause in the vicinity of Horizon Community College is unacceptable given the increasing evidence of harm it causes to children
- (vi) The protection of safe, useable urban green spaces is of vital importance for local communities
- (vii) Plans to relocate the play and gym equipment immediately next to the gyratory system will expose children to unacceptable levels of air pollution
- (viii) The increase in noise levels to houses in the area caused by this scheme will significantly harm the quality of life for local residents
- (ix) The scheme will not work as promised to reduce traffic congestion and improve travel times
- (x) More sustainable solutions to traffic congestion need to be used, including deterring the use of single occupancy cars and promoting the use of active travel in a determined and meaningful way

Therefore, this Council calls for:

- (xi) The proposal to construct a gyratory junction on Penny Pie Park to be scrapped immediately
- (xii) A further comprehensive traffic management assessment to be carried out by independent consultants on behalf of the Council, taking into account any new proposed development in the area, the increased evidence of harm caused by air pollution and that more sustainable solutions are meaningfully examined and promoted
- (xiii) The public to be fully and rigorously consulted on future proposal and that their views be taken into account.

A handwritten signature in grey ink, appearing to read 'SN', followed by a long horizontal line extending to the right.

Sarah Norman
Chief Executive

Wednesday, 17 July 2019