

MEETING:	Cabinet
DATE:	Wednesday, 18 March 2020
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

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

Members in Attendance: Councillors Franklin, Frost and Tattersall

204. Declaration of pecuniary and non-pecuniary interests

Councillor Tattersall declared a non-Pecuniary interest in respect of Minute numbers 15, 16 and 17 by virtue of being a Board Member of Berneslai Homes.

Councillor Lamb declared a non-pecuniary interest in respect of Minute number 14 by virtue of being a Board Member of Barnsley Adult Community Learning.

205. Notes of the previous Inquorate meeting held on 4th March, 2020 (Cab.18.3.2020/3)

- (i) that the notes of the inquorate meeting held on 4th March, 2020 were taken as read and signed by the Chair as a correct record.
- (ii) that the recommendations from that meeting as detailed below be agreed and actioned as appropriate:-
 - (a) Outcomes of the Youth Parliament's "Make Your Mark" Ballot (2019)
(Cab.4.3.2020/7)

RESOLVED:-

- (i) that the outcomes of the Youth Parliament's "Make Your Mark" Ballot 2019, as detailed in the report, be noted;
- (ii) that the priorities identified by young people through the National "Make Your Mark" Ballot for the duration of the campaign period be promoted; and
- (iii) that the significance and scale of the "Make Your Mark" Ballot be noted and support given to champion the issues identified by Barnsley's 11-18 year old population through their local area arrangements, consultation mechanisms and commissioning of services for young people.
- (b) Validated Education Outcomes in Barnsley 2019 (Cab.4.3.2020/9)

RESOLVED that the validated education outcomes in the Borough for 2019 and the actions to be taken to improve the progress of all categories of pupils at each stage of the National Curriculum, as detailed in the report be noted.

- (c) Corporate Plan Performance Report - Quarter 3 October to December 2019
(Cab.4.3.2020/10)

RESOLVED:-

- (i) that the Corporate Plan Performance Report for Quarter 3 (October to December 2019), as detailed in the report now submitted, be noted; and
- (iii) that it be noted that the Stronger Communities quarterly narrative report would no longer be provided as part of the Corporate Performance products. Dissemination of the report would now be determined by the Communities Directorate.
- (d) Corporate Financial Performance Quarter Ending 31st December 2019
(Cab.4.3.2020/11)

RESOLVED:-

a) *Corporate Financial Performance*

- (i) that the Corporate Financial Performance Report for the Quarter ending 31st December, 2019, as set out in the report now submitted, be noted;
- (ii) that the current forecast General Fund revenue operational underspend for 2019/20 of £5.877m be noted and agreed that this be considered as part of the updated Reserves Strategy which will form part of the 2020/21 budget setting process;
- (iii) that the current forecast Housing Revenue Account (HRA) operational underspend of £1.981m be noted;
- (iv) that approval be given to write off historic debts totalling £1.736m (£1.563m General Fund/£0.173m HRA).

b) *Capital Programme Performance*

- (v) that the forecast position on the 2019/20 and overall five year Capital Programme be noted;
- (vi) that approval be given to the scheme slippage of £22.487m;
- (vii) that the new schemes approved during the Quarter totalling £11.922m be noted;
- (viii) that approval be given to a total net increase in scheme costs in 2019/20 of £0.482m.

c) *Treasury Management*

- (ix) that the key messages from the Council's Treasury Management activities carried out during the quarter be noted.

- (e) Gender Pay Gap Report 2019 (Cab.4.3.2020/12)

RESOLVED:-

- (i) that the findings of the Council's Gender Pay Gap report as of 31st March, 2019 as detailed in the report now submitted, be noted; and
 - (ii) that the long-term commitment to reducing the Council's Gender Pay Gap be endorsed and the Action Plan at Appendix 2 of the report be noted.
- (f) Implementation of the 2020/21 Pay Policy Statement (Cab.4.3.2020/13)

RECOMMENDED TO FULL COUNCIL ON 2ND APRIL, 2020 for approval to implement the 2020/21 Pay Policy Statement, contained within Appendix 1 of the report now submitted, with effect from 1st April, 2020.

206. Decisions of Cabinet Spokespersons (Cab.18.3.2020/4)

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

207. Action Taken Under Paragraph B6 of the Responsibility for Executive Functions - Officer Delegations Contained in the Council Constitution (Cab.18.3.2020/5)

RESOLVED that the actions taken by Executive Directors under Paragraph B6 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. Provision of Statutory Services to the Oughtibridge Valley Development (Cab.4.3.2020/6)
2. School Term Times and Holiday Dates for Community and Voluntary Controlled Schools 2021-2022 (Cab.4.3.2020/8)
3. Community Asset Transfer – Valley Community Centre, Cudworth (Cab.4.3.2020/14)
4. Holden House, Barnsley – Lease Renewal to Riverside Housing Association (Cab.4.3.2020/15)
5. Barnsley – A Gigabit City: A Full Fibre Digital Transformation for Barnsley (Cab.4.3.2020/17)

208. Petitions received under Standing Order 44 (Cab.18.3.2020/6)

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

Children's Spokesperson

209. Children's Commissioner for England: National Takeover Challenge 2019 (Cab.18.3.2020/7)

The Children's Spokesperson welcomed the following young people to the meeting to present the outcomes of the National Takeover Challenge:-

- Bailey Maw
- Frankie Harper

A presentation on the very positive feedback received from participants in the Challenge was provided.

