

MEETING:	Full Council
DATE:	Thursday 23 November 2023
TIME:	10.00 am
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

The Mayor (Councillor Stowe)

Central Ward

- Councillors Moyes and O'Donoghue

Cudworth Ward

- Councillors Cherryholme, Hayward and Houghton CBE

Darfield Ward

- Councillors Markham, Osborne and Smith

Darton East Ward

- Councillors Denton and Hunt

Darton West Ward

- Councillors T. Cave and Howard

Dearne North Ward

- Councillors Bellamy, Cain and Morrell

Dearne South Ward

- Councillors Bowler, Coates and Moore

Dodworth Ward

- Councillors Christmas and Fielding

Hoyland Milton Ward

- Councillors Franklin and Shepherd

Kingstone Ward

- Councillors P. Wright

Monk Bretton Ward

- Councillors Green, Richardson and Sheard

North East Ward

- Councillors Booker, Ennis OBE and Peace

Old Town Ward

- Councillors Lofts, Newing and Pickering

Penistone East Ward

- Councillors Barnard and Wilson

Penistone West Ward

- Councillors Greenhough, Kitching and Lowe-Flello

Rockingham Ward

- Councillors White and A. Wray

Royston Ward

- Councillors Makinson, McCarthy and Webster

St. Helen's Ward

- Councillors Leech, Tattersall and N. Wright

Stairfoot Ward

- Councillors K. Dyson, Murray and Shirt

Wombwell Ward

- Councillors Eastwood, Frost and Higginbottom

Worsbrough Ward

- Councillors Bowser and Clarke

131. Declarations of Interests

Councillor T Cave declared a non-pecuniary interest in minute number 161 as a Trustee of Barnsley Youth Zone.

Councillor Osborne declared a non-pecuniary interest in minute number 140 due to his position on the board of Barnsley Premier Leisure, and a non-pecuniary interest in any item on the agenda insofar as it related to his position on the board of Berneslai Homes

Councillor Tattersall declared a non-pecuniary interest in any item on the agenda insofar as it related to her position on the board of Berneslai Homes.

132. Suspension of Standing Orders

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Makinson; and

RESOLVED that Standing Order 13(5) of the Council be suspended in respect of minute numbers 133 to 137 insofar as it relates to restrictions on Members speaking only once.

133. Report to Those Charged with Governance (ISA 260) 2022/23

Mr Gareth Mills (Engagement Lead) representing Grant Thornton, the Authority's External Auditor, made a presentation on the ISA 260 report 2022/23; the report to those charged with Governance.

Mr Mills outlined the roles and responsibilities of the External Auditor with specific reference to the work undertaken in relation to the Accounts, The Annual Governance Statement, and Value for Money arrangements to date as well as explaining how this role was undertaken.

It was noted that regular liaison had taken place with senior officers, and a positive working relationship was in place with officers in finance and audit.

Members were advised that an unqualified 'clean' opinion was expected to be issued, with Barnsley being one of the few councils nationally that met the statutory deadline of presenting draft accounts to auditors by 31 May. There were no major weaknesses identified in financial systems, and no audit adjustments were required that would impact on usable reserves.

With regards to value for money, the review of the Council's arrangements including Financial Sustainability; Governance; and Improving Economy, Efficiency and Effectiveness, was expected to conclude in January 2024. There were no issues currently highlighted which would prevent the signing of the 2022/23 accounts, with the position of the Council being balanced and achievable in the short term. Over the medium to long term, the position was more challenging, which reflected the national position.

Key elements of ongoing work were presented, which included consideration of the response to the Ofsted/CQC review and written statement of action, and the DSG deficit and safety valve funding support.

A number of Councillors thanked Mr Mills and his team for the hard work over the past few years. Thanks were also provided to Members and officers involved, including those in finance and audit.

