

<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday 16 August 2023
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## MINUTES

**Present** Councillors Houghton CBE (Chair), Cain, Franklin, Higginbottom, Howard, Makinson and Newing

**Members in Attendance:** Councillors Bellamy, Cherryholme, Moyes, Osborne, Peace and Sheard

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

Councillor Sheard declared a non-pecuniary interest as a Barnsley Hospital Governor in respect of the agenda as a whole.

Councillor Osborne declared a non-pecuniary interest as a Berneslai Homes Board Member in respect of Minute Number 78.

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

The Leader reported that no decisions from the previous meeting held on 26 July 2023 had been called in.

### 71. Minutes of the previous meeting held on 26 July 2023 (Cab.16.8.2023/3)

The minutes of the meeting held on 26 July 2023 were taken as read and signed by the Chair as a correct record.

### 72. Decisions of Cabinet Spokespersons (Cab.16.8.2023/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 21 July 2023 were noted.

### 73. Action Taken under Paragraph B5 of the Responsibility for Executive Functions - Officer Delegations Contained in the Council Constitution (Cab.16.8.2023/5)

**RESOLVED** that the action taken by Executive Director Growth and Sustainability under Paragraph B5 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. Town Centre Regeneration Project – Commercially Sensitive Acquisition Negotiations

Date of Decision – 28 July 2023

That the Executive Director, Growth and Sustainability, after consultation with the Leader and Cabinet Spokesperson for Regeneration and Culture:-

1. Notes the rationale for urgency as laid out in the report; and
2. Approves the recommendations as laid out in section 2.1 of the report; and
3. Notes the delegations set out in section 2.1 of the report.

Due to 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:-

- Paragraph 3 - Financial and Business Affairs – Information which, if disclosed to the public would, or would be likely to, prejudice the financial or business affairs of any particular person (including the Local Authority holding the information). Financial or business affairs include contemplated, as well as past or current activities.

**74. Petitions received under Standing Order 44 (Cab.16.8.2023/6)**

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

**75. Outcomes of the Inspection of Youth Justice Services in Barnsley (Cab.16.8.2023/7)**

**RECOMMENDATION TO FULL COUNCIL ON 28 SEPTEMBER 2023**

**RESOLVED** that Cabinet:-

1. Notes the report and recommends that it be submitted for consideration at the meeting of Full Council on 28th September 2023; and
2. Notes that any recommended actions within the report will be considered in response to the outcome of the report through an associated improvement plan.

**76. Annual Report of the Barnsley Local Safeguarding Children Partnership 2022/23 (Cab.16.8.2023/8)**

**RESOLVED** that Cabinet receives the Annual Report of the Barnsley LSCP and notes the progress made by the LSCP in relation to its statutory role and functions, as part of Cabinet's continued consideration of the Borough's arrangements for safeguarding vulnerable adults and children.

**77. Adults Safeguarding Annual Report (Cab.16.8.2023/9)**

**RESOLVED** that Cabinet notes the Annual Report, in conjunction with the progress of the Board in meeting its responsibilities to keep adults in Barnsley safe.

**78. Berneslai Homes Annual Performance Report 2022/23 (Cab.16.8.2023/10)**

**RESOLVED** that Cabinet:-

1. Acknowledges Berneslai Homes performance for 2022/23 against agreed targets; noting continued performance against key KPIs and those exception areas where actions have been put in place to ensure that Berneslai Homes provides a high performing, effective and efficient service to council tenants and continues to improve and develop their services putting tenants at the heart of service design and delivery; and
2. Notes progress against the Annual Business Action Plan for 2022/23; and
3. Supports the proposal that Berneslai Homes move from Investors in People (IIP) Accreditation towards a Customer Service focussed accreditation model and delegates authority to the Service Director for Law and Governance to make any necessary amendments to the Services Agreement to accommodate this.

**79. Council House Building Safety Budgets 2023/24 (Cab.16.8.2023/11)**

**RESOLVED** that Cabinet:-

1. Approves the HRA 2023/24 Fire Safety Budget – High Rise in scope buildings; and
2. Approves the HRA 2023/24 Spandrel Panels Budget; and
3. Approves the HRA 2023/24 Asbestos removal Wombwell and Royston Budget.

**80. Exclusion of Public and Press**

**RESOLVED** that the public and press be excluded from the meeting during consideration of the following items, 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:-

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
81	Paragraph 3
82	Paragraph 3

**81. Notification to award the contract for the Management of the Household Waste Recycling Centres (HWRC) (Cab.16.8.2023/13)**

**RESOLVED** that Cabinet agree with the decision to award the HWRC contract to HW Martins Ltd with the understanding that a decision to award the Contract to HW Martins will enable the respective Councils to deliver their Statutory Functions efficiently and maintain compliance with the Public Contract Regulations 2015 and the Council's Contract Procedure Rules.

**82. The Seam Gateway Review (Cab.16.8.2023/14)**

**RESOLVED** that Cabinet:-

1. Agree to bring the current Seam Digital Campus project and associated deliverables - multi-storey car park (MSCP), active travel hub (ATH), public realm and residential plots to a close, on the basis of the recommendations of the RIBA 4 gateway project review; and
2. Support an alternative proposal for the Seam Digital Campus which will continue to deliver the town centre parking spaces, EV charging, active travel hub provision, safeguard land as required for future transport infrastructure projects and improved public realm to support the digital campus. (Identified in the report as option 2e); and
3. Agree to withdraw the reserved matters planning application for the MSCP, ATH and public realm and the Outline permission for residential plots 1 and 2 on the lower Seam car park; and
4. Approve the commencement of a procurement exercise to identify a Project Management Design Team (PMDT) for the development of pre-construction design associated with delivery of the revised project; and
5. Agree to the pursuing of discussions with external investment partners around the use of investment for the alternative scheme as part of option 2e, or related to a different project, such as the rejuvenating the town centre project. These alternative schemes then forming the basis of revised business cases for submission to external investment partners; and
6. Agree that option 2e will be costed following the appointment of a PMDT and further discussions have taken place with external investment partners. When these further details have been confirmed a further report will be presented to Cabinet; and
7. Note and accept the risk that the Council will potentially lose some, or all of the investment received/due to be received from external investment partners; and
8. Agree to maintain the vision of a digital campus, commercial led development on the upper Seam car park and pursue opportunities to achieve this in line with the above recommendations. Any future definitive proposals for development located on the upper tier of the Seam development being subject to further Cabinet approvals; and
9. Approve the maintenance of the existing Seam board arrangements for the provision of project governance and oversight for the emerging alternative development on the Seam, and for a Cabinet gateway approval to be sought at key milestones aligned to the RIBA stages of design development.

.....  
Chair