

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 14TH NOVEMBER, 2005**

CABINET
1st November, 2005

PRESENT - Councillor Williams (in the Chair); Councillors Bristow, Dixon, Harker, D.A. Lyonette, McEwan, L. Vasey and Wallis. (8)

APOLOGIES – Councillor Thistlethwaite.

ALSO IN ATTENDANCE – Councillors Armstrong, Johnson, Richmond and Mrs. Scott. (4)

C83. DECLARATION OF INTERESTS – (a) In respect of Minute C87(1) below, Councillors Dixon and D.A. Lyonette declared personal but non-prejudicial interests, as they had a child and grandchild at Hummersknott Language College and Carmel RC Technology College, respectively.

(b) In respect of Minute C87(2) below, Councillor McEwan declared a personal but non-prejudicial interest, as he was a Company Director of Connexions Tees Valley.

C84. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 27th September, 2005.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C85. MATTERS REFERRED TO CABINET – There were no matters referred back for reconsideration to this meeting.

C86. ISSUES ARISING FROM SCRUTINY – There were no issues referred from Scrutiny Committees to this meeting.

C87. KEY DECISIONS – (1) Hummersknott Language College – Targeted Capital Fund 2005 – The Cabinet Member with the Children’s Services Portfolio introduced the report of the Director of Children’s Services (previously circulated) informing Members of the successful outcome of two bids made to the Department for Education and Skills (DfES) Targeted Capital Fund (TCF) for financial support to remodel and, in some areas replace, the existing Hummersknott Language College and to redevelop the buildings and create modern learning facilities at Carmel RC Technology College.

Particular reference was made at the meeting to the work undertaken by Mr. Alan Milburn, MP, to secure the funding for Darlington which, it was reported, would be available from April 2006 and would be spent over 3 years.

RESOLVED - (a) That the successful Targeted Capital Fund bids for Hummersknott School and Language College (supporting capital investment of £14.541m), and for Carmel RC Technology College (supporting capital investment of £10.128m), be noted.

(b) That the contextual information included in the submitted report, which provided an overview of the long-term strategic commitment to secondary school transformation across the authority, be noted.

(c) That the intention to update the investment strategy to address the outstanding needs of schools in the secondary school sector, be noted.

REASON - The recent funding secured to invest in the physical infrastructure of our secondary estate will contribute to delivering tremendous improvements in the environments in which our teachers teach and our children learn.

(2) Academy In Darlington - Proposals – The Cabinet Member with the Children’s Services Portfolio introduced the report of the Director of Children’s Services (previously circulated) seeking approval to develop and submit an Expression of Interest in a City Academy for Darlington, to the Department for Education and Skills (DfES).

Particular reference was made at the meeting to the process the Council would go through should it submit an Expression of Interest for an Academy in Darlington.

RESOLVED – (a) That the decision on the development of an Expression of Interest in a City Academy be deferred to enable the report and its recommendations to be referred to a special meeting of the Lifelong Learning Scrutiny Committee.

(b) That the Lifelong Learning Scrutiny Committee be requested to investigate fully whether the Council should submit an Expression of Interest to the Department for Education and Skills for up to £25M. of funding to develop an Academy, seeking views from interested parties, and its findings be reported back to the next ordinary meeting of Cabinet scheduled for Tuesday, 29th November, 2005.

REASON - To enable the Lifelong Learning Scrutiny Committee to investigate fully the submission of an Expression of Interest to develop an Academy in Darlington.

(3) Parenting Contracts and Orders – Anti Social Behaviour Act 2003 – The Cabinet Member with the Children’s Services Portfolio introduced the report of the Director of Children’s Services (previously circulated) outlining the new measures available to local authorities to tackle poor behaviour by ensuring that parents fulfil their responsibilities in relation to the behaviour of their children.

RESOLVED – (a) That parenting contracts and orders, be agreed, in principle and introduced in accordance with the guidance received as part of a wider package of behaviour support.

(b) That officers be instructed to conduct further consultation with Head Teachers and governors on the criteria on which a contract and parenting order would be made.

(c) That officers map current parenting provision within the Borough and develop proposals for additional capacity if this is found to be insufficient.

REASONS – (a) To enable schools and the local authority to address behaviour issues with parents, firstly on a voluntary basis, then if required, can compel parents to access appropriate support where they might otherwise be unwilling to engage.

(b) To assist in reducing ‘fixed term’ exclusions and help to prevent permanent exclusion.

(c) This will be a helpful addition to the Local Authority and School toolkit for improving behaviour.

(4) Connexions Service in Darlington – The Cabinet Member with the Children’s Services Portfolio introduced the report of the Director of Children’s Services (previously circulated) outlining proposals to disaggregate the Tees Valley Connexions Company and delegate activity to local authorities.

RESOLVED – (a) That the Connexions disaggregation proposals, as detailed in the submitted report, be agreed and further reports be submitted to future meetings of Cabinet on detailed plans for delivery in Darlington.

(b) That the decision be communicated to the Tees Valley Connexions Board.

