

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Thursday 1 February 2024
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	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 and Smith
- Darton East Ward - Councillors Denton
- Darton West Ward - Councillors A. Cave, T. Cave and Howard
- Dearne North Ward - Councillors Bellamy, Cain and Morrell
- Dearne South Ward - Councillors Coates and Moore
- Dodworth Ward - Councillors Christmas, Fielding and C. Wray
- Hoyland Milton Ward - Councillors Franklin and Shepherd
- Kingstone Ward - Councillors Mitchell and 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, Burnett and Wilson
- Penistone West Ward - Councillors 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, Clarke and Lodge

## **169. Declarations of Interests**

Councillor Burnett declared a pecuniary interest in any items on the agenda insofar as they related to his employment by the NHS.

Councillor T Cave declared a non-pecuniary interest insofar as items on the agenda referred to his position as trustee of Barnsley Youth Zone.

Councillor Lodge declared a non-pecuniary interest in minute number 173 due to him being a Berneslai Homes tenant.

Councillor Sheard declared a non-pecuniary interest insofar as items on the agenda related to her position as Governor of the Barnsley Hospital NHS Foundation Trust.

Councillor Tattersall declared a non-pecuniary interest in minute number 173 due to her position on Berneslai Homes Board.

## **170. Minutes**

The minutes of the meeting held on 23 November 2023 were taken as read and signed by the Chair as a correct record.

## **171. Communications**

### **(a) Trans Pennine Trail National Office – British Horse Society Access Award**

The Chief Executive announced that the Council's Trans Pennine Trail national office was awarded an Access Award by the British Horse Society for excellent service by an organisation in furtherance of enhanced equestrian access.

She added that the Trans Pennine Trail, better known as the TPT, was the vision of two Barnsley Officers following the Beeching Report, that highlighted the possibility of connecting greenways and canal towpaths with decommissioned railways. She said that from that day to this Barnsley Council had been proud to host the TPT National Office.

The small, but very hard working, team of three worked tirelessly to take every opportunity possible to look at areas where sections could be upgraded or improved for horse riders. She noted that working with 26 Local Authorities was not a small feat and currently there was over 70% of the route that was fully accessible for horse riders, but the team knew there was always more to do.

The team had produced a guidance paper to encourage partners to provide corral facilities wherever space and funds allowed, and a signage paper that had been agreed by all partners to ensure that each individual that could legally use the route was equally represented.

When responding to consultations and planning applications right across the 370 miles of route the team looked at potential upgrades that could be possible to increase the amount of equestrian route available.

The Chief Executive gave thanks for the contributions made by the team; Mandy Loach, Hannah Beaumont and Robert Drummond.

Councillors Ennis OBE and Higginbottom added their thanks to the team and paid tribute to former Councillor Norbury who was instrumental in the founding of the TPT. Councillor Wilson, as chair of the TPT also added his congratulations and praised the team.

The Deputy Mayor and Mayor added their thanks to the team for their continued hard work.

(b) Members Leadership Programme

The Chief Executive reminded Members that the Leadership Programme had been commissioned and agreed by the Member Development Working Party on the back of the staff leadership programme, which had been run for a number of years by IODA. IODA adapted the programme to ensure that it fitted with the Member role specifically in Barnsley. The programme had commenced in early 2022 and consisted of five modules:- Introduction to Leadership; Leadership within the Council and the Community; Systems Leadership and Stakeholder Management; Persuading, Influencing and Managing Conflict; and Understanding Finance, Budgets, and Planning.

Members were given the option to attend the full five modules, the five modules plus completion of a CMI Level 5 Award in Leadership and Management, or just attend individual modules which were of interest to themselves.

An awful lot of Members had benefited from the programme but three Councillors that successfully completed the programme and passed the full qualification in late 2023. Congratulations were given to Councillor Moyes, Richardson and Webster.

The Mayor then presented each Member with their certificate, and Councillor Howard congratulated all those who had taken part, and added her thanks to the Member Development Team for their hard work to support learning such as this. This was echoed by the Mayor.

