

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Thursday, 25 November 2021
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## AGENDA

### REGISTER TO ATTEND

**Please note that in order to ensure that the meeting complies with current Covid-19 restrictions and public health advice, members of the public must pre-register if they wish to attend the meeting.**

**Anyone who wishes to attend should email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk), no later than 10.00am on Wednesday 24<sup>th</sup> November 2021.**

**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.

**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. Report to Those Charged with Governance (ISA 260) 2020/21 (*Pages 9 - 54*)**

The Council will receive a presentation and report from the External Auditor summarising the key issues identified during the audit of the Financial Statements for the year ended 31<sup>st</sup> March, 2021.

**RECOMMENDATIONS OF THE AUDIT AND GOVERNANCE COMMITTEE  
HELD ON THE 17<sup>TH</sup> NOVEMBER, 2021 – to be supplied.**

**4. Audit and Governance Committee Minutes - 17th November, 2021 (*To Follow*)**

**5. Audited Statement of Accounts 2020/21 (*Pages 55 - 208*)**

**RECOMMENDATIONS OF THE AUDIT AND GOVERNANCE COMMITTEE  
HELD ON THE 17<sup>TH</sup> NOVEMBER, 2021 – to be supplied.**

**6. Final Annual Governance Statement 2020/21 (*Pages 209 - 246*)**

To consider a report of the Head of Internal Audit, Anti-Fraud and Assurance seeking the approval of the Annual Governance Statement 2020/21.

**RECOMMENDATIONS OF THE AUDIT AND GOVERNANCE COMMITTEE  
HELD ON THE 17<sup>TH</sup> NOVEMBER, 2021 – to be supplied.**

**7. Minutes (Pages 247 - 258)**

To approve as a correct record the minutes of the meeting of the Council held on the 30<sup>th</sup> September, 2021.

**Recommendations to Council**

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

**8. Carlton Masterplan Framework (Round 2 Adoption) (Cab.3.11.2021/9) (Pages 259 - 436)**

**RECOMMENDED TO COUNCIL:**

- (i) the progress made in the development of the Masterplan Framework for Carlton (sites MU2/MU3) be noted; and
- (ii) that the final version of the Masterplan Framework be approved and adopted.

**9. Proposed Revisions to the Scheme of Delegations Relating to Planning Decisions (Cab.3.11.2021/10) (Pages 437 - 452)**

**RECOMMENDED TO COUNCIL** that the proposed delegations from Planning and Regulatory Board to specified officers/posts be amended as per the Terms of Reference of the Full Council, Regulatory Boards and Committees and Functions Delegated to Officers attached to the report.

**10. Communications**

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

**Substantive Items**

**11. Appointment of an Additional Independent (Co-Opted Member) to the Police and Crime Panel (Pages 453 - 460)**

The Council will consider a report of the Executive Director Core Services seeking endorsement of the Police and Crime Panel's decision taken on 20<sup>th</sup> September 2021 to commence the process to appoint a third independent (co-opted) member.

- 12.** Local Government Act 1972: Section 85: Absence from Meetings of the Authority: Councillor Felton

To seek approval, in accordance with Section 85 of the Local Government Act 1972, for the absence from meetings of the Authority on behalf of Councillor Felton on the grounds of ill health and pending the receipt of medical certification that she is fit to resume her duties.

### **Minutes of the Regulatory Boards**

- 13.** Audit and Governance Committee - 15th September, 2021 *(Pages 461 - 476)*
- 14.** General Licensing Regulatory Board - 29th September, 2021 *(Pages 477 - 478)*
- 15.** General Licensing Regulatory Board - 27th October, 2021 *(Pages 479 - 480)*
- 16.** Planning Regulatory Board - 26th October, 2021 *(Pages 481 - 482)*
- 17.** Appeals, Awards and Standards - Various *(Pages 483 - 486)*

### **Minutes of the Health and Wellbeing Board**

- 18.** Health and Wellbeing Board - 7th October, 2021 *(Pages 487 - 492)*

### **Minutes of the Scrutiny Committees**

- 19.** Overview and Scrutiny Committee (Sustainable Barnsley) Workstream - 12th October, 2021 *(Pages 493 - 498)*
- 20.** Overview and Scrutiny Committee (Growing Barnsley) Workstream - 2nd November, 2021 *(Pages 499 - 504)*

### **Minutes of the Area Councils**

- 21.** Central Area Council - 1st September, 2021 *(Pages 505 - 508)*
- 22.** Dearne Area Council - 6th September, 2021 *(Pages 509 - 512)*
- 23.** North Area Council - 20th September, 2021 *(Pages 513 - 518)*
- 24.** North East Area Council - 23rd September, 2021 *(Pages 519 - 524)*
- 25.** Penistone Area Council - 7th October, 2021 *(Pages 525 - 532)*
- 26.** South Area Council - 22nd October, 2021 *(Pages 533 - 538)*

### **Minutes of the Cabinet Meetings**

- 27.** Cabinet Meeting - 22nd September, 2021 *(Pages 539 - 542)*
- 28.** Cabinet Meeting - 6th October, 2021 *(Pages 543 - 546)*

29. Cabinet Meeting - 21st October, 2021 (*Pages 547 - 550*)
30. Cabinet Meeting - 3rd November, 2021 (*Pages 551 - 554*)

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

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

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

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

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

32. South Yorkshire Pensions Authority (Draft) - 9th September, 2021 (*Pages 555 - 562*)
33. South Yorkshire Fire and Rescue Authority - 13th September, 2021 (*Pages 563 - 572*)
34. South Yorkshire Fire and Rescue Authority (Draft) - 11th October, 2021 (*Pages 573 - 584*)
35. Police and Crime Panel (Draft) - 20th September, 2021 (*Pages 585 - 600*)
36. Sheffield City Region Mayoral Combined Authority Board (Draft) - 20th September, 2021 (*Pages 601 - 610*)
37. Questions by Elected Members

