

MEETING:	Cabinet
DATE:	Wednesday, 1 June 2022
TIME:	10.00 am
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Lamb, Frost, Gardiner, Higginbottom, Makinson and Platts

Members in Attendance: Councillors Cherryholme, Eastwood, Franklin, Newing and Osborne

4. Declaration of pecuniary and non-pecuniary interests

Councillor Makinson declared a non-pecuniary interest as Berneslai Homes Board Member in respect of Minute Number 17.

Councillor Newing declared a a non-pecuniary interest as an NHS employee.

5. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 25 May 2022 had been called in.

6. Minutes of the previous meeting held on 18 May 2022 (Cab.1.6.2022/3)

The minutes of the meeting held on 18 May 2022 were taken as read and signed by the Chair as a correct record.

7. Decisions of Cabinet Spokespersons (Cab.1.6.2022/4)

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

8. Petitions received under Standing Order 44 (Cab.1.6.2022/5)

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

9. 2021 Director of Public Health Annual Report - 'What Matters to Me Now: The Voices of Children and Young People Who Live and Learn in Barnsley' (Cab.1.6.2022/6)

RESOLVED that the contents of the 2021 Director of Public Health Annual Report be noted.

10. Response to the Overview and Scrutiny Committee Task and Finish Group's Report on Gambling and Gambling Related Harm in Barnsley (Cab.1.6.2022/7)

RESOLVED that the responses, conclusions, and recommendations set out in the report, following the Task and Finish Group's report on Gambling and Gambling Related Harm in Barnsley be endorsed.

11. Substance Misuse Strategic Review and New Provider Selection Regime (Cab.1.6.2022/8)

RESOLVED that Cabinet: -

1. Approves the continuation of the existing service provision with the incumbent provider of substance misuse service, delivered by Humankind Charity (subject to the proposed changes to the public procurement regulations taking legal effect as anticipated under the current draft Health and Care Bill allowing the Council to directly award the contract to Humankind under the new provider selection regime.
2. Agrees that should the changes above not come into legal effect in the manner currently proposed then approval is given to either:-
 - (i) Re-procure the services under the new Health and Care Act where any changes from the Bill as currently drafted are deemed not substantive; or
 - (ii) If the changes are substantive, seek approval from Cabinet Spokesperson, to re-procure the services under the new Health and Care Act subject to any amended requirements resulting from the changes to the legislation; or
 - (iii) If (i) and (ii) are not possible, re-procure service provision under the Public Contracts Regulations 2015 or its successor legislation.
3. Agrees the integration of the Multiple and Complex Needs Housing provision (25+) into the overall Substance Misuse Service contract.

12. Quarter 4 and Year End (2021/22) Corporate Performance Report (Cab.1.6.2022/9)

RESOLVED that Cabinet:-

1. Receives the Corporate Performance Report in relation to the delivery of the Corporate Plan priorities and outcomes; and
2. Agrees that the Performance Report is shared with the Overview and Scrutiny Committee to inform and support their ongoing work programme.

13. Corporate Finance Performance Report Year Ending 2021/22 (Cab.1.6.2022/10)

RESOLVED that Cabinet:-

1. Notes the final position for the General Fund being an operational underspend of £4.9M (after adjusting for statutory balances, scheme slippage & known expenditure commitments in 22/23 – as per Appendix 1 of the report);
2. Notes the final position on the Housing Revenue Account, being an operational underspend of £0.2M;
3. Notes that whilst the above positions are favourable, the Council is set to face significant financial pressure in the next financial year and beyond as a consequence of several emerging risks including supply chain and inflationary issues, increasing demand for council services eg looked after children, the impact of adult social care reform and other policy related risks;
4. Approves that the 21/22 underspends [£4.9M & £0.2M respectively] be held in strategic reserves to mitigate against these cost pressures, pending a fundamental refresh of the Medium-Term Financial Strategy / Improvement & Efficiency Agenda; and
5. Approves the write off of historic bad debts totalling £0.9M as detailed in the report.

14. Capital Programme Performance - Year Ended 31 March 2022 (Cab.1.6.2022/11)

RESOLVED that Cabinet:-

1. Notes the final financial position on the 2021/22 Capital Programme;
2. Approves scheme slippage totalling £34.9M and scheme re-phasing totalling £2.6M (paragraphs 3.5, 3.6 and Appendix B of the report refer);
3. Notes the total net increase in scheme costs in 2021/22 of £0.8M (paragraph 3.7 and Appendix B of the report refer); and
4. Receives an updated 2022/23 indicative Capital Programme position (as part of the Quarterly Finance Monitoring update).

15. Annual Report on Treasury Management Activities 2021/22 (Cab.1.6.2022/12)

RESOLVED that Cabinet:-

1. Notes the latest expectations for interest rates;
2. Note the activities undertaken during the year to support the Council's borrowing and investment strategies; and
3. Notes the Prudential and Treasury Indicators set out in Appendix 1 of the report.

16. Local Code of Planning Conduct and Guidance 2022 (Cab.1.6.2022/13)

RECOMMENDATION TO FULL COUNCIL ON 28 JULY 2022 (therefore not subject to call-in)

RESOLVED that Cabinet approves the 'Local Code of Planning Conduct and Guidance 2022' for recommendation to the Council.

17. HRA Decent Homes Capital Investment Report 2022/23 (Cab.1.6.2022/14)

RESOLVED that Cabinet:-

1. Approves the HRA 2022/23 Barnsley Homes Standard Programme;
2. Approves the HRA 2022/23 Supplementary Investment Programme;
3. Notes the added Social Value delivered by the Property Repairs and Improvement Partnership 2020 as set out at Paragraphs 1.12 through 1.13 of the report; including use of directly employed local staff and over 30 directly employed apprentices; and
4. Notes the Carbon Saving efficiency measures, and anticipated reductions to tenant's energy bills, as set out in Paragraph 1.8 of the report.

18. Report on the Schools Condition Capital Programme 2022-23 (Cab.1.6.2022/15)

RESOLVED:-

1. That the list of schemes, detailed in Appendices B and C of the report be approved and financed from the 2022-23 Department for Education (DfE) School Condition Allocation;
2. 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
3. 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).

19. Exclusion of Public and Press

RESOLVED it was reported that the appendices to the report at item number 17 (Barnsley Norse – The Way Forward) was not available to the public and press because it contained exempt information described in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), relating to the financial or business affairs of any particular person.

Accordingly, if the content of the appendix was to be discussed, the public and press would be excluded from the meeting.

20. Barnsley Norse - The Way Forward (Cab.1.6.2022/17)

RESOLVED that Cabinet:-

1. Authorises the Executive Director Place to negotiate and agree with NPS Barnsley (on behalf of Norse) to vary the service agreement to ensure the contract meets the current strategic needs of the Council;
2. Authorises the Executive Director Place to:-
 - (i) agree extensions to the termination date of the Service Agreement until such time as there are legal arrangements in place to vary the service agreement to allow for the services in Option C to be provided by BMBC; and
 - (ii) thereafter agree with NPS Barnsley to withdraw the notice to terminate; and
3. Recognises that the Trade Unions are continually engaged with and actively included throughout the remainder of the process.

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Chair