Members commented on how they too had derived much from what had been a very worthwhile undertaking and considered what more might be done in future years to build on the initiative further.

The young people were invited to comment further on what they most enjoyed about the Takeover Day and what could be done to improve future events. Feedback noted the need to have better communication with employers to ensure these events are of greatest benefit to all parties and the need to engage with a wider variety of employers.

Members thanked all the young people who took part and the officers involved with facilitating the event.

RESOLVED that the continued success of this annual event as an example of good working across partnerships which can continue to be built upon in future Takeover events and activities aimed at improving the range of outcomes for children and young people, including those in care and care leavers be noted

Core Services Spokesperson

210. Overview and Scrutiny Committee - Task and Finish Group - Poverty (Cab.18.3.2020/8)

Councillor Ennis attended the meeting as Chair of the Overview and Scrutiny Committee and in summarising the work of the Committee and Task and Finish Groups commented on the importance of the scrutiny function in respect of helping to determine and improve the Council's decision making processes.

Councillor Lofts presented the Task and Finish Group report regarding Poverty.

In supporting the recommendations, the Leader noted these are in line with the intentions of the Inclusive Economy Review which seeks to provide appropriate focus on those who need the most support.

Members acknowledged the relationship between the poverty theme and the current Covid-19 crisis and recognised the need to ensure Council services are capable of meeting the changing needs of the public, particularly given guidance around limiting face to face contact.

RESOLVED that the report be received and the Executive Director Communities be requested to co-ordinate a response to the recommendations in the report within 3 months.

211. Overview and Scrutiny Committee - Task and Finish Group - Adult Mental Health (Early Intervention and Prevention) (Cab.18.3.2020/9)

Councillor Carr presented the Task and Finish Group report regarding Adult Mental Health (Early Intervention and Prevention).

Members requested their thanks to the Scrutiny Officer for the work undertaken in co-ordinating the work of the Committees and support for Chairs and Committee Members be recorded.

Members commented on the importance of the Council recognising the mental health needs of staff also, as a basis on which to build Council services and noted the support initiatives in place.

The Scrutiny Chair commented on the importance of Task and Finish Group sites visits and noted what can be learnt from these to ensure all interventions are effective and meaningful for service recipients.

Members noted the importance of co-ordinating complementary Council services.

RESOLVED that the report be received and the Director of Public Health be requested to co-ordinate a response to the recommendations in the report within 3 months

212. Overview and Scrutiny Committee - Task and Finish Group - Recycling (Cab.18.3.2020/10)

Councillor Fielding presented the Task and Finish Group report regarding Recycling.

Members welcomed the report's comments on what has been learnt from engagements with the private sector and discussed what more the Council could do to innovate on its approaches to recycling.

RESOLVED that the report be received and the Executive Director Place be requested to co-ordinate a response to the recommendations in the report within 3 months

213. Employee Survey and Investors in People Assessment 2019 (Cab.18.3.2020/11)

RESOLVED that the outcome of the Employee Survey and the Investors in People assessments undertaken in 2019 be noted with the Council being awarded 'Gold' accreditation.

Leader

214. Implementing the South Yorkshire Devolution Deal (Cab.18.3.2020/12)

The Leader provided Cabinet with a summary of the report presented and commented on how the recommendation presented accords with and benefits the Council's ambitions in respect of both the Sheffield City Region and Yorkshire-wide perspectives.

RESOLVED that the Chief Executive, in consultation with the Leader of the Council and the Monitoring Officer, be delegated the authority to take forward and conclude the legal steps necessary to implement the Devolution Deal including consenting on behalf of the Authority to the enabling Powers Order, provided that such Order corresponds to the proposals contained in the Governance Review and Scheme, as detailed in the report now submitted.

Environment and Transportation Spokesperson

215. Vehicle Replacements 2020 - 2021 (Cab.18.3.2020/13)

RESOLVED:-

- (i) that authorisation be given to the replacement of 97 vehicles, in the 2020/21 financial year, to be used by Council departments and partner organisations, with a total value of up to £3,585,500 (including the additional cost of Ultra Low Emission Vehicles (ULEVs) as referred to in paragraph 2.2) by way of purchase followed by a sale and lease back arrangement as outlined in paragraph 7.9 or whichever method of funding is deemed appropriate following full financial appraisal; and
- (ii) that the upgrading of 24% (38% for Council departments and 14% for partner organisations) of the petrol and diesel fuelled vehicles highlighted for replacement in the report to ULEVs at an additional estimated expense of £235,000 included in the total amount stated in paragraph 2.1 be supported. £171,000 of this is for Council departments and £64,000 for partner organisations. This is the extra cost to purchase a ULEV over a standard petrol/diesel powered vehicle. The £64,000 additional cost for partner organisations will be recovered from them through increases in hire charges.