REASONS – (a) Tees Valley Authorities are working together on this disaggregation

(b) Disaggregation will allow flexibility in configuring local Children’s Services

(5) Demoted Tenancy Agreements for Council Tenants – The Cabinet Member with the Community and Public Protection Portfolio introduced the report of the Director of Community Services (previously circulated) seeking authority to use the new powers now available under the terms of the Anti-Social Behaviour and Nuisance Act 2003 to enable the Council to apply to the courts for an order to reduce the security of tenure for Council tenants to a Demoted Order in appropriate cases.

RESOLVED – That the use of Demoted Tenancy Orders be agreed.

REASON – To enable continued effective management of nuisance and anti-social behaviour within Council tenancies.

C88. (URGENT ITEM) YOUTH MATTERS – The Cabinet Member with the Children’s Services Portfolio introduced the report of the Director of Community Services (previously circulated) advising Cabinet of the Government’s Green Paper ‘Youth Matters’, a consultation paper which set out the proposals for the development of an integrated youth support service and requesting that consideration be given to this Council’s response to that consultation. A summary of the consultation paper was appended to the submitted report.

RESOLVED – That a letter be sent outlining the Council’s response to the consultation document, as detailed in the submitted report.

REASON – To enable the Council’s response to ‘Youth Matters’ to be considered.

C89. (URGENT ITEM) COUNTY DURHAM AND DARLINGTON PRIORITY SERVICES (CDDPS) NHS TRUST AND TEES AND NORTH EAST YORKSHIRE (TNEY) NHS TRUST – PROPOSED MERGER – The Cabinet Member with the Adult Services Portfolio introduced the report of the Director of Community Services and the Director of Children’s Services (previously circulated) seeking Cabinet’s views on the consultation process relating to the proposed merger between County Durham and Darlington Priority

Services (CDDPS) NHS Trust and Tees and North East Yorkshire (TNEY) NHS Trust. A copy of the consultation document was appended to the submitted report.

RESOLVED - That a response to the consultation document be forwarded, based on the comments as detailed in the submitted report.

REASON - To enable the Council to submit a response to the consultation as the proposal constitutes a significant change in the configuration of health provider services to many vulnerable people in Darlington – people with mental health problems, learning disabilities and substance misuse issues.

C90. COMPLAINTS MADE TO OMBUDSMAN – REVIEW – Pursuant to Minute C65/Sep/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 and/or referral to the Standards Committee since the last meeting of Cabinet held on 27th September, 2005.

RESOLVED – That the report be noted.

REASON – (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.

C91. CORPORATE EQUALITIES REVIEW AND PLAN DOCUMENT – The Leader introduced the report of the Chief Executive (previously circulated) seeking endorsement of the Council’s second Corporate Equalities Review and Plan Document (also previously circulated).

RESOLVED – (a) That the second Corporate Equalities Review and Plan 2005/06, as appended to the submitted report, be endorsed.

(b) That the contents of the report of Doug Feery Associates be noted and further reports be submitted to future meetings of Cabinet detailing the achievement of any outstanding actions.

REASON – Level 3 of the Equality Standard for Local Government cannot be attained without member approval of the Corporate Equalities Plan and Review Document.

C92. DARLINGTON – A CYCLING DEMONSTRATION TOWN – The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting approval for the acceptance of additional Capital Funding from Cycling England to help develop Darlington’s cycle network.

RESOLVED – (a) That the sum of £1.5m, awarded by Cycling England for the development of Darlington’s cycle network, be released

(b) That the delivery of schemes through the Cycling England funding award be integrated with the implementation of Darlington’s Second Local Transport Plan and ‘Darlington: A Town on the Move’.

REASONS – (a) To support the Council’s transport objectives, as set out in the Local Transport Plan.

(b) To accelerate the development of the cycling network in Darlington.

C93. AUDIT OF ACCOUNTS 2004/05 – The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) highlighting issues raised by the Council’s Auditors (PricewaterhouseCoopers) from the Audit of the Council’s Accounts 2004/05. A copy of the report from the Auditors was appended to the submitted report.

RESOLVED – (a) That the report of the Auditors on the Council’s 2004-05 accounts, as appended to the submitted report, be noted.

(b) That the accounts be not adjusted, for the reasons as detailed in the submitted report.

REASON - To comply with statutory accounting requirements.

C94. MEMBERSHIP CHANGES – There were no Membership Changes reported at the meeting.

C95. 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.

C96. CLOSED CIRCUIT TELEVISION AND AUTOMATIC NUMBER PLATE RECOGNITION (ANPR) (EXCLUSION NO. 14) – NOTE – This item was withdrawn at the meeting.

C97. DOLPHIN CENTRE REFURBISHMENT (EXCLUSION NOS. 7 AND 9) – NOTE – This item was withdrawn at the meeting.

C98. LAND AT MCMULLEN ROAD (EXCLUSION NOS. 7 AND 9) – The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking authority for the disposal of land at McMullen Road, as shown on the plan appended to the submitted report, to S.G. Petch Limited, for secure parking.

RESOLVED – (a) That the disposal of the land, as shown on the plan appended to the submitted report, be approved on the terms as outlined in the submitted report.

(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 satisfy S.G. Petch’s requirements for secure parking.

C99. SCHEDULE OF TRANSACTIONS (EXCLUSION NOS. 7, 8 AND 9) – The Cabinet Member with the Resource Management Portfolio introduced the report and schedule of the Director of Development and Environment (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 –
FRIDAY, 4TH NOVEMBER, 2005**