

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Thursday, 2 February 2017
<b>TIME:</b>	10.30 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## MINUTES

### Present

The Mayor (Councillor Burgess)

Central Ward	- Councillors D. Birkinshaw and Bruff
Cudworth Ward	- Councillors Hayward, Houghton CBE and C. Wraith MBE
Darfield Ward	- Councillors Markham and Saunders
Darton East Ward	- Councillors Charlesworth, Miller and Spence
Darton West Ward	- Councillors Howard
Dearne North Ward	- Councillors Gardiner, Gollick and Phillips
Dearne South Ward	- Councillors C. Johnson
Dodworth Ward	- Councillors P. Birkinshaw, J. Carr and Riggs
Hoyland Milton Ward	- Councillors Franklin, Shepherd and Stowe
Kingstone Ward	- Councillors D. Green, Mitchell and Williams
Monk Bretton Ward	- Councillors S. Green, Richardson and Sheard
North East Ward	- Councillors Ennis, Hampson and Higginbottom
Old Town Ward	- Councillors Grundy and Lofts
Penistone East Ward	- Councillors Barnard, Hand-Davis and Wilson
Penistone West Ward	- Councillors David Griffin, Millner and Unsworth
Rockingham Ward	- Councillors Andrews BEM, Dures and Lamb
Royston Ward	- Councillors Cheetham, Clements and Makinson
St. Helen's Ward	- Councillors Leech, Platts and Tattersall
Stairfoot Ward	- Councillors K. Dyson and Mathers
Wombwell Ward	- Councillors Frost, Daniel Griffin and R. Wraith
Worsbrough Ward	- Councillors G. Carr, Clarke and Pourali

Prior to the meeting, the pupils from Barugh Green School Choir entertained Members and guests in the Reception Room.

The Mayor and Members of the Council asked to place on record their thanks and appreciation to the pupils and staff of the school for the most excellent entertainment.

#### **161. Declarations of Interests**

Councillors Makinson, Pourali and Unsworth declared a non-pecuniary interest in Minute No 188 'Housing Revenue Account – Draft Budget 2017 – 2018 and Housing Capital Investment Programme 2017 – 2022' as Members on the Berneslai Homes Board.

#### **162. Minutes**

The minutes of the meeting held on 1<sup>st</sup> December. 2016 were taken as read and signed by the Chair as a correct record.

#### **163. Communications**

##### Children's Homes Ofsted Inspection

The Chief Executive was pleased to report that all the Council's Children's Homes had achieved a 'Good' rating in their most recent full Ofsted inspections.

Spring Lane was a Children's Home which provided long term, stable care for young people in care. The fact that Ofsted inspected the home in December last year during a particularly challenging time and awarded the home a 'good' spoke volumes about the leadership and strength of the highly skilled team that worked at Spring Lane.

Newsome Avenue was a Respite Unit which provided short term care for disabled children, including those with complex needs, and their families who lived in the community. Despite providing the service to many different children throughout the year, Newsome Avenue ensured that every child had a consistently good experience that was tailored to their individual needs. For example, each child would always stay in the same room with their very own belongings and quilt cover so that the facility felt like home from home.

Newsome Avenue had received their full inspection in October 2016 and had been awarded a 'good' judgement.

Ms J Jones, Manager at Spring Lane and Ms K Simpson (Senior Residential Support Worker) and Ms V Gibbs (Residential Support Worker) both from Newsome Avenue were in the Council Chamber this morning and congratulations were extended to the staff teams of both homes who provided excellent care to the borough's children in care and children in need.

Councillor Bruff, Cabinet Spokesperson for People (Safeguarding) echoed the comments of the Chief Executive and she expressed her own thanks and appreciation to the staff at these two homes at this wonderful achievement and for their commitment, care and support for children in care and in need.

The Mayor and Members of the Council expressed their thanks to all concerned in the usual manner.

#### **164. Questions by Elected Members**

The Chief Executive reported that she had received the following question from Councillor G Carr in accordance with Standing Order No. 11.

*'What happens to white goods collected by Waste Management?*

*Where is the disposal company located that they are sent to for disposal?*

*Are you confident that they are disposed of ethically?'*

Councillor Miller, Cabinet Spokesperson for Place stated that all fridges were sent for recycling at SIMS Recycling Solutions, Stalybridge. All non-refrigeration white goods were dealt with as scrap metal by European Metal Recycling (EMR), Sheffield. The Council held copies of the Environmental Licences for all premises where waste was sent and stressed that the Environment Agency ensured that all materials at licensed sites were disposed of according to the law.

