

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 12TH SEPTEMBER, 2005**

CABINET
30th August, 2005

PRESENT - Councillor Williams (in the Chair); Councillors, Dixon, Harker,
D.A. Lyonette, Thistlethwaite and Wallis (6)

APOLOGIES – Councillors Bristow, McEwan and L. Vasey. (3)

ALSO IN ATTENDANCE – Councillors Armstrong, Johnson and Richmond. (3)

C42. WELCOME – The Leader welcomed the Council’s new Chief Executive, Ada Burns, and Constantine Koerner from the Council’s Twin Town of Mülheim an der Ruhr, to the meeting.

C43. DECLARATION OF INTERESTS – There were no declarations of interest reported at the meeting.

C44. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 12th July, 2005.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C45. MATTERS REFERRED TO CABINET – There were no matters referred back for reconsideration.

C46. ISSUES ARISING FROM SCRUTINY – There were no issues referred from Scrutiny Committees to this meeting.

C47. KEY DECISIONS – (1) (ITEM CALLED-IN) Integrated Services for Older People
- The Cabinet Member with the Adult Services Portfolio introduced the report of the Director of Community Services (previously circulated) informing Members of further integration between Darlington Borough Council and Darlington Primary Care Trust, to improve services for older people.

RESOLVED - That the proposal to further integrate Older People’s Services between Darlington Borough Council and Darlington Primary Care Trust, be agreed.

REASON - In order to improve outcomes for Older People in Darlington.

(2) Rosemary Court, Lascelles Park - Development of an Extra Care Scheme - The Cabinet Member with the Community and Public Protection Portfolio introduced the report and plan of the Director of Community Services (both previously circulated) seeking authority to enter into negotiations for a disposal either by sale or long ground lease of the Council's freehold interest in approximately 2,662 square metres (0.66 acres) of land to the rear of the existing building at Rosemary Court to Hanover Housing Association; enter into a partnership agreement with Hanover Housing for the remodelling and improvement works required to the existing sheltered housing scheme at Rosemary Court; and the waiving of the Council's Contract Procedure Rules.

RESOLVED - (a) That the scheme, as detailed in the submitted report, be approved.

(b) That it be recommended to Council that the Contract Procedure rules be waived and the Director of Community Services be authorised to enter into an agreement with Hanover Housing Association for the remodelling and improvement works at Rosemary Court.

(c) That the Director of Development and Environment, in consultation with the Cabinet Member with the Resource Management Portfolio, be authorised to agree terms with Hanover Housing Association for the disposal of the land, as shown on the plan appended to the submitted report.

(d) That the Borough Solicitor be authorised to complete the documentation as necessary.

REASONS - (a) To enable the improvements and new build scheme to proceed.

(b) To achieve the disposal.

(3) Honeypot Lane Caravan Site - Second Transit Site - The Cabinet Member with the Consumer Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) reporting on the allocation of grant to the Council from the Office of the Deputy Prime Minister (ODPM) to build a second transit site at Honeypot Lane Caravan site and requesting the release of that funding.

RESOLVED – That the scheme for the construction of transit site 2 at Honeypot Lane Caravan site, be approved, and the funding of £468,000 for the scheme be released.

REASONS - (a) To provide additional pitches for Gypsies and Travellers in Darlington.

(b) To reduce the number of unauthorised encampments set up in Darlington by seasonal travellers.

(4) Surplus School Sites - The Director of Development and Environment submitted a report (previously circulated) requesting that consideration be given to the options available to the Council for the school sites and buildings about to become surplus to requirements.

RESOLVED - (a) That the report be noted.

(b) That the decision be deferred pending consideration of detailed financial information at Minute C57 below.

REASON – To rationalise schools considered surplus to the Council's requirements.

C48. COMPLAINTS MADE TO OMBUDSMAN - REVIEW - Pursuant to Minute C27/July/05, the Leader introduced the report of the Director of Corporate Services (previously circulated) providing Members with an update of the outcome of cases which had been considered by the Local Ombudsman and to indicate any points of particular attention or referral to the Standards Committee since the last meeting of Cabinet held on 12th July, 2005.

