

<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 2 December 2020
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	THIS MEETING WILL BE HELD VIRTUALLY

## MINUTES

**Present** Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Lamb and Platts

**Members in Attendance:** Councillors T. Cave, Cherryholme, Franklin, Frost, Shepherd and Tattersall

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

Councillor Gardiner declared a non-pecuniary interest as Goldthorpe Town Fund member in respect of Minute Number 22. Councillor Tattersall declared a non-pecuniary interest as Berneslai Homes Board and Barnsley Premier Leisure Board member in respect of Minute Number 23.

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

The Leader reported that no decisions from the previous meeting held on 18<sup>th</sup> November 2020 had been called in.

### 19. Minutes of the previous meeting held on 18 November 2020 (Cab.2.12.2020/3)

The minutes of the meeting held on 18<sup>th</sup> November 2020 were taken as read and signed by the Chair as a correct record.

### 20. Decisions of Cabinet Spokespersons (Cab.2.12.2020/4)

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

### 21. Petitions received under Standing Order 44 (Cab.2.12.2020/5)

**RESOLVED** that the report notifying the receipt of the following petition be noted and the recommended actions for responding to them be endorsed:-

- (a) Containing the signatures of 4 signatories, in respect of the height of trees on Council property which are close to properties on Queens Gardens and Saville Court at Hoyland Common, Barnsley.

The trees were inspected on 9<sup>th</sup> October 2020 and no imminent or developing health and safety concerns were identified.

The actions recommended are based solely on a maintenance programme. The timescales for the recommended works identified in the Visual Tree Inspection reports are in line with those described in the Council's Tree Risk

Management Framework; in this instance the following recommended works should be completed within 6 months of the inspection date by 9<sup>th</sup> April 2021.

The recommended works are as follows:

- 1 Formative prune of tree no.2; clearing low branches and branches extending over the boundary with the neighbouring properties.
- 2 Remove several branches from tree no.3 that will in time overhang the roof of a nearby property.
- 3 Remove low branches which are causing an obstruction to the grass cutting machinery.

### **Regeneration and Culture Spokesperson**

#### **22. Towns Fund Goldthorpe (Cab.2.12.2020/6)**

##### **RESOLVED:-**

- (i) that approval be given to the submission of the Town Investment Plan to the Ministry for Homes Communities and Local Government (MHCLG), on or before 11<sup>th</sup> December 2020 seeking Towns Fund grant to fund the delivery of the schemes contained therein, as detailed in the report now submitted;
- (ii) that, subject to the bid to MHCLG being successful and in line with MHCLG guidance, appraisal of the individual Town Investment Plan business cases be delegated to the Council's Capital Oversight Board which was an established body within the One Council Framework overall governance structure;
- (iii) that, subject to the bid to MHCLG being successful, the Legal Service Director and Solicitor to the Council, in consultation with the Executive Director Place be authorised to:
  - conclude any necessary approval and funding processes with MHCLG (including negotiating the terms and conditions of, and final approval of the Town Investment Plan, subsequently releasing this into the capital programme in line with grant funding once approved);
  - accept tenders, appoint where necessary a contractor/contractors to implement the delivery of the projects identified in the Town Investment Plan, subject to the costs being contained within the Town Investment Plan Grant Funding Agreement;
  - where necessary apply for any consents, licence arrangements, prepare details of and publish a Side Roads Order under sections 14 and 125 of the Highways Act 1980 to deal with any required changes to the existing highway network to accommodate any of the projects identified in the Town Investment Plan and to submit the order to the Secretary of State for Transport for confirmation and to take all necessary steps to secure confirmation of the Order including (if necessary) supporting the order at a local public inquiry;

- in principle, where necessary complete due process and documentation required to make and publish a Compulsory Purchase Order (CPO) pursuant to relevant legislation, noting that specific details of any identified CPOs will be subject to further Cabinet approval;
- (iv) that the Corporate Asset Manager be authorised to:
- where necessary, to enter into negotiations with any third party landowner(s) or property owners to acquire any interests or enter into agreements to occupy land now in the ownership of the local authority necessary to deliver the projects identified in the Town Investment Plan, by agreement where possible. Also, to complete any variation to any existing leases on the occupation of land owned by the local authority and where necessary negotiate compensation payments;
  - negotiate the terms and conditions of any development agreements required with relevant private developer(s) or parties to deliver the Town Investment Plan;
- (v) that the Service Director Regeneration and Culture, in line with MHCLG guidance, be authorised to:
- convene a Town Deal Board, with community and business representatives to facilitate the development of the Town Investment Plan;
  - engage with businesses and the wider community throughout the development and delivery of the Town Investment Plan;
  - procure the necessary technical expertise to assist with developing the Town Investment Plan and wider business case development;
  - under the terms of the Barnsley Contract Procedure rules, if necessary, seek tenders for any aspect of the project including the procurement of necessary technical expertise to assist with developing the Town Investment Plan and wider business case development and appoint the successful tender on the basis of most economically advantageous bid; and to consider whether the works, services or goods can be provided in-house, subject to value for money considerations;
  - submit the Town Investment Plan prepared by the Town Board;
- (vi) that the progress made with establishing the Towns Fund governance structure required in line with MHCLG guidance be acknowledged, but still recognising that the Council has overall accountability for the delivery of any Towns Fund monies received;
- (vii) that the Executive Director Place be authorised to undertake all necessary steps to secure development and delivery of the Towns Investment Plan;

- (viii) that the Service Director Regeneration and Culture in consultation with the Service Director Environment and Transport be authorised to seek any necessary planning permission, (outline or full) required for the delivery of the projects included in the Town Investment Plan.

### **Core Services Spokesperson**

#### **23. Quarter 2 (2020/21) Corporate Performance Report (Cab.2.12.2020/7)**

##### **RESOLVED:-**

- (i) that the Corporate Plan Performance Report for Quarter 2 (July to September 2020), as detailed in the report now submitted, be noted
- (ii) that the report be shared with the Overview and Scrutiny Committee to inform and support their ongoing work programme; and
- (iii) Cabinet thanked officers for all their hard work during this period.

#### **24. Quarter 2 (2020/21) Corporate Finance Performance Report (Cab.2.12.2020/8)**

##### **RESOLVED:-**

- (i) that the Corporate Finance Performance Report for Quarter 2 (July to September 2020), as detailed in the report now submitted, be noted;
- a) Corporate Financial Performance
  - (ii) that the current forecast General Fund Revenue overspend of £47.0M incorporating the ongoing impact of COVID-19 be noted;
  - (iii) that the current forecast Housing Revenue Account overspend of £3.4M incorporating the ongoing impact of COVID-19 be noted;
  - (iv) that the overall net impact (after all Government funding) of £15.5M be noted;
  - (v) that the continuation of the moratorium on all non-essential expenditure and the suspension of non-urgent one-off investments originally approved to commence in 2020/21 be approved;
  - (vi) that the write off of historic bad debts totalling £1.5M be approved;
- b) Capital Programme
  - (vii) that the forecast position on the approved Capital Programme be noted;
  - (viii) that the external funding position highlighted in paragraphs 4.1 be noted.
- c) Treasury Management
  - (ix) that the key messages from the Council's Treasury Management activities be noted.

**25. 6 monthly Analysis of Selective Voluntary Early Retirement and Voluntary Severance April 2020 to September 2020 (Cab.2.12.2020/9)**

**RESOLVED** that the Selective Voluntary Early Retirement and Voluntary Severances which have taken place in the period April to September 2020, as detailed in the report now submitted, be noted.

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Chair