**172. Contract Procedure Rule Amendments (Cab.10.1.2024/6)**

Moved by Councillor Frost – Seconded by Councillor Bowser; and

**RESOLVED:-**

- i) That Council approves the revisions to the Contract Procedure Rules detailed below for publication on the Council's website;
- ii) That Council acknowledges that further revisions will be required to the Contract Procedure Rules in 2024 once more information is known about the Procurement Bill (Transforming Public Procurement) and its implementation date.

**173. Housing Revenue Account - Draft 2024/25 Budget and Capital Investment Proposals 2024-29 (Cab.24.1.2024/7)**

Moved by Councillor Frost – Seconded by Councillor Bowser; and

**RESOLVED**

- i) That the HRA draft budget business plan for 2024/25 be approved, and the MTFFS (Medium Term Financial Strategy) be noted, with any final amendments being delegated to the Cabinet Spokesperson for Growth & Sustainability and the Executive Director for Growth & Sustainability in consultation with the Cabinet Spokesperson for Core Services, the Director of Finance (S151, and Service Director Regeneration and Culture (Client lead for Berneslai Homes);
- ii) That a rent, non-dwelling rent, service charge and District Heating kWh increase of 7.7% in line with the Government's Rent Cap to maintain decency and to avoid cuts to services in 2024/25 and future years be approved
- iii) That the 2024/25 Berneslai Homes Management Fee totalling £16.674M, plus Gypsy and Traveller Management fee of £0.069M charged to the General Fund. Total £16.743M be approved;
- iv) That the Core Housing Capital Investment Programme for 2024/25 totalling £17.939M (Appendix 1) be approved;
- v) That the proposed 5-year New Build and Acquisitions Programme £42.861M (up to c200 properties) be approved in principle, subject to individual reports as appropriate, in line with the Council's governance arrangements (Appendix 2);
- vi) That a one year only £4.9M priority adjustment from Capital BHS to responsive Revenue Repairs to fund current demand whilst maintaining decency standards be approved.

**174. Housing Strategy 2024-28 (Cab.24.1.2024/8)**

Moved by Councillor Franklin – Seconded by Councillor Moyes; and

**RESOLVED** That the outcome of the public consultation exercise be noted and the adoption of the Housing Strategy 2024-28, which has been updated following public consultation, be approved.

**175. Statutory Polling District and Place Review 2023 (Cab.24.1.2024/12)**

Moved by Councillor Frost – Seconded by Councillor Bowser; and

**RESOLVED:-**

- i) That the council designates the polling districts and places listed in Appendix 1 for all Parliamentary and Local elections; and
- ii) That the council empowers the Returning Officer to make any enforced changes to this schedule as required if buildings become unavailable in

consultation with the elected members for the affected ward until the next statutory review.

#### **176. Appointment to Committees and Outside Bodies**

Moved by Councillor Howard – Seconded by Councillor Cherryholme; and

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

Overview and Scrutiny Committee - Ms Elizabeth Iles as Cooped Parent Governor Representative for a two year term

Barnsley cancer prevention and early detection group – Councillor Burnett

Shaw Lands Trust – Councillor Pickering for a three year term

#### **177. Amendments to the Constitution**

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

**RESOLVED** that the amendments, as detailed within the report, be approved.

#### **178. Planning Regulatory Board - 21 November 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 21 November 2023 be received.

#### **179. General Licensing Regulatory Board - 20 December 2023**

Moved by Councillor Green - Seconded by Councillor Clarke; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the General Licensing Regulatory Board held on 20 December 2023 be received.

#### **180. 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.

#### **181. Statutory Licensing Regulatory Board - 20 December 2023**

Moved by Councillor Green – Seconded by Councillor Clarke; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Statutory Licensing Regulatory Board held on 20 December 2023 be received.