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

(a) Councillor Fielding

*'Given that this Council has declared a climate emergency and has both zero 40 and zero 45 ambitions, what is the Council's current policy and attitude to permitting the extraction or recovery of coal under any circumstances in our borough?'*

(b) Councillor Hunt

*'At the Overview and Scrutiny Committee meeting on 1<sup>st</sup> December, 2020 it was revealed that the Council does not have a Road Safety Strategy. When will this be in place?'*

(c) Councillor Kitching

*'When compared to the established structure, is there currently a shortage of Social Workers in Barnsley?*

*In answering please can the Cabinet member provide staff numbers at the start of 2021, details of how many Social Workers have both left and joined the authority since then and the current number of staff analysed between permanent and agency employees.'*

(d) Councillor Hunt

*'In August 2020 Cabinet considered and approved the response to the Scrutiny Task and Finish Group's findings and recommendations in relation to poverty. One of these recommendations was for additional investment to enable a locally delivered boroughwide outreach provision. The Cabinet report states "As part of our recovery arrangements we are reviewing the advice services available within each locality area as part of the alignment of Area Councils recovery work. As part of this we will review whether there is scope to recommission as a borough-wide provision." Please can an update be provided as to how this review is progressing and whether a borough wide provision is to be recommissioned?'*

**Notices of Motion submitted in accordance with Standing Order No 6**

**38. Membership of Overview and Scrutiny Committee**

Proposer – Councillor Kitching

Seconder – Councillor Hunt

**That this Council:**

Notes section 9FA of the Local Government Act 2000 which clearly states that "members of the executive\* cannot be members of a scrutiny committee".

Also notes point 25 of the Government's 2019 document "Overview and scrutiny: Statutory guidance for councils and combined authorities" which recommends that "Authorities should ensure that, 'as a minimum, members holding less formal executive\* positions ... do not sit on scrutinising committees looking at portfolios to which their roles relate.'"

Considers that the Authority should hold itself to a higher standard than the minimum, particularly in matters of scrutiny.

Feels that the presence of cabinet support members on the Overview and Scrutiny committee creates a potential conflict of interest, and therefore undermines the necessarily robust, open and transparent process of scrutiny within the authority.

**Therefore, this Council resolves that:**

- i. Cabinet Support Members should not take up seats on the Overview &

Scrutiny committee.

- ii. Amend standing order point 25 (4) to: “Neither Cabinet Members nor Cabinet Support Members will be members of the Scrutiny Committee.”
- iii. These changes will be implemented immediately.

**Note: As this Motion refers to an amendment to Standing Orders, once Moved and Seconded, it will stand adjourned without further discussion until the next ordinary meeting of the Council (Standing Order No 41 refers)**

**39. Better Busses for Barnsley**

Proposer – Councillor Kitching

Seconder – Councillor Fielding

**That this Council:**

a) agrees with the former UN Special Rapporteur on Extreme Poverty and Human Rights, Prof. Philip Alston, that access to affordable and reliable transport is fundamental to guaranteeing Barnsley residents the quality of life they deserve and that “abandoning people to the private market” by deregulating bus services “is incompatible with human rights requirements.”;

(b) notes that since 2014 the South Yorkshire bus network has been reduced by over 12 million kilometres, forcing many Barnsley residents to travel by car or – if car travel is not an option - cutting them off from education, employment, family and friends;

(c) understands that we are living through a cost-of-living crisis and that since buses were deregulated in 1986 bus fares have more than doubled in real terms, while motoring costs have decreased, and that transport costs are the largest expenditure of the average household budget;

(d) notes that we are living through a climate emergency and that in South Yorkshire one-third of our local emissions come from transport with 71% of journeys to work made by car while bus passenger journeys declined by over 20% between 2009/10 and 2018/19;

(e) acknowledges that the current bus driver shortage has revealed the long-term exploitation of our drivers - who are expected to work long shifts, with few facilities and little support, for wages that are decreasing in real-terms - and believes that public control would allow us to guarantee the conditions needed to deliver a world-class service;

(f) understands that the Government's impact assessment of the Bus

Service Act (2017) highlighted that public control would better address six out of seven Local Transport Authority objectives compared to an enhanced partnership and was the only method likely to deliver a “significant increase in patronage.”;

(g) understands that the South Yorkshire Combined Authority intends to establish an Enhanced Partnership with bus operators, leaving final say over the network in their hands, despite the evidence that, according to the Centre for Cities, partnerships are a “fudge which stops mayors from delivering the quality bus networks their electorate rightly expect” while a former UN Special Rapporteur on Extreme Poverty called for them to be “phased out.”;

(h) welcomes the recommendations of the “South Yorkshire Bus Review,” published in June 2020, that the “legal and financial investigation of franchising in South Yorkshire begin immediately” and that “a decision be made no later than 3 years after publication of this report.”;

(i) notes that a legal and financial investigation, as outlined in the Bus Services Act 2017 and National Bus Strategy has not yet been launched and requires the release of a statutory “notice of intent to prepare a franchising assessment.”;

**Therefore this Council requests that the Administration:-**

- (i) informs the South Yorkshire Combined Authority of its support for conducting a statutory assessment of franchising.
- (ii) requests a Combined Authority vote to release a “notice of intent to prepare a franchising assessment” within 6 months.

**Questions by Member of the Public - for information only**

To note the following questions received from Members of the Public together with the responses provided by the relevant Cabinet Spokespersons:

- 1 Mr M S – Barnsley
- 2 Mr M S – Barnsley
- 3 Mr M W - Worsbrough



Sarah Norman  
Chief Executive

Wednesday, 17 November 2021