Regeneration and Culture Spokesperson

216. Adult Skills and Community Learning Service Annual Self Assessment 2018/19 (Cab.18.3.2020/14)

RESOLVED:-

- (i) that the Adult Skills and Community Learning annual self-assessment for the full academic year August 2018 to July 2019, as detailed in Appendix 1 to the report, be noted; and
- (ii) that the Service's Quality Improvement Plan (QIP) for the academic year August 2019 to July 2020, as set out in Appendix 2 of the report now submitted, be noted.

217. Barnsley Homes Standard Programme 2020/21 (Cab.18.3.2020/15)

RESOLVED:-

- (i) that approval be given to the nine main Barnsley Homes Standard schemes, stand-alone elemental schemes and the Programme of batched replacements, releasing resources as detailed in the report now submitted;
- (ii) that Berneslai Homes be authorised to progress schemes within the new Property Repairs and Improvement Partnership (PRIP) 2020 contract or to appoint a suitable contractor for proposed elemental schemes and following a procurement exercise and containment of costs within the approved sums;
- (iii) that the added Social Value delivered by the PRIP 2020 as set out in paragraph 5.2 of the report be noted; including use of directly employed local staff and over 30 directly employed apprentices; and
- (iv) that the Carbon Saving efficiency measures, and anticipated reductions to tenant's energy bills, as set out in paragraph 3.5 of the report be noted.

218. Houses in Multiple Occupation - Article 4 Direction (Cab.18.3.2020/16)

In addition to the matters raised within the report, Members noted the need for officers to have sufficient capacity to enforce the Direction and the need to understand the environmental impact of Houses of Multiple Occupation.

RESOLVED:-

- (i) that the making of an Article 4 Direction, to remove permitted development rights for conversion of residential dwelling houses into Houses of Multiple Occupation as detailed in the appendix to the report, be approved
- (ii) that representations received in response to publication of the statutory notice of the making of the Direction be reported back to Cabinet to determine whether the Direction should be confirmed

219. PRIP Berneslai Homes Construction Services Contract (Cab.18.3.2020/17)

RESOLVED:-

- (i) that the outcome of negotiations with BHCS (see Section 5) for 2/3rds of the Property Repair and Improvement Partnership (PRIP) contract, as per the agreed approach within the 'PRIP Tender Strategy 2020' (Cab.16.10.2019/10 refers) be approved;
- (ii) that the estimated saving of £1.7M per annum be noted and agreement be given that the 30 year Business Plan be revised to reflect the revised projected costs; and
- (iii) that authorisation be given to the preparation of necessary amendments to the 'Agreement/SLA' between the Council, Berneslai Homes and Berneslai Homes Construction Services to reflect the updated contractual requirements over the 10 year contract period; including the new schedule of rates,

branch/overhead rates and commitments to Customer Service, Performance, Social Value and Sustainability.

220. Keresforth Close, Barnsley - Free School Proposal (Cab.18.3.2020/18)

The meeting was informed that subsequent to the publication of the meeting agenda, some additional public objections were received within the consultative timeframe in respect of how the Local Plan differs from proposed use and the site selection criteria and LocatED sites report. These were tabled for Members' consideration and the Council's proposed responses and mitigations noted.

Members' acknowledged proposals for the development of the site for a school will be subject to an application for planning permission which will be subject to public consultation and will be determined following consideration by the Planning Regulatory Board.

RESOLVED:-

- (i) that approval be given for the free school as the preferred use for the Keresforth Close site and the site be transferred to the Secretary of State for Housing, Communities and Local Government (DHCLG), subject to the necessary planning consents being achieved;
- (ii) that the Corporate Asset Manager works with the Department for Education and Trinity MAT to agree Heads of Terms for a transfer of the land and the delivery of a free school on the site;
- (iii) that the Executive Director Core Services be authorised to complete the above transaction with legal completion being subject to gaining the necessary planning consents, noting the assurance of the Minister through his agents that the planning proposal will include the provision of a publicly accessible area of open space as an integral part of the development of the site;
- (iv) that approval be given for the principles set out in the report and supports the continued collaborative working with public sector partners under the One Public Estate Programme;
- (v) that the Council will continue to work with the other parties who have expressed interest in this site to accommodate them elsewhere on Council owned assets; and
- (vi) that the objections received following the publication of the Notice under Section 123 of the Local Government Act 1972, as summarised in the principal report and the tabled report, be noted, but are not considered to outweigh the case for the disposal of the open space as set out in the reports..

221. 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>
19	Paragraph 3

222. Keresforth Close Free School Proposal - Options Appraisal (Cab.18.3.2020/20)

The meeting received additional information pertaining to the options appraisal work.

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Chair