RESOLVED - That the report be noted.

REASONS - (a) It is important that Members are aware of the outcome of complaints made to the Local Ombudsman in respect of the Council's activities.

(b) The contents of the report do not suggest that further action is required.

C49. PUBLIC PROTECTION FORUM - MINUTES - Submitted - The Minutes (previously circulated) of the meeting of the Public Protection Forum held on 14th July, 2005

RESOLVED - That the Minutes be received.

REASON - They represent an accurate record of the meeting.

C50. DARLINGTON DECLARATION ON CLIMATE CHANGE – The Cabinet Member with the Consumer and Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the Darlington Declaration on Climate Change (also previously circulated).

RESOLVED - That it be recommended to Council that the Darlington Declaration on Climate Change, as appended to the submitted report, be endorsed.

REASONS - (a) To demonstrate the Council's commitment to combating climate change.

(b) To support the Darlington Local Strategic Partnership in the lead it has taken on climate change.

C51. MARKET REGULATIONS – The Cabinet Member with the Consumer and Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the revised Market Regulations (also previously circulated).

RESOLVED - That it be recommended to Council that the revised Market Regulations, as appended to the submitted report, be approved.

REASON - The revised Market Regulations improve effective control of Darlington's outdoor markets.

C52. DE-ACCESSION AND ACQUISITION OF EXHIBITS AT DARLINGTON RAILWAY CENTRE AND MUSEUM – The Director of Development and Environment submitted a report (previously circulated) requesting that consideration be given to the de-accession of Head Wrightson No. 33/1873 (Ex. Seaham Harbour No. 17) from Darlington Railway Centre and Museum to Beamish and the acquisition of Chaldron Wagon No. 434 from Beamish into the collection of Darlington Railway Centre and Museum (DRCM).

The Director of Development and Environment reported at the meeting that the Council were in the process of ascertaining that it could demonstrate its ownership of the Head Wrightson Locomotion to the satisfaction of all parties, and that the accessions and de-accessions would take place only after that was satisfied.

RESOLVED – That subject to the Council ascertaining proof of ownership of the Head Wrightson Locomotion:-

(a) the de-accession and transfer of ownership of the Head Wrightson No. 33/1873 from the Darlington Railway Centre and Museum to Beamish, be approved; and

(b) the acquisition of the Chaldron Wagon No. 434 from Beamish into the Darlington Railway Centre and Museum collection, be approved.

REASONS - (a) The Head Wrightson No. 33/1873 does not fit with the current Collection Policy of DRCM.

(b) The Chaldron Wagon is an excellent example dating back to 1860 of a wagon used on the Stockton and Darlington and North Eastern railways and will be an excellent addition to the DRCM collection.

(c) The Chaldron Wagon fits into the current Collection Policy of DRCM.

C53. PIERCEBRIDGE CONSERVATION AREA CHARACTER APPRAISAL – The Cabinet Member with the Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) advising Members of the current position in relation to the production of the Character Appraisal for the conservation area of Piercebridge (also previously circulated); seeking approval of that appraisal as a basis for consultation; and requesting that consideration be given to the process for future conservation area appraisals.

RESOLVED - (a) That the Draft Piercebridge Conservation Area Character Appraisal, as appended to the submitted report, be approved as a basis for public consultation

(b) That it be recommended to Council that the Director of Development and Environment be given delegated authority to approve future Conservation Area Character Appraisals for consultation purposes.

REASONS - (a) To enable key stakeholders to comment on and inform the Conservation Area Character Appraisal Process.

(b) To enable the Director of Development and Environment to exercise his discretion as to whether future Conservation Area Character Appraisals warrant Cabinet approval prior to consultation.

C54. EMPLOYEE SURVEY 2005 – The Director of Corporate Services submitted a report (previously circulated) informing Cabinet of the results from the third employee survey conducted at the beginning of 2005 and comparing the results with the benchmark surveys conducted in 2003/04. A copy of the full survey report was appended to the submitted report.

RESOLVED - (a) That the comments regarding the analysis, as detailed in the submitted report, be noted.

