

<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 26 January 2022
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## MINUTES

**Present** Councillors Houghton CBE (Chair), Andrews BEM, T. Cave, Howard, Lamb and Platts

**Members in Attendance:** Councillors Eastwood, Franklin, Frost, McCarthy and Tattersall

**Members in Virtual Attendance:** Councillor Gardiner

### 184. Declaration of pecuniary and non-pecuniary interests

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

### 185. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 12 January 2022 had been called in.

### 186. Minutes of the previous meeting held on 12 January 2022 (Cab.26.1.2022/3)

The minutes of the meeting held on 12 January 2022 were taken as read and signed by the Chair as a correct record.

### 187. Decisions of Cabinet Spokespersons (Cab.26.1.2022/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 7 January 2022 were noted.

### 188. Action Taken under Paragraph B6 of the Responsibility for Executive Functions - Officer Delegations Contained in the Council Constitution (Cab.26.1.2022/5)

**RESOLVED** that the action taken by Executive Directors under Paragraph B6 of the Responsibility for Executive Functions – Officer Delegations, as contained within the Appendix attached to the report now submitted and detailed below, be noted:-

#### 1 **South Yorkshire Mayoral Combined Authority (SYMCA) Transport Regulations**

In accordance with section 23(6) Local Government Act 2003 the Council consent to making of regulations that extend the existing borrowing powers of the South Yorkshire Mayoral Combined Authority to include all its functions.

Date of Decision: 11 January 2022

**189. Petitions received under Standing Order 44 (Cab.26.1.2022/6)**

It was reported that no petitions had been received under Standing Order 44.

**190. Admission arrangements for community and voluntary controlled primary and secondary schools in the Borough (2023/24) (Cab.26.1.2022/7)**

**RESOLVED** that the proposed policy as outlined in the Appendix to this report be approved in order to ensure compliance with legislation.

**191. Admission Arrangements to primary and secondary schools in the Borough (2023/24) (Cab.26.1.2022/8)**

**RESOLVED** that the proposed scheme for admissions, as outlined in the Appendix to this report, be approved in order to ensure compliance with legislation.

**192. Taxi and Private Hire Licensing Policy (Cab.26.1.2022/9)**

**RESOLVED that Cabinet recommends to Full Council on 3 February 2022 that:-**

1. The Hackney Carriage and Private Hire Licensing Policy appended to the report be published in accordance with the statutory requirements and adopted by the Council;
2. That the Institute of Licensing Suitability Guidance be adopted in its entirety;
3. That the requirement for a driver medical report to be produced every year from the age of 60 be retained;
4. That the D4 medical reports from a company called 'Doctors on Wheels' be no longer accepted for the reasons detailed within the report;
5. That the application fee charged be non-refundable on the grounds that the Council is permitted to charge for the administration involved in the processing and granting of a licence; and
6. That the topographical test be maintained as a means of ensuring that all licenced drivers have a good working knowledge of the area.

**193. Community Renewal Fund – Community Boost (Cab.26.1.2022/10)**

**RESOLVED** that Cabinet:-

1. Accepts the Community Renewal Funding award of £2.39m and provides approval to move forward with the implementation of the Community Boost Pilot Programme;
2. Agrees to the Council releasing up to £1.2m, on a short-term basis, to support the working capital/cash flow requirements of Community Boost delivery partners up until the closure of the programme on 30 June 2022. This is due to 50% (circa £1.2m) of the total CRF allocation being released retrospectively by the funder (ie the Department for Levelling Up, Housing & Communities) after programme closure.

(Note: Any cash flow advances made by the Council to support the working capital/cash flow requirements of delivery partners will be recovered in their entirety from the overall CRF grant allocation); and

3. Notes that a further report containing a full evaluation of Community Boost will be provided upon completion of the programme summer 2022.