Following the discussion the report was then Moved by Councillor Frost – Seconded by Councillor Bowser; and

RESOLVED:-

- i) That the External Auditor's (ISA 260) Report 2022/23 be approved;
- ii) That the findings on the current position with regards to the Value for Money conclusion be noted (as not completed); and
- iii) That the findings from the audit work in relation to the 2022/23 Financial Statements be noted.

134. Minutes of the Audit and Governance Committee - 15 November 2023

Moved by Councillor Lofts – Seconded by Councillor Barnard; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Audit and Governance Committee held on the 15 November 2023 be received.

135. Annual Governance Statement 2022/23

Moved by Councillor Frost – Seconded by Councillor Bowser; and

RESOLVED that the final Annual Governance Statement 2022/23 be approved and adopted.

136. Audited Statement of Accounts 2022/23

Moved by Councillor by Councillor Frost – Seconded by Councillor Bowser; and

RESOLVED that the audited Statement of Accounts 2022/23 and Letter of Representation be approved.

137. Audit and Governance Committee Annual Report 2022/23

Moved by Councillor Lofts – Seconded by Councillor Barnard;

RESOLVED that the Audit and Governance Committee's Annual Report for 2022/23 be approved.

138. Minutes

The minutes of the meeting held on 28 September 2023 were taken as read and signed by the Chair as a correct record.

139. Communications

- (a) Inspection Outcomes across Children's Services

The Chief Executive announced that services operating within Barnsley Councils Children's Services directorate had undergone a number of positive inspections this year, under regulatory bodies OFSTED and HMI Probation. This had included an inspection of Youth Justice Services, which received an overall good rating, and a full ILACS inspection, which was also rated overall as good. In addition, there had also been an Early Years Inspection of the Childcare on site at Thurnscoe Family Centre, which was assessed as outstanding and most recently an Ofsted Inspection of Newsome Avenue, a short break facility graded as good.

She added that staff operating within frontline services were often the first port of call for the most vulnerable children, young people and families, and the workforce worked tremendously hard to contain the increasing demand for children's services, provide support at the earliest possible opportunity and support children, families and communities to develop resilience and skills to support each other as children grow and progress into adulthood. She said that children were our future citizens, and this was a tremendous achievement by all staff and partners involved in the inspection processes.

The Chief Executive gave recognition for the contributions made by the service and individual staff members who contributed towards the day-to-day work which was assessed to arrive at these good and outstanding judgements and worked hard on a daily basis to ensure that children and families receive the best possible services.

Thanks were given to the Thurnscoe Family Centre nursery staff, Youth Justice Service staff, Newsome Avenue Childrens Home Staff, Children's Services staff, and wider stakeholders who contributed to this.

The Leader added his thanks to all staff involved in delivering the services mentioned, which were echoed by a number of Members.

(b) IRRV Revenues Team of the Year – Corporate Debt Team – Operational Finance

The Chief Executive announced that the Council's Corporate Debt Team had been selected as finalists in three categories at this year's Institute of Rating Revenue and Valuation National Awards and won the most prestigious award of the evening 'Revenues Team of the Year'. This was an amazing achievement.

The team evidenced how they achieved high levels of customer satisfaction, whilst delivering efficient and effective processes that protected the public purse and ensured value for money.

They had implemented the Financial Vulnerability Index that had revolutionised how the Council collected council tax, whilst protecting the most vulnerable; driven automations which allowed teams to focus on providing value to our customers, improving customer engagement whilst reducing statutory collections activity and the cost of collection.

She added that a mix of people and process and a strong culture of continuous improvement supported by clear performance created excellence, and this team was a shining example of this.

The Chief Executive gave recognition for the contributions made by the Service and individual staff members in winning this prestigious award. Thanks was given to the following staff present in the chamber:- Lucie White, Gemma Pring, Steven Hirst, Donna Slater, Kimberley Dack, Katy Broadhead, Lisa Spurgeon, and Tilly Fieldhouse.

Councillor Frost, and the Leader added their thanks to those involved.

