

MEETING:	Full Council
DATE:	Thursday 29 September 2022
TIME:	10.00 am
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

	The Mayor (Councillor Tattersall)
Central Ward	- Councillors Moyes and Risebury
Cudworth Ward	- Councillors Hayward and Houghton CBE
Darfield Ward	- Councillors Markham, Osborne and Smith
Darton East Ward	- Councillors Crisp and Denton
Darton West Ward	- Councillors A. Cave, T. Cave and Howard
Dearne North Ward	- Councillors Bellamy and Gardiner
Dearne South Ward	- Councillors Bowler, Coates and Danforth
Dodworth Ward	- Councillors P. Fielding, W. Fielding and Wray
Hoyland Milton Ward	- Councillors Franklin, Shepherd and Stowe
Kingstone Ward	- Councillors Mitchell, Ramchandani and Williams
Monk Bretton Ward	- Councillors Green and Richardson
North East Ward	- Councillors Cherryholme, Ennis OBE and Peace
Old Town Ward	- Councillors Lofts and Newing
Penistone East Ward	- Councillors Barnard, Hand-Davis and Wilson
Penistone West Ward	- Councillors Greenhough and Kitching
Rockingham Ward	- Councillors Sumner and White
Royston Ward	- Councillors Makinson, McCarthy and Webster
St. Helen's Ward	- Councillors Leech and Platts
Stairfoot Ward	- Councillors Gillis
Wombwell Ward	- Councillors Frost and Higginbottom
Worsbrough Ward	- Councillors Bowser and Lodge

69. Declarations of Interests

No Member wished to declare an interest on any items on the agenda.

70. Minutes

The minutes of the meeting held on 28 July 2022 were taken as read and signed by the Chair as a correct record.

71. Communications

Thanks to staff involved in the response to the passing of Queen Elizabeth II

On behalf of the Chief Executive, the Executive Director Core Services reminded Council Members that on 8 September 2022, we sadly started the national mourning period for the death of Her Majesty Queen Elizabeth II. He remarked that all will have been affected by her death and that she was such a constant in this country for such a long time and meant so much to so many people. She was a tremendous Queen, and her visits to Barnsley gave her a particular connection to the borough.

He noted that, as someone who is passionate about public service, the Chief Executive found her commitment and dedication to her people something that we can all be inspired by and aspire to. The Monarch's death and the King's proclamation was something that councils have been planning for many years, creating and testing plans so the council, our region and our communities could reflect and mourn.

The services that had been instrumental in the Council's response, working together to deliver events and opportunities for reflection that made Barnsley proud, were mentioned. Thanks were given to Mayoral Services, Facilities Management, Arts and Events, Communications and Marketing, Digital Team, Law and Governance, Environment and Transport, and Safer Communities. A special thank you was given to the Health, Safety and Emergency Resilience Service, in particular Simon Dobby, Rosalind McDonagh and Emily Turner for managing plans and leading the organisation through the many protocols and processes.

The Mayor added her own thanks to all Council staff involved, to other public services, and to those in the community who had been instrumental in delivering services marking the event.

72. Reflections on the passing of Her Majesty Queen Elizabeth II and ascension of His Majesty King Charles III

Members were invited to provide their reflections and the Leader led tributes to Her Majesty Queen Elizabeth II. He praised the Queen's 70 years of public service, her dignity, kindness and thoughtfulness. He noted the personal qualities with which she executed her role in being the country's greatest ambassador. Thanks were given to all staff within the Council and to other organisations involved in organising events to pay tribute in such a dignified way.

Other Members added their reflections on her passing, paying tributes to the Queen, and noting their personal experiences of meeting her. Members also expressed their condolences to the Royal Family and wished King Charles III a long and successful reign.

