

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 25TH SEPTEMBER, 2006**

CABINET
12th September, 2006

PRESENT - Councillor Williams (in the Chair); Councillors Bristow, Dixon, Harker, D.A. Lyonette, McEwan, Thistlethwaite, L. Vasey and Wallis. (9)

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

C41. DECLARATION OF INTERESTS - There were no declarations of interest reported at the meeting.

C42. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 11th July, 2006.

RESOLVED - That the Minutes be confirmed.

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.

C45. KEY DECISIONS – (1) Waste Management - The Cabinet Member with the Consumer and Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking approval to a course of action for developing the Council's waste management service to achieve an affordable solution to increasing costs of waste treatment and disposal and to improve the Council's position within the national performance framework for waste management.

RESOLVED – It is recommended to Council that the procurement process for the disposal and treatment of municipal waste, as detailed in the submitted report, be approved.

REASON - To enable the Council to secure waste management services.

(2) Climate Change Strategy - The Cabinet Member with the Consumer and Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking approval of the Darlington Local Strategic Partnership's Draft Climate Change Strategy (also previously circulated).

RESOLVED - That the Darlington Local Strategic Partnership's Climate Change Strategy, as appended to the submitted report, be approved.

REASON - To facilitate the Council, as a key partner, within the Local Strategic Partnership, to contribute to combating climate change.

(3) Hackney Carriage Fares - Variation - 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 an application to revise the tariffs levied in respect of Hackney Carriage fares.

RESOLVED - (a) That, given the increasing costs to the trade, the increased tariffs, as detailed below, be approved:

- (i) **Tariff 1** (06:00 to 23:00), first 290 yards (265 metres) £2.00, and each additional 147 yards (134 metres) 12p;
- (ii) **Tariff 2** (23:00 to 06:00 and the 24 hours of all public holidays other than those included in tariff 3), first 290 yards £2.50, and each additional 147 yards 15p; and
- (iii) **Tariff 3** (18:00 24th December to 06:00 27th December and 18:00 31st December to 06:00 2nd January), first 290 yards £3.00, and each additional 147 yards 20p.

(b) That the Director of Development and Environment formally consult on the recommended fares in line with statutory requirements and any objections received be considered at a future meeting of Cabinet.

(c) That, subject to no objections being received, the proposed fares, as detailed at (a) above, be introduced from 9th October, 2006.

REASONS - (a) The hackney fare has not been increased since July 2005 and since that date the cost of fuel, insurance and associated costs have risen.

(b) The increase to the fares proposed in the submitted report strike an appropriate balance between the interests of the public and the taxi trade.

(4) Car Club - The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the establishment of a Car Club in Darlington, as part of the Local Motion sustainable travel demonstration town project, and seeking the release of funding to support the initial costs of setting up the club.

RESOLVED - That tenders be invited for the establishment of a Car Club, and, up to a maximum of £70,000 be released from the Local Motion Sustainable Travel Town Grant to support the start up costs of the club.

REASONS - (a) To enable officers to proceed with plans to promote the development of a car club in Darlington.

(b) To enable the Council to maximise the amount of external funding available to help residents of the Borough.

(5) Second Local Transport Plan - Revised Expenditure 2006/07 - The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and

Environment (previously circulated) requesting that consideration be given to variations to the proposed expenditure of the 2006/07 budget for the Second Local Transport Plan.

RESOLVED - That the variation in spend in the Second Local Transport Plan 2006/07, as detailed in the appendix to the submitted report, be approved.

REASON - To bring forward a scheme for tackling traffic congestion and maximising the Council's match funding opportunities.

(6) Charge for Services - Housing Renewal Team - The Cabinet Member with the Community and Public Protection Portfolio introduced the report of the Director of Community Services (previously circulated) requesting that consideration be given to a charging policy and fee levels for enforcement activities in other private sector housing duties carried out by the Housing Renewal Team.