(c) Working together to help those affected by Storm Babet

The Chief Executive reminded members that on Friday 22 September, Storm Babet made its way to Barnsley, bringing with it memories of the catastrophic floods of 2019 and putting Barnsley's emergency resilience to the test.

Sadly, the impact of the storms in some communities was devastating, with properties in Lundwood and the Ings Lane Caravan Site suffering internal flooding. However, the Council's teams were a constant presence out in the community, offering reassurance and support to residents.

Over the days following, many of the council teams showed that strong Barnsley spirit that the borough was known for. She asked Members of the Council to join her in thanking Council staff, Berneslai Homes staff and partners for their quick response and hard work in keeping people safe.

Councillor Higginbottom added his thanks to all partners for their contribution and provided an update to Members with regards to how flood defences had improved the situation compared to previous years, noting that some properties had unfortunately been affected. He noted that plans were in place to continue to improve defences and mitigate against high rainfall volume in a number of areas.

A number of other Members praised the work of officers and volunteers involved in supporting the efforts in their communities.

140. Barnsley Playing Pitch and Outdoor Sports Strategy 2023 (Cab.18.10.2023/9)

Moved by Councillor Higginbottom – Seconded by Councillor Osborne; and

RESOLVED that the Playing Pitch and Outdoor Sports Strategy and its associated recommendations be adopted.

141. Transfer of Police and Crime Commissioner Function (Cab.1.11.2023/6)

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Makinson; and

RESOLVED That Council notes the recent decision of Cabinet to delegate approval to the Head of Paid Service to give the Authority's consent to the making of an order to provide for both the Mayor of South Yorkshire to exercise functions of the Police

and Crime Commissioner (PCC) in relation to South Yorkshire with effect from May 2024 and the reduction of the current mayoral term to align with the PCC election cycle in May 2024.

142. Ofsted's Inspection of Local Authority Children's Services in the Borough (2023) (Cab.15.11.2023/6)

Moved by Councillor T Cave – Seconded by Councillor Peace; and

RESOLVED that the outcomes of the recent inspection be considered and noted.

143. Appointments to Committees and Outside Bodies

Moved by Councillor Howard – Seconded by Councillor Cherryholme; and

RESOLVED that the following changes to committees and representation on outside bodies be made:-

Planning Regulatory Board

Remove – Councillor Burnett

Note 1x Labour Vacancy and 1x Liberal Democrat Vacancy

Overview and Scrutiny Committee

Note 1 x Liberal Democrat Vacancy

Overview and Scrutiny Committee – Healthy Barnsley Workstream (To be drawn from the membership of the Overview and Scrutiny Committee)

Note 1 x Liberal Democrat Vacancy

Outside bodies:-

Advisory Group for the Family Nurse Partnership

Councillor Clarke

Barnsley Transport User Group

Councillors T Cave, Denton, Leech and Moyes

National Park Management Plan – Partnership Group

Councillor Richardson

National Park Management Plan – Delivery Group

Councillor Richardson

South Yorkshire Police and Crime Panel

Remove Councillor Peace
Appoint Councillor Hunt

144. Update and Amendments to the Constitution

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Makinson;
and

RESOLVED that Council approves the updates and amendments to the constitution.

145. Audit and Governance Committee - 20 September 2023

Moved by Councillor Lofts – Seconded by Councillor Barnard; and

RESOLVED that the minutes as printed and now submitted of the Audit and Governance Committee held on 20 September 2023 be received.

146. Planning Regulatory Board - 26 September 2023

Moved by Councillor Richardson - Seconded by Councillor Leech; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on 26 September 2023 be received.

147. General Licensing Panel - Various

Moved by Councillor Green – Seconded by Councillor Clarke; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the various General Licensing Panels be received.

148. Statutory Licensing Regulatory Board Sub Committee - 4 October 2023

Moved by Councillor Green – Seconded by Councillor Clarke; and

RESOLVED that the minutes as printed and now submitted of the Statutory Licensing Regulatory Board Sub Committee held on 4 October 2023 be received.