The Mayor added her reflections, and offered a personal thank you to all involved in enabling the event to be marked in such a dignified way, capturing the mood of the public, and enabling residents to pay their respects. Thanks were specifically provided to the Mayoral team, Communications, Royal British Legion, Emergency Services, Barnsley Youth Choir, the Events team and to Father Stephen Race and other churches throughout the borough.

73. Outcomes of the Joint Targeted Local Area Inspection (JTAI) of Children's Social Care (Cab.21.9.2022/9)

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

RESOLVED that the outcomes of the Joint Targeted Local Area Inspection be considered.

74. Appointment of Independent Persons

Moved by Councillor Howard – Seconded by Councillor Cherryholme; and

RESOLVED that Council approves the appointment of Mr David Waxman and Mrs Karen Widdowson as Independent Persons under the Member Code of Conduct for a four year term.

75. Overview and Scrutiny Committee Annual Report 2021-22

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

RESOLVED that the Overview and Scrutiny Committee's Annual Report be received, and the contribution of the work undertaken during 2021-22 in further improving the services across the borough be noted.

76. Appointment to Boards, Committees and Outside Bodies

Moved by Councillor Howard – Seconded by Councillor Cherryholme; and

RESOLVED that Councillor Osborne be appointed to Berneslai Homes Board for a term of three years.

77. Planning Regulatory Board - 26 July 2022

Moved by Councillor Richardson - Seconded by Councillor Lofts; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on 26 July 2022 be received.

78. Audit and Governance Committee - 27 July 2022

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 27 July 2022 be received.

79. 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.

80. Overview and Scrutiny Committee (Healthy Barnsley Workstream) - 19 July 2022

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee (Healthy Barnsley Workstream) meeting held on 19 July 2022 be received.

81. North East Area Council - 14 July 2022

Moved by Councillor Hayward – Seconded by Councillor McCarthy; and

RESOLVED that, subject to the amendment of the comment attributed to Councillor Lamb in minute number 11 to be amended and attributed to Councillor Sir Steve Houghton CBE, the minutes as printed and now submitted of the proceedings of the North East Area Council held on 14 July 2022 be received.

82. North Area Council - 18 July 2022

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 18 July 2022 be received.

83. Penistone Area Council - 21 July 2022

Moved by Councillor Barnard – Seconded by Councillor Greenhough; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on 21 July 2022 be received.

84. South Area Council - 2 September 2022

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 2 September 2022 be received.

85. Cabinet - 27 July 2022

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the Cabinet held on 27 July 2022 be received.

86. Cabinet - 17 August 2022

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the Cabinet held on 17 August 2022 be received.

87. Cabinet - 7 September 2022

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the Cabinet held on 7 September 2022 be received.

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

The Executive Director Core Services reported that he had received no questions from Elected Members in accordance with Standing Order No. 12.

89. South Yorkshire Fire and Rescue Authority - 25 July 2022

RESOLVED that the minutes be noted.

90. South Yorkshire Mayoral Combined Authority (Draft)- 25 July 2022

RESOLVED that the minutes be noted.

91. Questions by Elected Members

The Executive Director Core Services reported that he had received a number of questions from Elected Members in accordance with Standing Order No. 11.

a) Councillor P Fielding

'What steps is the Council taking to replace the Council houses lost in the recent fires on Woodland Drive?'

Councillor Frost, Cabinet Spokesperson Regeneration and Culture thanked Councillor P Fielding for his question. He stated that there had been no decisions regarding replacing the council houses lost on the Woodlands Drive site. For the time being, the Council would be grassing and fencing off the site. He added that the Council would want to consult and engage the local community in decisions relating to the site's future use.

By way of supplementary question Councillor P Fielding said that he presumed that, like most Councils, Barnsley Council does not take out insurance on its assets, but uses a system of self-insurance and asked the Cabinet Member to explain how this self-insurance works in Barnsley and whether it had provided enough funds to replace these Council houses

Councillor Frost, Cabinet Spokesperson Regeneration and Culture replied that he did not have details but would respond to the question in due course.

b) Councillor Crisp

'Given the inevitable cost pressures that the council must be suffering, how will the council balance this year's budget?'