He commented further that the Council was currently beginning to pilot a scheme to reuse some items from household waste sites and this may include white goods in good workable condition.

Councillor G Carr, commented that she was aware of a recycling company within her ward area which was a cause of concern and she asked if the Cabinet Spokesperson could investigate this matter.

The Cabinet Spokesperson stated that an appropriate investigation would be undertaken and Councillor G Carr would be provided with a written response.

#### **165. 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.

#### **166. Police and Crime Panel - 28th October, 2016**

**RESOLVED** that the minutes be noted.

#### **167. South Yorkshire Pensions Authority - 24th November, 2016**

**RESOLVED** that the minutes be noted.

#### **168. South Yorkshire Fire and Rescue Authority (Draft) - 28th November, 2016**

**RESOLVED** that the minutes be noted.

#### **169. Sheffield City Region Combined Authority - 5th December, 2016**

**RESOLVED** that the minutes be noted.

**170. Planning Regulatory Board - 22nd November, 2016**

Moved by Councillor D. Birkinshaw - Seconded by Councillor R Wraith; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on the 22<sup>nd</sup> November, 2016 be received.

**171. Audit Committee - 7th December, 2016**

Moved by Councillor Richardson - Seconded by Councillor Barnard; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Audit Committee held on the 7<sup>th</sup> December, 2016 be received.

**172. Planning Regulatory Board - 20th December, 2016**

Moved by Councillor D Birkinshaw - Seconded by Councillor R Wraith; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on the 20<sup>th</sup> December, 2016 be received.

**173. Audit Committee - 18th January, 2017**

Moved by Councillor Richardson - Seconded by Councillor Barnard; and

**RESOLVED** that the minutes now submitted of the proceedings of the Audit Committee held on the 18<sup>th</sup> January, 2017 be received.

**174. General Licensing Panel - Various**

Moved by Councillor C. Wraith, MBE – Seconded by Councillor Shepherd; and

**RESOLVED** that the details of the various General Licensing Regulatory Board Panels held in the last cycle of meetings together with their decisions be received.

**175. Statutory Licensing Regulatory Board Sub Committee - 8th December, 2016**

Moved by Councillor C Wraith MBE - Seconded by Councillor Markham; and

**RESOLVED** that the details of the Statutory Licensing Regulatory Board Sub Committee meeting held on the 8<sup>th</sup> December, 2016 together with its decision be received.

**176. Appeals, Awards and Standards - Various**

Moved by Councillor Leech – Seconded by Councillor Makinson; 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.

**177. Health and Wellbeing Board - 6th December, 2016**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Health and Well Being Board held on the 6<sup>th</sup> December, 2016 be received.

**178. Overview and Scrutiny Committee - 6th December, 2016**

Moved by Councillor Ennis – Seconded by Councillor Hampson; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on the 6<sup>th</sup> December, 2016 be received.

**179. Overview and Scrutiny Committee - 17th January, 2017**

Moved by Councillor Ennis – Seconded by Councillor Hampson; and

**RESOLVED** that the minutes now submitted of the proceedings of the Safeguarding Scrutiny Committee held on the 17<sup>th</sup> January, 2017 be received.

**180. Central Area Council - 14th November, 2016**

Moved by Councillor D Leech – Seconded by Councillor Riggs; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Central Area Council held on the 14<sup>th</sup> November, 2016 be received.

**181. Dearne Area Council - 21 November 2016**

Moved by Councillor Gardiner – Seconded by Councillor C Johnson; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on the 21<sup>st</sup> November, 2016 be received.

**182. North East Area Council - 1st December, 2016**

Moved by Councillor Hayward – Seconded by Councillor C Wraith MBE; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the North East Area Council held on the 1<sup>st</sup> December, 2016 be received.

**183. North Area Council - 1st December, 2016**

Moved by Councillor Leech – Seconded by Councillor Howard; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the North Area Council held on the 1<sup>st</sup> December, 2016 be received.

**184. South Area Council - 2nd December, 2016**

Moved by Councillor Stowe - Seconded by Councillor Howard; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the South Area Council held on the 2<sup>nd</sup> December, 2016 be received.

**185. Penistone Area Council - 8th December, 2016**

Moved by Councillor Barnard – Seconded by Councillor Wilson; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on the 8<sup>th</sup> December, 2016 be received subject to the deletion from Minute 34 'Procurement and financial update' of the words 'AID UK' and the substitution of the words 'AGE UK'.