#### **182. Appeals, Awards and Standards - Various**

Moved by Councillor Shepherd– Seconded by Councillor Cherryholme; 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.

**183. Health and Wellbeing Board - 9 November 2023**

Moved by Councillor Cain - Seconded by Councillor Newing; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Health and Wellbeing Board held on 9 November 2023 be received.

**184. Overview and Scrutiny Committee (Growing Barnsley Workstream) - 31 October 2023**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee (Growing Barnsley Workstream) held on 31 October 2023 be received.

**185. Overview and Scrutiny Committee (Healthy Barnsley Workstream) - 28 November 2023**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee (Healthy Barnsley Workstream) held on 28 November 2023 be received.

**186. North Area Council - 13 November 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 13 November 2023 be received.

**187. Dearne Area Council - 20 November 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 20 November 2023 be received.

**188. North East Area Council - 23 November 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 23 November 2023 be received.

**189. Penistone Area Council - 30 November 2023**

Moved by Councillor Kitching – Seconded by Councillor Barnard; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on 30 November 2023 be received.

**190. Central Area Council - 6 December 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 6 December 2023 be received.

**191. South Area Council - 15 December 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 15 December 2023 be received.

**192. Cabinet - 15 November 2023**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of Cabinet held on 15 November 2023 be received.

**193. Cabinet - 29 November 2023**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of Cabinet held on 29 November 2023 be received.

**194. Cabinet - 13 December 2023**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of Cabinet held on 13 December 2023 be received.

**195. Cabinet - 10 January 2024**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of Cabinet held on 10 January 2024 be received.

**196. 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.

**197. South Yorkshire Pensions Authority - 7 September 2023**

**RESOLVED** that the minutes be noted.

**198. South Yorkshire Fire and Rescue Authority - 9 October 2023**

**RESOLVED** that the minutes be noted.

**199. South Yorkshire Fire and Rescue Authority - 20 November 2023**

**RESOLVED** that the minutes be noted.

**200. South Yorkshire Fire and Rescue Authority (Draft) - 15 January 2024**

**RESOLVED** that the minutes be noted.

**201. South Yorkshire Police and Crime Panel (Draft) - 11 December 2023**

**RESOLVED** that the minutes be noted.

**202. South Yorkshire Mayoral Combined Authority Board - 14 November 2023**

**RESOLVED** that the minutes be noted.

**203. 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 P Wright

*A recent Freedom of Information request revealed that in the 4 months ended November 2023 there were 1,781 incidents of fly tipping across the Borough. Can the Cabinet member please tell me what the annual cost is for dealing with this scourge on our town?*

Councillor Higginbottom, Cabinet Spokesperson for Environment and Highways responded by saying that the annual cost for disposal of fly-tipping for 2022/23 was £264,453.23 and for the period mentioned, this cost was £121,261.69. He added that costs included labour, machinery, materials, and disposal costs relating to incidents.

In addition to the direct costs, the council had invested resources in the enforcement team and communications team to pursue the people who chose to break the law.



Councillor Higginbottom said that he was sure that Councillor P Wright shared his absolute abhorrence of those who continued to blight our borough and that he would continue to support every effort to bring those responsible to justice.

Councillor P Wright noted that the Kingstone Ward had the highest number of incidents of fly-tipping according to a recent freedom of information request, and by way of supplementary question he asked how the Council was going to target the worst affected areas to hopefully reduce or put an end to this unsightly and often unsanitary practice.

Councillor Higginbottom responded by stating that there were a number of avenues the Council was taking to tackle this, firstly using enforcement; 42 Fixed Penalty Notices had been issued and the Council had seized and crushed vehicles responsible for large scale fly-tipping and offenders had been taken to court for prosecution.

He added that enforcement alone was not the sole answer to the problem, there was a responsibility for education and reminding residents of the options available to legally and conveniently dispose of their waste through Household Waste Recycling Centres, the domestic kerbside collections and the bulky waste service. He mentioned the Everybody Think publicity campaign with leaflets distributed in the areas known to be particular 'hotspots' including the Kingstone and Central wards. He said that the Council had a responsibility to remind residents about their end user responsibilities when disposing of waste. He thanked residents for their continued support of the work, including reporting, with work ongoing with Microsoft to make reporting easier, particularly in relation to smart phones.