Councillor Gardiner, Cabinet Spokesperson Core Services gave thanks for the question. He added that, like many people, organisations, and businesses up and down the country, the Council was facing unprecedented financial challenges. As reported through the quarter one performance update, the current forecast was for a cost pressure of 13 million pounds in the current financial year. Although the vast majority was a consequence of things outside the control of the Council, he said that members would recall that these emerging risks were flagged up and were already within the Council's contemplation when setting this year's budget. Therefore, monies had already been allocated to this emerging problem, set aside to mitigate the anticipated impacts. With the introduction of a formal moratorium on spend and the development of an action plan to address specific areas of concern, the Council would balance the budget this financial year. He added that this was not the case for a number of surrounding authorities but was as a result of the intensive work by the finance department.

He noted that the medium-term and macroeconomic impact of the ongoing global situation was of more concern. Despite this difficult and uncertain outlook, he said that work would continue to develop a transformational activity programme to mitigate anticipated any budget pressures in future years.

By way of supplementary question Councillor Crisp asked if he could make the assumption that there would be no immediate or future restructures or redundancies to address future overspends?

Councillor Gardiner, Cabinet Spokesperson Core Services responded by saying that unfortunately he could not give guarantees due to the trauma in the global markets and the local markets. He said that the Council did its best to protect staff, including their jobs and careers, but to make a guarantee would be foolhardy in the present circumstances.

c) Councillor Kitching

'The new Conservative Prime Minister, Liz Truss, has clearly indicated her intention to reverse the laws banning fracking, despite ongoing concerns about the risks associated with this practice. Under the new legislation, would Barnsley Council pursue licences for fracking operations on its own land?'

Councillor Frost, Cabinet Spokesperson Regeneration and Culture gave thanks for the question and responded that the answer was 'No'.

By way of supplementary question Councillor Kitching asked Councillor Frost to clarify his own personal views as Cabinet Spokesperson for Regeneration and Culture.

Councillor Frost responded by saying that his own opinions were irrelevant and that there was a process to follow, with any application viewed on its merits and taken through due process. Any other action would be seen as the predetermination of any application. He highlighted that with fracking anything underground was the responsibility of the Environment Agency, and that anything on the surface would come to the Planning Regulatory Board.

d) Councillor W Fielding

'We were all shocked and disappointed to read the news in the Chronicle about the children's home that has received another inadequate OFSTED rating. Could the Cabinet Member please give his perspective on how this happened and what steps are now being put into place to both improve the situation and to stop this from happening again? In giving his answer could the Cabinet Member please detail when he expects the restriction of accommodation to be lifted so that further vulnerable children can be safely accommodated in this setting?'

Councillor T Cave, Cabinet Spokesperson Children's Services, gave thanks for the question and replied by saying that as a corporate parent of all looked after and young people, he would like to assure people that the safety of young people in our care was the highest priority. During and following the Ofsted inspection, a robust action plan had been implemented to track and achieve the changes needed, and Ofsted had received regular updates on progress. The action plan detailed the findings from the inspection and other areas for development.

The key areas were as follows:

- A new residential home manager in place, bringing the appropriate challenge that was needed.
- The matching of the young people in the home had been analysed, to support the consideration of their future care plans.
- Training opportunities for all employees had been identified, so the council could be confident they have the skills and experience to care for our young people and keep them safe. A learning and development framework was being created, specific to the needs of the young people that the home is registered to care for.
- Employees have had guidance on how to respond to and record serious incidents. All incidents within the home were now reported to the Head of Service for Children in Care.
- The Executive Director and Service Director of Children's Services and the council's HR service continued to meet monthly with all employees to encourage reflection and clarity regarding standards of practice.
- A Council Internal Audit review of the home was underway.
- An audit tool had been created for the residential home manager, and additional audits were planned within the children's service audit framework. This would provide further scrutiny and would evidence robust management oversight.
- A full review of the young people's records had been undertaken, focusing on risk assessments, missing protocols and care plans. Senior managers would be provided with copies to review when there are significant updates. This

ensured a clear, robust, shared understanding of expectations in keeping our young people safe in the home and the community.