**194. Grant of Easement: New Foot/Cycle Bridge (Cab.26.1.2022/11)**

**RESOLVED that Cabinet recommends to Full Council on 3 February 2022 that:-**

1. The Service Director of Legal Services in consultation with the Corporate Asset Manager is authorised to undertake any necessary consultation processes, serve public notices and deal with any objections in relation to the grant of easement;
2. It is noted that the Charity Commission and the Coal Industry Social Welfare Organisation (CISWO) have been consulted about the Grant of Easement between Barnsley Metropolitan Borough Council as Trustee of Pogmoor Recreation Ground to Barnsley Metropolitan Borough Council who have provided their written consent to the construction of the footbridge subject to conditions;
3. The Grant of Easement between Barnsley Metropolitan Borough Council as Trustee of Pogmoor Recreation Ground to Barnsley Metropolitan Borough Council be approved to facilitate the new Foot and Cycle bridge; and
4. The Service Director of Legal Services in consultation with the Corporate Asset Manager is authorised to liaise with the Charity Commission to facilitate the formal approval of the order authorising the easement as this transaction is between connected parties; the Council as trustee and the Council as statutory authority.

**195. Barnsley Place-based Investment Plan (Cab.26.1.2022/12)**

**RESOLVED that Cabinet:-**

1. Adopts the Barnsley Place-Based Investment Plan; and
2. Approves the submission of the Barnsley Place-Based Investment Plan to South Yorkshire Combined Authority, as the strategy for South Yorkshire Renewal Fund investment priorities in Barnsley.

**196. Works and Investigations at Worsbrough and Elsecar Reservoirs (Cab.26.1.2022/13)**

**RESOLVED that Cabinet:-**

1. Approves the proposed phased investment plan for investigations, remedial works, and ongoing maintenance of Worsbrough and Elsecar reservoirs to bring these sites in line with legislation regarding flood prevention and health and safety; and

2. Delegates authority to officers (Executive Director, Place and Service Director, Regeneration and Culture) in relation to procurement of and entering into a contract(s) with suitable contractors to carry out the investigations, works and maintenance.

**197. A628 Manchester Road - Road Safety Improvement Scheme - Proposed Speed Limit Extension and Prohibition of No Waiting at Any Time Restrictions Objection Report (Cab.26.1.2022/14)**

In introducing the report, Councillor Lamb, Cabinet Spokesperson, Environment and Transportation advised that in addition to the 3 objections received for Millhouse outlined within the report, 1 additional objection was received 3 weeks after the closing date for public consultation. Whilst not eligible to be included in the Cabinet report, it was felt that not to mention the late objection would not be a fair and transparent response for the resident concerned. The objection had not been raised by any other objector and was specific to one property, relating to the introduction of a 'Bus Stop Clearway' for the existing Bus Stop facility.

Although, the objection had been received late, it had been considered by the Traffic Unit and it was noted that as the bus stop was an existing facility, the introduction of a painted 'Bus Stop Clearway' on the road surface would not affect or add any further inconvenience or difficulties for the resident and it was recommended that the objection be overruled.

**RESOLVED** that Cabinet:-

1. Agrees that following the Internal and Public Consultation, the scheme in relation to the Thurlstone section of A826 Manchester Road be slightly amended to the proposals as shown in, 'APPENDIX – Thurlstone Revised' of the report submitted;
2. Agrees, that, for the purposes of, 'The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996', Part II, Sec 14 (3) – 'Modification', the above amendments do not constitute a, 'significant change' to the original proposals, (as shown in, 'APPENDIX – Thurlstone Original' of the submitted report), and therefore, do not require further Public Consultation to take place (ie the form of the amendments do not change the nature of the scheme and respond directly to feedback received from the Ward Councillors and the residents/visitors/public);
3. Agrees, that the remaining objections, not directly related to 2 above, and those also relating to Penistone and Millhouse be rejected for the reasons set out in the report and the objectors informed accordingly;
4. Approves the amended overall proposals to enact a Traffic Regulation Order (TRO) to:
  - Extend the current 40mph Speed Limit at Penistone, (as shown in, 'APPENDIX – Penistone' of the report submitted), and
  - To introduce prohibition of 'No Waiting at Any Time' restrictions in Thurlstone (as amended), and

- To introduce prohibition of 'No Waiting at Any Time' restrictions in Millhouse, (as shown on, 'APPENDIX - Millhouse' of the report submitted); and
5. Authorises the Head of Highways and Engineering and the Legal Service Director and Solicitor to the Council to make and implement the Traffic Regulation Order.