**186. Appointment of External Auditor (Audit Cttee.18.01.17/4)**

Moved by Councillor Richardson – Seconded by Councillor Barnard; and

**RESOLVED:**

- (i) that the options available for the procurement of external audit services from 2018/19 onwards be noted; and
- (ii) that the Council opt in to the sector led scheme for appointing auditors as outlined in Option 3 within the report now submitted.

**187. Revocation of Planning Advisory Note (PAN30) - Sustainable Location of Housing Sites (Cab.30.11.2016/11)**

Moved by Councillor Miller – Seconded by Councillor Frost; and

**RESOLVED:**

- (i) that approval be given to the revocation of Planning Advice Note 30: Sustainable Location of Housing Sites; and
- (ii) that approval be given to the use of a simplified and updated planning tool that will assist in the consideration of relevant planning applications.

**188. Housing Revenue Account - Draft Budget 2017-18 and Housing Capital Investment Programme 2017-2022 (Cab.11.1.2017/9)**

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

**RESOLVED:**

- (i) that the Housing Revenue Account Draft Budget for 2017/18, as detailed in the report now submitted, be approved, with any final amendments/additions being delegated to the Cabinet Spokespersons for Place and the Executive Director for Place;

- (ii) that the Service Charge Proposals for 2017/18, as set out at Appendix D and Sections 3.15 to 3.17, be approved;
- (iii) that the 2017/18 Berneslai Homes Management Fee at Section 3.26 be approved with any final amendments/additions being delegated to the Service Director Culture, Housing and Regulation and the Executive Director Place in consultation with the Cabinet Spokesperson for Place;
- (iv) that the use of Berneslai Homes Ltd retained surplus, as outlined in Section 3.27, be approved;
- (v) that the investment of the 2017/18 surplus as outlined in Sections 3.7 and 3.23 be approved;
- (vi) that the Council Housing Capital Investment programme for 2021-22, as detailed in the report, be approved;
- (vii) that the Housing Reserves Fund proposed spend as outlined at Section 3.22 of the report be approved;
- (viii) that a rent reduction in line with Government's rent policy be approved; and
- (ix) that the Board of Berneslai Homes be authorised to vary any of the approved core capital schemes subject to a maximum variation on existing budgets of £250,000, with variations above this amount to be carried out in agreement with the Executive Director Place in consultation with the Cabinet Spokesperson for Place.

#### **189. Cabinet - 16th November 2016**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Cabinet Meeting held on the 16<sup>th</sup> November, 2016 be received.

#### **190. Cabinet - 30th November 2016**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Cabinet Meeting held on the 30<sup>th</sup> November, 2016 be received.

#### **191. Cabinet - 14th December 2016**

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

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Cabinet Meeting held on the 14<sup>th</sup> December, 2016 be received.

## **192. Notice of Motion under Standing Order No. 6 - Policing of Events at Orgreave**

A Notice of Motion submitted in accordance with Standing Order No 6 in relation to the Policing of Events at Orgreave was:

Moved by Councillor Stowe – Seconded by Councillor Clarke; and

**RESOLVED** that the Council:

- (i) is disappointed by the Home Secretary's rejection on the 31<sup>st</sup> October, 2016 of an Inquiry into the policing of events at Orgreave;
- (ii) observes that the Independent Police Commission said in their redacted report released in June 2015 "that there was evidence of excessive violence by police officers, and a false narrative from police exaggerating violence by miners, perjury by officers giving evidence to prosecute the arrested men, and an apparent cover-up of that perjury by senior officers".
- (iii) believes in the light of such statements that the Home Secretary needs to review her decision that there should be no enquiry into such events.
- (iv) notes that 95 miners were arrested and charged with riot offences, but were all later acquitted amid claims that police at the time had fabricated evidence.
- (v) write to the Home Secretary and ask that she takes into account the opinion of this Council and accepts that there is widespread public concern about events at Orgreave and calls for her to order an inquiry into them'.

## **193. Appointment Panel - Executive Director (Core Services) - 14th December, 2016**

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

**RESOLVED**

- (i) that the minutes as printed and now submitted of the proceedings of the Appointment Panel Executive Director (Core Services) held on the 14<sup>th</sup> December, 2016 be received; and
- (ii) that the salary for the post of Executive Director (Core Services) be set at the same level as the posts of Executive Director of Communities and Executive Director of Place at £114,679 per annum.



Note: Mr A C Frosdick (Director of Legal and Governance) left the meeting during the consideration of this item in view of the fact that he was Designate Executive Director (Core Services).

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Chair