(b) That the submitted report be publicised to all employees via the Flyer and public folders/Intranet and the Directors publicise the departmental results in a consistent manner.

(c) That the Human Resource Management Division take forward the areas identified within the survey report, as appended to the submitted report, as needing attention at Organisational level.

(d) That each Director examine their departmental results in the light of the analysis and report back to Corporate Management Team (CMT) by the end of September with their proposals for action to address areas of concern.

(e) That it be noted that a report was submitted to the Joint Consultative Committee detailing both the corporate and departmental results.

(f) That the future terms of reference for the employee survey and external benchmarking be reviewed later in the year following further work on revising the Organisational Development Strategy.

REASON - To enable this Council to progress its approach to employee involvement in the improvement of performance.

C55. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C56. EXCLUSION OF THE PUBLIC - RESOLVED - That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing items on the grounds that they involve the likely disclosure of exempt information as defined in exclusion paragraphs 7, 8 and 9 of Part I of Schedule 12A to the Act.

C57. SURPLUS SCHOOL SITES (EXCLUSION NOS. 8 AND 9) - Pursuant to Minute 47(4) above, the Director of Development and Environment submitted a report (previously circulated) providing detailed information on the individual school sites and buildings about to become surplus to requirements to allow consideration of the options available to the Council.

RESOLVED - (a) That the disposal of the school footprints for proposed residential development (having assessed the sites and adjoining grounds for future development potential and where appropriate to review the precise location for the proposed developments within the site, all subject to planning considerations and approvals), be approved.

(b) That forward-funding (provisional sum of £540,000) be made available where necessary for the demolition of school buildings not retained, as soon as possible after their closure

(c) That revenue provision of approximately £6,000 be made for maintaining and managing the retained open space in the Medium Term Financial Plan 2006/7.

(d) That it be noted that a Capital sum may be required to enhance some pitches and allow others to be developed after the completion of the playing pitch strategy.

(e) That Harrowgate Hill Infants School be declared surplus to the Council's requirements and placed on the market to achieve an early disposal.

(f) That Albert Hill Nursery and the footprints of Sadberge School and Eastbourne Nursery School be declared surplus to requirements and be marketed to achieve disposals prior to their anticipated vacation dates.

(g) That Beaumont Hill Schools and Springfield School be declared surplus to requirements and the demolition of the schools be forward funded on obtaining possession and the site be marketed and disposed of in accordance with development and planning briefs to be prepared.

(h) That discussions take place with Tees Forest and any other potential partners concerning any options for their involvement

REASONS - (a) To rationalise schools considered surplus to the Council's requirements.

(b) To minimise potential risk to the Council through early demolitions where necessary and timely disposals.

(c) To maximise capital receipts for the Council.

(d) To make financial provision for managing retained land.

(e) To reflect community strategy and planning aims.

C58. FORMER ERNEST BENNETT SAWS SITE (EXCLUSION NOS. 7 AND 9) - The Director of Development and Environment submitted a report and plan (both previously circulated) seeking approval to the disposal of land at Yarm Road, Middleton St George, as shown on the plan appended to the submitted report, for incorporation into a proposed residential development at the former Ernest Bennett Saws site.

RESOLVED - (a) That the disposal of the land, as shown on the plan appended to the submitted report, be approved on the terms outlined in the submitted report and subject to maintaining sight lines from the Yarm Road roundabout.

(b) That the Borough Solicitor be authorised to complete the documentation as necessary.

REASONS - (a) To achieve a capital receipt for the Council.

(b) To facilitate the disposal

C59. SCHEDULE OF TRANSACTIONS (EXCLUSION NOS. 7, 8 AND 9) - The Director of Development and Environment submitted a report and schedule (both previously circulated) requesting that consideration be given to the schedule of transactions and seeking approval of the terms negotiated.

RESOLVED - That the schedule, as appended to the submitted report, be approved and the transactions be completed on the terms and conditions detailed therein.

REASON - The terms negotiated require approval by Council before binding itself contractually to a transaction.

**DECISIONS DATED -
2ND SEPTEMBER, 2005**