

MEETING:	Cabinet
DATE:	Wednesday, 20 April 2022
TIME:	10.00 am
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

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

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

261. Declaration of pecuniary and non-pecuniary interests

The following elected Members declared a non-pecuniary interest:-

- Councillor Tattersall as a Berneslai Homes Board Member in respect of Minute 266; and
- Councillor Gardiner as a member of the Goldthorpe Town Fund Board in respect of Minute 268.

262. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 6 April 2022 had been called in.

263. Minutes of the previous meeting held on 6 April (Cab.20.4.2022/3)

The minutes of the meeting held on 6 April 2022 were taken as read and signed by the Chair as a correct record.

264. Decisions of Cabinet Spokespersons (Cab.20.4.2022/4)

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

265. Petitions received under Standing Order 44 (Cab.20.4.2022/5)

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

266. Social Housing Decarbonisation Fund - Acceptance of Funding (Cab.20.4.2022/6)

RESOLVED that Cabinet:-

1. Approves the acceptance of the Social Housing Decarbonisation Fund allocation of £1,674,132;
2. Authorises delegation to the Executive Director, Place to undertake all necessary steps to launch a competitive tender process and to appoint a

contractor to complete the works under this scheme. To include sign off of all associated legal documentation relating to the grant terms and contract award; and

3. Approves the allocation of £500,000 Disabled Facilities Grant to support the Affordable Warmth programme for an additional 12 months from 1 April 2022 to 31 March 2023.

267. Exclusion of Public and Press

RESOLVED that the public and press be excluded from the meeting during consideration of the following item, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, as follows:-

Item Number 8 – Goldthorpe Towns Fund: Business Case Approvals

Type of Information Likely to be Disclosed - Paragraph 3

268. Goldthorpe Towns Fund: Business Case Approvals (Cab.20.4.2022/8)

RESOLVED that Cabinet:-

1. Approves the principles of the individual Towns Fund full business cases, which are aligned to the HM Treasury Five Case Better Business Case mode, to enable the summary of the approved business cases to be submitted to DLUHC as per the Head of Terms issued by DLUHC (formerly MHCLG), noting that subsequent to this report, further detailed cabinet reports for Project D: Housing Regeneration pre-1919 and Project L: Towns Fund Property Investment Fund will be prepared as necessary, as detailed in section 2 of the Cabinet report;

Members noted that submission of the Business Cases to DLUHC does not legally commit the Council to the final delivery of projects should those projects be found to be unaffordable or no longer feasible.

2. Authorises the Executive Director, Place, to undertake all necessary steps to secure development and delivery of the Towns Investment Plan including but not limited to public consultation and engagement on the Pre-1919 Housing Strategy as detailed in section 2.7 of the report, noting that this will be subject to a further cabinet report, and approve (insofar as Cabinet is able to do so) the preparation and progress any necessary statutory procedures required to develop and deliver the proposed projects in line with DLUHC guidance.
3. Authorises the Service Director, Regeneration and Culture to:
 - i) seek any necessary planning permissions, (outline or full) required for the delivery of the projects included in the Town Investment Plan, this includes but is not limited to development works for Project G – Community and Cultural Hub and Project H – Heart of Goldthorpe
 - ii) apply for any temporary traffic management orders or any temporary public rights of way closure permissions, noting that the application

process will be progressed separately

- iii) launch the Towns Fund Property Investment Fund project (project L) as outlined in section 2.10 noting that a further report will be provided recommending and seeking approval of the Towns Fund Property Investment Fund preferred investments, costs and outputs;

4. Authorises the Executive Director, Core Services, in consultation with the Executive Director, Place and Service Director, Regeneration and Culture to;

- i) accept the DLUHC Towns Funding up to £23.1M, to contribute towards the delivery of the Towns Investment Plan approved business cases as detailed in Section 4 of this report.

Members noted that the total value of the Goldthorpe Towns Investment Plan is currently estimated to be £33.5m and that some of the 'match' funding required to support delivery of the totality of that Plan has yet to be secured as highlighted in the 'Financial Implications' section of this report. This will be mitigated by ensuring that schemes taken forward are scaleable to ensure delivery within the funding envelopes that have been secured eliminating any future cost exposure for the Council

- ii) conclude any necessary approval and funding processes with DLUHC (including negotiate the terms and conditions of, and final approval of the Town Investment Plan project summaries, subsequently releasing this into the capital programme in line with grant funding once approved).
- iii) under the terms of the Barnsley Contract Procedure rules, if necessary, seek tenders for any aspect of the delivery of the Towns Fund projects and appoint the successful tender on the basis of most economically advantageous bid; and to consider whether the works, services or goods can be provided in-house, subject to value for money considerations. (This includes but is not limited to the external appointment of a legal services provider to support the delivery of the Towns Fund Property Investment Fund project (project L) subject to the costs being contained within the approved funding, and the delivery new access/roundabout (project K) to the ES10 employment site).
- iv) In principle, where necessary complete due process and documentation required to make and publish any Compulsory Purchase Order's (CPO) pursuant to relevant legislation, noting that specific details of any identified CPO's in relation to delivering the aims and objectives of the Towns Fund will be subject to further cabinet approval.
- v) where necessary apply for any consents, licence arrangements, prepare details of and publish a Side Roads Order under sections 14 and 125 of the Highways Act 1980 to deal with any required changes to the existing highway network to accommodate any of the projects identified in the Town Investment Plan and to submit the order to the Secretary of State for Transport for confirmation and to take all necessary steps to secure confirmation of the Order including (if necessary) supporting the order at a local public inquiry;

5. Authorises the Corporate Asset Manager to:
 - i) where necessary, to enter into negotiations with any third-party landowner(s) or property owners to acquire any interests or enter into agreements to occupy land not in the ownership of the local authority necessary to deliver the projects identified in the Town Investment Plan, by agreement where possible. Also, to complete any variation to any existing leases on the occupation of land owned by the local authority and where necessary negotiate compensation payments.
 - ii) negotiate the terms and conditions of any development agreements required with relevant parties, including private developer(s) to deliver the Town Investment Plan;
6. Delegates approval of any amendments to the details contained within full business cases that may arise during project delivery, along with the approval of any other full business cases to maximise the Town Deal financial settlement to the Councils Section 151 Officer in consultation with Executive Director, Place, the Town Deal Board and Council's Capital Oversight Board; and
7. Agrees that the following projects be incorporated into the Council's Capital Programme:
 - Project F - Phoenix Park Visitor Attraction Improvements
 - Project G - Community and Cultural Hub
 - Project H - Heart of Goldthorpe
 - Project K New Access/ Roundabout to ES10

Thus, enabling the above schemes to progress, but strictly within the funding limitations described in the 'Financial and Risk' section of the Cabinet report.

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Chair