- The overall staffing and management structure was also being reviewed alongside a review of the home's statement of purpose, including the number of young people that the home accommodates in the future.

Members heard that the framework for inspecting children's homes had very clear and set criteria and at the time of the inspection, the home had an interim residential home manager in post for too long. Permanent recruitment to registered managers' roles had been very challenging. The regulators were unhappy that the position hadn't been filled, despite acknowledging all the efforts taken to appoint to this critical post. The residential home manager was responsible for ensuring complete oversight of all policies, procedures and processes. Regular independent Regulation 44 inspection visits advised officers and members that safeguarding in the home was good when it clearly wasn't. With a new permanent residential home manager and re-tendering of the Regulation 44 contract, better progress was being made. A service manager had also been appointed to oversee progress in the home, and senior managers regularly visited.

A recent Ofsted compliance visit recognised the efforts and changes within the home, and confirmation was provided that all compliance notices had now been lifted. A full two-day inspection was expected before the end of October, and the hope was that progress would be reflected in an improved judgement. It was the priority to provide assurance that the Council was also in a position to place more young people in the home. It was noted that the action and development plan was monitored weekly by the Executive Director and Service Director of Children's Services. The Cabinet Member made Members aware he received fortnightly briefings on progress, and there would also be regular progress reports taken to the Corporate Parenting Panel.

Councillor W Fielding noted that every Councillor was a corporate parent and asked would it not have been right to inform corporate parents of the report as it came out, rather than finding out through the local press?

Councillor T Cave, Cabinet Spokesperson for Children's Services, responded by saying due process had been followed, as required.

92. Community Warm Spaces

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

Moved by Councillor Denton – Seconded by Councillor Wray:-

This Council notes:

- a) The ongoing cost of living crisis is dramatically impacting the people of Barnsley Metropolitan Borough, and is predicted to get worse.
- b) The impact of fuel and heating prices, a major contributor to the cost-of-living crisis, has pushed residents into fuel poverty, and has resulted in some people stopping heating their homes – resulting in worsening physical and mental

health, and reducing the productivity of workers and educational outcomes of children.

- c) Despite limited measures recently introduced by the government, the £2500 cap is still over double the amount many residents were paying last year.
- d) Barnsley Metropolitan Borough Council has a duty and responsibility to continue to do all within its means to reduce the financial burden on its residents, as well as to protect their health and wellbeing.

Therefore, **this Council** will instruct the Chief Executive to:

- i. Develop a deliverable plan to ensure residents of Barnsley Metropolitan Borough Council have reasonable free-of-charge access to a “Community Warm Space” this winter, reducing reliance on their own heating, and thereby reducing their energy costs.
- ii. Work with ward councillors to generate a list of suitable locations for this purpose, using existing public and appropriate private buildings across the borough to limit the need for residents to travel a significant distance.
- iii. Where possible, work with other bodies to also provide further relevant advice and support within these Community Warm Spaces.
- iv. Make these “Community Warm Spaces” open and available for as much time as is reasonably practicable.

Furthermore, **this Council** resolves that funding for these Community Warm Spaces will come from existing budgets and reserves, and that the plan will be developed, published and implemented as soon as possible.