149. Appeals, Awards and Standards - Various

Moved by Councillor Shepherd – Seconded by Councillor Bowler; and

RESOLVED that the details of the various Appeals, Awards and Standards Regulatory Board Panels held in the last cycle of meetings together with their decisions be received.

150. Overview and Scrutiny Committee - 12 September 2023

Moved by Councillor Ennis OBE – Seconded by Councillor Clarke; and

RESOLVED that the minutes as printed and now submitted of the Overview and Scrutiny Committee held on 12 September 2023 be received.

151. Overview and Scrutiny Committee (Sustainable Barnsley Workstream) - 10 October 2023

Moved by Councillor Ennis OBE – Seconded by Councillor Clarke; and

RESOLVED that the minutes as printed and now submitted of the Overview and Scrutiny Committee (Sustainable Barnsley Workstream) held on 10 October 2023 be received.

152. Dearne Area Council - 4 September 2023

Moved by Councillor Coates – Seconded by Councillor Moore; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on 4 September 2023 be received.

153. Penistone Area Council - 7 September 2023

Moved by Councillor Greenhough – Seconded by Councillor Kitching; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on 7 September 2023 be received.

154. North Area Council - 11 September 2023

Moved by Councillor Leech – Seconded by Councillor T Cave; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the North Area Council held on 11 September 2023 be received.

155. North East Area Council - 21 September 2023

Moved by Councillor Hayward – Seconded by Councillor McCarthy; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the North East Area Council held on 21 September 2023 be received.

156. Central Area Council - 27 September 2023

Moved by Councillor Dyson - Seconded by Councillor Bowser; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Central Area Council held on 27 September 2023 be received.

157. South Area Council - 20 October 2023

Moved by Councillor Markham - Seconded by Councillor Shepherd; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the South Area Council held on 20 October 2023 be received.

158. Cabinet - 20 September 2023

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Makinson; and

RESOLVED that the minutes as printed and now submitted of the Cabinet Meeting held on 20 September 2023 be received.

159. Cabinet - 4 October 2023

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Makinson; and

RESOLVED that the minutes as printed and now submitted of the Cabinet Meeting held on 4 October 2023 be received.

160. Cabinet - 18 October 2023

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Makinson; and

RESOLVED that the minutes as printed and now submitted of the Cabinet Meeting held on 18 October 2023 be received.

161. Cabinet - 1 November 2023

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Makinson; and

RESOLVED that the minutes as printed and now submitted of the Cabinet Meeting held on 1 November 2023 be received.

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

The Chief Executive reported that she had received no questions from Elected Members in accordance with Standing Order No. 12.

163. South Yorkshire Fire and Rescue Authority - 11 September 2023

RESOLVED that the minutes be noted.

164. South Yorkshire Fire and Rescue Authority (Draft) - 9 October 2023

RESOLVED that the minutes be noted.

165. South Yorkshire Mayoral Combined Authority Board - 12 September 2023

RESOLVED that the minutes be noted.

166. Police and Crime Panel (Draft) - 25 September 2023

RESOLVED that the minutes be noted.

167. Questions by Elected Members

The Chief Executive reported that she had received a number of questions from Elected Members in accordance with Standing Order No. 11.

1. Councillor White

'Is the Council considering or investigating introducing ULEZ anywhere across the Borough in the foreseeable future?'

Councillor Higginbottom, Cabinet Spokesperson for Environment and Highways, responded by saying no.

2. Councillor Webster

'After the recent excellent campaign highlighting the issues on breast cancer and the focus of it on the females of the community, does the Cabinet Member agreed that we should also be raising the profile of male breast cancer? This is a rare cancer but still needs men to be aware and have the knowledge of how to check themselves and the confidence to report any issue to their GP as a matter of urgency.'