**198. High Street (and its side road junctions of Towngate, Martin Croft, Silkstone Lane, and Barnsley Road), Silkstone, Barnsley – No Waiting at Any Time Restrictions Objection Report (Cab.26.1.2022/15)**

**RESOLVED** that Cabinet:-

1. Agrees that the objections received be rejected for the reasons set out in the report and the objectors informed accordingly;
2. Approves the proposal to enact a Traffic Regulation Order (TRO) to introduce 'No Waiting at Any Time' restrictions on parts of both sides of HIGH STREET (and its side road junctions of Towngate, Martin Croft, Silkstone Lane, and Barnsley Road), as shown on Appendix 1 & 2 of the report submitted; and
3. Authorises the Head of Highways and Engineering and the Legal Service Director and Solicitor to the Council to make and implement the Traffic Regulation Order.

**199. Snydale Road, Eveline Street, Methley Street and Church Street, Cudworth, Barnsley - No Waiting at Any Time Restrictions Objection Report (Cab.26.1.2022/16)**

**RESOLVED** that Cabinet:-

1. Agrees that the objections received be rejected for the reasons set out in the report and the objectors informed accordingly;
2. Approves the proposal to enact a Traffic Regulation Order (TRO) to introduce 'No Waiting at Any Time' restrictions on parts of both sides Snydale Road and its side roads: Eveline Street, Methley Street and Church Street, as shown on Appendix 1 of the report submitted; and
3. Authorises the Head of Highways and Engineering and the Legal Service Director and Solicitor to the Council to make and implement the Traffic Regulation Order.

**200. Tivy Dale, and its Junctions with The Park and Tivy Dale Close. Tivy Dale Drive, Maltkiln Row, Darton Road and Church Street, Cawthorne, Barnsley - Proposed Waiting Restrictions Objection Report (Cab.26.1.2022/17)**

**RESOLVED** that Cabinet:-

1. Agrees that the objections received be rejected for the reasons set out in the report and the objectors informed accordingly;
2. Approves the proposal to enact a Traffic Regulation Order (TRO) to introduce 'No Waiting at Any Time' restrictions on parts of both sides of Tivy Dale and its side road junctions with The Park and Tivy Dale Close; Tivy Dale Drive, Maltkiln Row,

Darton Road and Church Street, as shown on Appendix Plan and Appendixes 1 to 1F and 2 of the report submitted; and

3. Authorises the Head of Highways and Engineering and the Legal Service Director and Solicitor to the Council to make and implement the Traffic Regulation Order.

**201. Carrs Lane, parts of both sides of Newland Avenue (and its side road junctions with Ring Farm Crescent, Carrs Avenue, Carrs Drive, Carrs Grove and Ring Farm Place), Cudworth, Barnsley - Prohibition of No Waiting At Any Time Restrictions Objection Report (Cab.26.1.2022/18)**

Councillor Lamb, Cabinet Spokesperson, Environment and Transportation introduced the report and advised that the proposed scheme could not be implemented until such a time that the Council formally adopted all roads on the new development. However, that did not preclude the Council from seeking to plan and have ready to install those restrictions it felt necessary to prevent the potential for inconsiderate and obstructive on-street parking.

In considering the report, Members agreed that in light of the unknown factors and objections received, that no restrictions should be put in place until the estate was complete, at which time a further evidence based report should be submitted to Cabinet for decision as to whether restrictions were required. The exception to this was the part of the estate where the TRO was part of the original planning application, namely Carrs Lane, which could be implemented. Cllr Lamb advised that he would speak with officers as to whether the amendments required could be considered 'minor' or a further revised TRO report would need to be submitted.

**RESOLVED** that the Traffic Regulation Order in the format presented to Cabinet, was not approved.

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Chair