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

Moved by Councillor Sir Stephen Houghton CBE – Seconded by Councillor Howard

This Council notes:-

- a. The ongoing cost of living crisis is dramatically impacting the people of Barnsley Metropolitan Borough, and is predicted to get worse
- b. The impact of fuel and heating prices, a major contributor to the cost of living crisis, has pushed residents into fuel poverty, and has resulted in some people stopping heating their homes – resulting in worsening physical and mental health, and reducing the productivity of workers and education outcomes of children
- c. Despite limited measures recently introduced by the government, the £2,500 cap for average use is still over double the amount many residents were paying last year
- d. Whilst local authorities cannot solve the cost of living crisis, Barnsley Council is committed to helping residents where it can despite facing its own major financial (£13m) pressures caused by that cost of living challenge

This Council congratulates the Labour administration for the work it has done in supporting people through the existing budget but further proposes the Council will utilise the £2.3m from our Household Support Grant to prioritise the most vulnerable in our society over the winter period. This will include:

- £150 energy rebates (bank transfer), to those households who were not entitled to the Government's £150 Council Tax energy rebate. (This scheme is designed to support those in Council Tax bands E and above not on LCTS, and those who became eligible for council tax on or after 2nd April 22. This would be delivered on an application basis.)
- £326 cost of living payment (bank transfer) to those in receipt of qualifying benefits who were not eligible for the first Government cost of living payment due to becoming eligible after the qualifying date. (This scheme would be delivered on an application basis, applicants would need to demonstrate they become eligible between 26th May and 31st August 22.)
- £150 cost of living payment (bank transfer) to those in receipt of a disability benefit that were not eligible for the Government scheme due to becoming eligible after the qualifying date. (This scheme would be delivered on an application basis, applicants would need to demonstrate they become eligible between 26th May and 31st August 22.)
- £650 cost of living payment (Post Office Vouchers) to those in receipt of Housing Benefit but did not qualify for the Government cost of living payment. (This payment would be made via automatic award and not application based. Proposed to make this payment in 2 instalments similar to the Government scheme, with the first payment by 31st October 22 and the second 31st January 23.)

In addition, **this Council** will also utilise the funding to:

- offer £500k grant support to community groups working to protect the most vulnerable to provide practical things such as food, fuel, clothing, white goods, household goods.
- provide Christmas holiday club places through the Healthy Activities programme for non-free school meal children.
- extend the funding available through the Local Welfare Assistance scheme, to a total of £240k, providing crisis support with the cost of essential bills and white goods.
- provide a £15 food voucher to families during the October 22 and February 23 holidays which aren't covered by the government's Healthy Holiday government funded scheme.

Furthermore **this Council** will shortly bring forward a Cabinet report to introduce a £3m Affordable Warmer Homes scheme. This will provide residents with financial support to help with energy debts, and inefficient heating systems by providing sustainable solutions that help to reduce energy consumption therefore reducing energy bills, this would make an immediate and long-lasting sustainable impact to addressing fuel poverty.

This Council has already introduced the valuable resource which is the 'More Money In Your Pocket' website which provides an up to date account of all the

support available in one place through easily navigated tabs. The promotion of this resource is currently being cascaded to front-line teams, partners, large employers and community groups with 32 briefing sessions currently arranged. In addition this support is being widely publicised including for example, livery on Berneslai Homes vehicles and a free bookmark in every loaned library book.

With regard to the proposal to introduce ‘Community Warm Spaces’. This Council has already introduced Barnsley’s Welcoming Spaces which promotes our existing public buildings as places that people can utilise, free of charge, for as long as they wish. This initiative helps in promoting our excellent existing offer and encouraging people to utilise their community assets.

Finally, **the Council** will continue to lobby Government both directly and through SIGOMA to secure a fair funding system for local government and a fair deal for Barnsley.

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

The Amendment was the put as the Substantive Motion and:

Moved by Councillor Sir Stephen Houghton CBE – Seconded by Councillor Howard; and

RESOLVED that the motion, as amended, be carried.

93. Question from a Member of The Public

The Council received a written questions from a Member of the Public together with the responses provided by the relevant Cabinet Spokespersons.

RESOLVED that the questions and responses be noted.

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Chair