## 2) Councillor Christmas

*There have been a series of accidents at the junction of Keresforth Road and Stainborough Road. This is the same location where a lady was knocked down suffering life changing injuries. Will the cabinet member be willing to explore all available options to stop cars parking on the blind bend, which is causing motorists to use the opposite side of the road to navigate the bend, leading them into oncoming traffic?*

Councillor Higginbottom, Cabinet Spokesperson for Environment and Highways, responded by saying that his thoughts and the thoughts of the Council were with the resident mentioned. He added that he was aware of the serious accidents that had occurred at the junction of Keresforth Road and Stainborough Road, and he shared the concerns about the safety of pedestrians and drivers in this area.

He made Members aware that the junction of Keresforth Road and Stainborough Road was within the traffic team's annual work programme, and that they were in the process of investigating the problem and developing an appropriate solution in due course. Traffic engineers had already met with local members on site to discuss the situation and explore possible measures to improve the visibility and reduce the speed of vehicles.

He provided assurances that officers were working hard to deliver a solution that would address the concerns and enhance the safety and accessibility of the junction. He added that officers would keep Councillor Christmas and his ward colleagues

updated on the progress of the project and the expected timescales for implementation.

By way of supplementary question Councillor Christmas asked if Councillor Higginbottom could commit to a timeline for identification and implementation of safety measures.

In response Councillor Higginbottom said it was the intention to have a scheme ready at design stage by the end of the financial year. The implementation would depend on the design, and the scale of the challenge, however the Council wished to progress this as quickly as possible.

### 3) Councillor Denton

*The 'South Yorkshire Bus Promise' sets out what bus users in Barnsley should expect of the public bus service and what actions should be taken if standards are not met. It was developed by the SYMCA Enhanced Partnership Forum and was approved by the Enhanced Partnership Board in May 2023 with an agreement to publish on the 'Travel South Yorkshire' Website within 6 weeks. This still has not happened. Is the Cabinet Member familiar with this document and supportive of its content?*

Councillor Higginbottom, Cabinet Spokesperson for Environment and Highways replied stating that he and the Council were familiar with, and very supportive of, the work that the Mayor of South Yorkshire, Oliver Coppard, was doing to improve public transport in the region and applauded his continued efforts to lobby government for the investment the area deserved.

Councillor Denton noted that Mayor Coppard had published a press release recently which had referenced the bus promise and thanked Councillor Higginbottom for any influence he may have had in this. By way of supplementary question asked whether influence could be used for the Bus Promise to be published in places where bus users would see it, such as terminals and on buses, so that users were aware of it so that feedback could be given to the Enhanced Partnership.

Councillor Higginbottom replied that the publication and dissemination of this was a matter for the South Yorkshire Mayoral Combined Authority, but that this issue would be picked up with them through the usual channels. He added that the recent 'Back Our Buses' campaign of the South Yorkshire Mayor, an important document recently released, which referenced the challenges in South Yorkshire. The report highlighted that for every £10 of central government funding spent in South Yorkshire, £40 per head was spent in the West Midlands, £39 per head was spent in Greater Manchester and £36 was spent in West Yorkshire. This served to highlight the chronic underfunding of public transport in South Yorkshire. But of note were the positive improvements made through the Enhanced Partnership, which would improve the experience for residents of South Yorkshire, including limits to the service changes and fair increases to twice and once per annum, taxi fair replacement schemes for service cancellations, and accessibility improvements on the new fleet. Collectively these made a big difference to Members of the public.