Councillor Cain, Cabinet Spokesperson for Public Health and Communities, said that the council and partners were committed to supporting residents to spot the signs of cancer, and that this was for both men and women. The council was currently using data and insight to prioritise public health work on the main types of cancer that affected residents.

She added that breast cancer was extremely rare in men, with less than five men being diagnosed in Barnsley in the last two years, compared to 503 women in this time. It was highlighted that men can experience similar signs and symptoms of breast cancer to women, so everyone must be aware. Members heard that the council had undertaken significant work to improve breast cancer awareness and increase screening uptake. This included encouraging and supporting people to attend their cancer screening appointments if eligible, promoting the Community Diagnostic Centre at The Glass Works, and contacting their GP if they were worried about any symptoms they may have.

Early detection and prevention campaigns such as the national Be Clear on Cancer campaigns also encouraged people to go to their GP straightaway if they notice any symptoms or changes.

By way of supplementary question, Councillor Webster asked the Cabinet Member thought that children should be taught how to check themselves for all types of cancer in school, to enable them to have the ability to know when something was wrong?

Councillor responded by saying that young people in Barnsley were supported and worked with, as well as parents and other agencies, to make everyone in the borough aware of cancer. The council worked with stakeholders to make sure relevant information was provided to young people.

3. Councillor Fielding

'When will the council be replacing the six properties lost to fire on Woodland Drive?'

Councillor Franklin, Cabinet Spokesperson for Regeneration and Culture responded by stating that, as previously advised, no decisions had been made regarding the re-development of the site at Woodland Drive. The former site of 14-20 Woodland Drive had been fenced and grassed in the interim period, pending the completion of the clearance of properties at 10 and 12 Woodland Drive in the new year.

Councillor Fielding then asked the following supplementary question:- would the cabinet member agree to meet with him and residents as part of the decision-making process in planning for the future of the site.

Councillor Franklin responded by agreeing that he would endeavour to.

4. Councillor Hunt

'When will Market Gate bridge be open?'

Councillor Franklin, Cabinet Spokesperson Regeneration and Culture responded by stating that the council was currently planning for Market Gate Bridge to be open to the public during the weekend commencing on the 8 December.

He added that there would be a soft opening that would give the public access over the bridge. During that weekend the current temporary bridge was also expected to be removed. There would, however, still be some elements of the work that would need completing after this weekend, primarily relating to public realm adjacent to the new bridge. It was anticipated that this work would be complete early in the New Year.

Whilst there had been a slight delay, Councillor Franklin hoped that members would appreciate that this was a large, complex project and officers were doing all they could to complete the project as quickly as possible. He added that the new bridge would be a fantastic addition to Barnsley's skyline and town centre, that the whole town could be proud of.

By way of supplementary question, Councillor Hunt asked that, given that the vast majority of people using the new bridge would have to cross lanes of traffic to get to and from the Metrodome, Oakwell, or home, what provision would be made for pedestrians using the bridge to cross the nearby road safely?

Councillor Franklin responded by stating that for any football match, whilst not fully policed, the area would be well policed, and at the last match the highways officer was also in attendance. However, assurances were given that checks would take place.

5. Councillor Fielding

'Why has the council allowed the project on the plot of land in front of Dodworth Library to remain incomplete for so long?'

Councillor Franklin, Cabinet Spokesperson Regeneration and Culture responded saying that the hard landscaping works were all complete. There had been a delay with the contractor being able to source replacement coping stones and in attending to defects that the Council identified. That element had been resolved.

In addition, the council had been awaiting the winter planting season before carrying out the soft landscaping and planting. It was expected that this work would be completed in the financial year.

Councillor Fielding responded by stating that the work had not been completed, with some walls incomplete and flag stones loose. By way of supplementary question, he asked whether the spokesperson could commit to ensuring the project was finished.

Councillor Franklin replied that he and an officer would go and look at the site.

