

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 26 SEPTEMBER 2016**

CABINET

13 September 2016

PRESENT – Councillor Dixon (in the Chair); Councillors Harker, C L B Hughes, McEwan, A J Scott and Wallis. (6)

INVITEES – Councillors Curry and Mrs Scott. (2)

APOLOGIES – Councillor Copeland. (?)

C40. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

C41. REPRESENTATIONS – No representations were made by Members or members of the public in attendance at the meeting

C42. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 12 July 2016.

RESOLVED - That the Minutes be confirmed as a correct record.

REASON – They represent an accurate record of the meeting.

C43. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C44 ISSUES ARISING FROM SCRUTINY - There were no issues arising from Scrutiny considered at this meeting.

C45. (URGENT ITEM) KEY DECISION - DARLINGTON LIBRARY SERVICE - The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) updating Members on progress and developments to date following the decisions made by Council in June 2016 relating to the Library Service; clarifying the legal status of the Crown Street land holding; advising Members of a potential legal challenge; the impact on current decisions about the library service; and requesting that consideration be given to a response to the threatened litigation.

Discussion ensued on the covenant for the building; the implications on the Council's MTFP of the proposals for the library service being put on hold; the potential of a Judicial Review; the proceeds from any sale of the Crown Street building; and the role of the Trustees.

RESOLVED - (a) That the work done to progress the decisions made in June, in respect of the library service, as detailed in the submitted report, be noted.

(b) That the clarification about the nature of the land holding of Crown Street and the implications that this has for any decision relating to the use of Crown Street Library and the role of Cabinet as Trustee, as detailed in the submitted report, be noted.

(c) That the decision made by Council on 29 June 2016, in relation to the library service, as detailed in the submitted report, not be implemented, with the exception of the mobile Library Service, which will be suspended from 1 October 2016 pending further decisions, and that further work on the design and operation of the library service at the Dolphin Centre, be undertaken

(d) That Members receive further update reports on the library service, including the relocation of the central library from Crown Street to the Dolphin Centre, for new decisions to be made about Library provision

(e) That the proposed response to the threatened judicial review claim, as outlined in the submitted report, be agreed.

REASONS - (a) To keep Cabinet informed of progress and developments since June 2016 and the work that needs to be undertaken.

(b) The need to inform Cabinet about the clarification of the Crown Street land holding and the implications of it being held on trust for a library.

(c) The need for Cabinet to agree a position about how the Council should respond to the potential judicial review claim and the implications that flow from such a decision.

C46. UPDATE ON CHILDREN'S SERVICES IMPROVEMENTS - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of Children and Adults Services (previously circulated) updating Members on the improvements made to date within Children's Services, further to the Single Inspection undertaken in June 2015, and providing Members with an inspection update and changes to the Ofsted inspection regime.

Discussion ensued on the progress and improvements made to date in Children's Services; other areas within Children's Services that may be subject to further Ofsted inspections, and to the 'pace' of change that had been implemented.

The Leader and the Cabinet Member with the Children and Young People Portfolio thanked the Children's Services staff for their hard work and commitment in continuing the improvement work.

RESOLVED - That the report and information contained therein, be noted.

REASON - Cabinet should receive regular updates on improvement progress.

C47. RELEASE OF CAPITAL ALLOCATION IN THE MEDIUM TERM FINANCIAL PLAN (MTFP) - RAILWAY MUSEUM - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the release of funding allocated in the Capital MTFP 2016/17 to 2019/20 to undertake essential structural works at the Railway Museum.

RESOLVED - (a) That the £250,000 allocated in the Capital MTFP for the repair of the Railway Museum, be released.

(b) That the Director of Economic Growth be authorised to proceed with the works, as detailed in the submitted report.

REASON - To safeguard the condition of the Grade II Listed Building and to meet the Council's obligations under the terms of the lease.

C48. LOCAL FLOOD RISK MANAGEMENT STRATEGY - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the draft Local Flood Risk Management Strategy (also previously circulated).

Particular reference was made to the issue of rubbish being dumped into the River.

RESOLVED - That the Local Flood Risk Management Strategy, as appended to the submitted report, be adopted.

REASONS - (a) To meet the requirements of the Flood and Water Management Act 2010.

(b) To ensure that local flood risk is managed to reduce flood risk to residents and businesses.

C49. (URGENT ITEM) TOWN CENTRE PARKING – SEASONAL OFFERS AND FEETHAMS DEVELOPMENT - The Cabinet Member with the Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the introduction of proposals for seasonal parking offers in the town centre to support trade and updating Members on the Feethams Development.

RESOLVED - (a) That a 'Free after 3pm' parking offer be implemented on the four Thursdays prior to Christmas 2016 in the Council's off-street car parks and on-street bays, namely 1, 8, 15 and 22 December 2016.

(b) That no charges apply in the Council's off-street car parks and on-street bays on 25 and 26 December 2016 and 1 January 2017.

(c) That from 1 October to 30 November 2016, no charges be applied on Thursdays in the Council's off-street car parks and on-street bays from 5pm.

(d) That the progress on the Feethams Development, as detailed in the submitted report, be noted, and the delay in commencement of the Riverside Park Project to January 2017, subject to planning approval being granted, be agreed

REASONS - (a) To support evening retail trade in the town centre.

(b) To support Christmas evening trading and the seasonal markets.

C50. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

DECISIONS DATED – FRIDAY 16 SEPTEMBER 2016