### 4) Councillor C Wray

*Could the cabinet member please update on progress regarding the Park & Ride Scheme for Barnsley Hospital following the promise in summer 2022 for a feasibility study to be carried out?*

Councillor Higginbottom, Cabinet Spokesperson for Environment and Highways responded by saying that the detailed work on the feasibility study was time consuming and involved a lot of data gathering both with the Council and the hospital. Council officers had project meetings arranged to discuss progress and would provide updates accordingly.

He added that he appreciated that it had taken longer than anticipated, but where information had not been available, the consultants had to do the necessary data capture to ensure the data that underpinned study was robust.

As a supplementary question Councillor C Wray asked whether there was an expected timescale for completion of the work, bearing in mind the costs to residents in parking fees, the NHS in missed appointments and lost productivity.

Councillor Higginbottom responded by saying progress meetings would be taking place in the next two weeks, and following these updates would be provided accordingly. He appreciated the concerns raised, but added that a park and ride scheme alone would not solve the issues. In the longer term the solution would be reducing demand at the Gawber Road site by moving as many services as possible away from there. Barnsley was trailblazing in its Health on the High Street programme, which will be transformative, as seen with the Community Diagnostics Centre.

#### 5) Councillor Christmas

*The new footbridge over the railway line between Penny Pie Park and Pogmoor Rec has been installed with lighting. However, the paths through Pogmoor Rec and Penny Pie Park have no lighting whatsoever. Residents continue to complain that the area feels unsafe to walk through after dark, particularly the elderly and women, meaning some residents choose to walk the long way around to get from Pogmoor Rd to Broadway. Can the cabinet member confirm if the council has any plans to install and improve lighting in Penny Pie Park and Pogmoor Rec to ensure it meets its commitment to make the parks accessible for all?*

Councillor Higginbottom, Cabinet Spokesperson for Environment and Highways responded by saying that the delivery of both the Dodworth Road Gyratory, improvements to Penny Pie Park, and the installation of the footbridge that linked to Pogmoor Recreation Ground had been a great success in achieving its overall objectives in addition to improving the quality of the park's offer.

The delivery of these schemes had been undertaken sympathetically, balancing the potential concerns regarding lighting of the public areas against potential anti-social behaviour concerns and against ecological information gained during the development of the planning application.

The Preliminary Ecological Assessment undertaken for the scheme identified that it was likely that there are bats present in the area, and probably using the site to some extent.

Therefore, it was recommended that lighting options were carefully considered along the route of the new roundabout, particularly near the railway line, and measures to reduce the impact of artificial lighting and reduce light spill should be considered and adopted as part of the planning process.

In addition, it was noted that officers were also mindful of the impact that additional lighting could have on the properties that overlook the recreation ground. Therefore, he confirmed that there were no current proposals to provide any additional lighting at this stage, but that it would be kept under review.

Councillor Christmas declined to ask a supplementary question.

6) Councillor Christmas

*Does the cabinet member feel it is acceptable that run off water from the council owned green space on Saville Road, Gilroyd, continues to flood a resident's garden, rendering the back garden and back door inaccessible, while also causing significant damp and mould within the property?*

Councillor Higginbottom, Cabinet Spokesperson for Environment and Highways responded that the ongoing flood resilience of all our communities was a hugely important area of work for the Council, even more so given the most recent October 2023 flood event. Officers from across his portfolio were aware of this situation, and he sympathised entirely with the resident who was affected.

This issue had been ongoing for some time and there are a number of challenges in finding the most appropriate solution. Several options were under active consideration but further investigation and consultation with affected residents and stakeholders was required before a solution could be agreed.

He provided assurances that that the issue was being taken seriously and that the Council was committed to finding a feasible and sustainable solution as soon as possible.

He encouraged Councillor Christmas and his constituents to continue to report any further problems, as this would help to build a robust evidence base for whatever intervention was required.

By way of supplementary question Councillor Christmas asked for assurances that, at the very least, communications between the relevant Council officers and resident will improve considerably so that they were aware of what, if any, the Council was willing to take.

Councillor Higginbottom responded by saying that they would.

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Chair