168. Motion - Inclusive Playgrounds

The following motion, submitted in accordance with Standing Order No 6 was:

Moved by Councillor Kitching – Seconded by Councillor Fielding:-

The Council notes the importance of inclusive playgrounds for disabled children for early childhood development and community integration for the whole family. The Council further notes with concern findings from the disability equality charity Scope that half of families across England and Wales with disabled children have accessibility problems with their local playground.

This Council recognises the need to improve playgrounds across Barnsley borough to achieve inclusivity for the community and to work with families of disabled children to guide the development of inclusive playgrounds.

This Council believes:

- That playgrounds are important spaces for community engagement and childhood development, and these spaces should be built with inclusivity as a core principle.
- That playgrounds in this area should be improved to ensure they include accessible design and inclusive equipment that disabled children can engage with.
- That all children have a right to play and this should be reflected in the community play spaces.

The Council resolves:

- To embed principles of inclusive design to ensure that going forward every development or refurbishment of a council playground in Barnsley considers inclusivity.
- To seek opportunities to embed inclusive design through Council strategies for local planning and community spaces.
- To adequately consult with parents and carers of disabled children, and those with lived experience, to inform the design of inclusive playgrounds so they are appropriate for the community spaces.
- To champion the rights of disabled children to play alongside their peers.
- To advertise accessibility measures and inclusive equipment of local play areas to local residents, via the Council website, the Council social media channels and relevant local information boards.

An amendment, submitted in accordance with Standing order No 8 was then:

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Makinson:-

The Council notes the importance of inclusive playgrounds for disabled children for early childhood development and community integration for the whole family. The Council further notes with concern findings from the disability equality charity Scope that half of families across England and Wales with disabled children have accessibility problems with their local playground.

This Council recognises that whilst there is no statutory duty to provide playgrounds, it recognises the need to improve playgrounds across Barnsley borough to achieve inclusivity for the community and to work with families of disabled children to guide the development of inclusive playgrounds.

This Council believes:

That much work has already been done in this area

- That playgrounds are important spaces for community engagement and childhood development, and these spaces should be built with inclusivity as a core principle.
- That playgrounds in this area should be improved to ensure they include accessible design and inclusive equipment that disabled children can engage with.
- That all children have a right to play and this should be reflected in the community play spaces.

The Council resolves:

- To **continue to** embed principles of inclusive design to ensure that going forward every development or refurbishment of a council playground in Barnsley considers inclusivity.
- To **continue to** seek opportunities to embed inclusive design through Council strategies for local planning and community spaces.
- To **continue to** adequately consult with parents and carers of disabled children, and those with lived experience, to inform the design of inclusive playgrounds so they are appropriate for the community spaces.

- To champion the rights of disabled children to play alongside their peers.
- To advertise accessibility measures and inclusive equipment of local play areas to local residents, via the Council website, the Council social media channels and relevant local information boards.

Recognising that all of the above and any implications arising from them are subject to resource availability and any practical consideration arising from the planning process.

On being put to the vote, the Amendment was WON.

The amended motion therefore became the substantive motion and was:-
 Moved by Councillor Sir Stephen Houghton CBE – Seconded by Councillor Makinson; and

RESOLVED that the Council:-

- i) Continues to embed principles of inclusive design to ensure that going forward every development or refurbishment of a council playground in Barnsley considers inclusivity;
- ii) Continues to seek opportunities to embed inclusive design through Council strategies for local planning and community spaces;
- iii) Continues to adequately consult with parents and carers of disabled children, and those with lived experience, to inform the design of inclusive playgrounds so they are appropriate for the community spaces;
- iv) Champions the rights of disabled children to play alongside their peers;
- v) Advertises accessibility measures and inclusive equipment of local play areas to local residents, via the Council website, the Council social media channels and relevant local information boards; and
- vi) Recognises that all of the above and any implications arising from them are subject to resource availability and any practical consideration arising from the planning process.

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 Chair