RESOLVED - That the charging arrangements, as detailed in table 1 of the submitted report, be implemented from 1st October, 2006 and that the prices be reviewed every financial year to take account of inflation and other costs.

REASON - A Charging Policy will recover the costs of enforcement activity carried out by the Housing Renewal Team. This will provide savings and reduce the operational costs of the Housing Renewal Team, offsetting in part the necessary increase in staffing to deliver the new regulatory regime. A stricter charging policy will also act as a deterrent to landlords and property owners and reduce the enforcement activity in private sector housing.

(7) Housing Repairs and Maintenance - The Cabinet Member with the Community and Public Protection Portfolio introduced the report of the Director of Community Services (previously circulated) summarising the outcome of an independent review of the Housing Repairs and Maintenance Service and highlighting the results of a procurement options appraisal and expected benefits to result from implementing the associated action plan.

RESOLVED - (a) That the Housing Repairs and Maintenance Service be delivered by a restructured in-house service and partnership working with private contractors, as detailed in the submitted report.

(b) That the implementation of the Housing Repairs and Maintenance Service be managed through a leading edge project.

REASONS - (a) To provide improvements to the Housing Repairs and Maintenance Service.

(b) To implement the outcome to the challenge to the Housing Repairs and Maintenance Service.

(8) Discretionary Housing Payment Policy - The Cabinet Member with the Community and Public Protection Portfolio introduced the report of the Director of Community Services (previously circulated) seeking formal approval to the recently revised Discretionary Housing Payment Policy (also previously circulated), in Housing Benefits.

RESOLVED - That it be recommended to Council that the revised Discretionary Housing Payment Policy, as appended to the submitted report, be formally adopted.

REASONS - (a) To enable the administration of Discretionary Housing Payments to be maintained in accordance with the Financial Procedure Rules.

(b) To enhance the Council's ability to alleviate hardship amongst residents.

(9) Request for Release of Funding with the Local Area Agreement Block 5 (No. 3) - Increasing Community Capacity Through Street Scene - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Community Services (previously circulated) informing Members of proposals for capital spend within Block 5 (No. 3) of the Local Area Agreement (LAA), Increasing Community Capacity Through Street Scene and requesting the release of funding to support the initiative.

The Director of Community Services circulated additional information at the meeting.

RESOLVED - That £1,360,000 of capital grant funds be released from the Local Area Agreements and the Director of Community Services, in consultation with the Leader, be given delegated powers to finalise the detailed spending plans, to progress the schemes within Block 5 (No. 3) of the LAA, Increasing Community Capacity Through Street Scene, as detailed in the submitted report.

REASON - To enable the Council to benefit from the capital resources contained in the LAA and progress the scheme within Block 5 (No. 3) of the Local Area Agreement.

C46. CHILDREN AND YOUNG PEOPLE'S PLAN - 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 content of the Darlington's Children and Young People's Plan (also previously circulated).

RESOLVED - That the Children and Young People's Plan for Darlington, as appended to the submitted report, be noted and referred to Council for approval.

REASON - To comply with statutory requirements and to provide a strategic context for the development of children's services in Darlington.

C47. COMMISSION FOR SOCIAL CARE INSPECTION (CSCI)'S - (1) Inspection of the Adoption Service - The Cabinet Member with the Children's Services Portfolio introduced the report of the Director of Children's Services (previously circulated) presenting a summary of the report from the Commission for Social Care Inspection (CSCI) following the inspection of this Council's Adoption Service.

RESOLVED - (a) That the findings and recommendations of the Commission for Social Care Inspection, following the inspection of this Council's Adoption Service, as detailed in the submitted report, be noted.

(b) That the full report and action plan of the Commission for Social Care Inspection, be available from the Children's Accommodation Manager, on request.

REASONS - (a) To comply with statutory requirements to make the report public.

(b) To inform Members of findings of the report.

(2) Inspection of the Fostering Service - The Cabinet Member with the Children's Services Portfolio introduced the report of the Director of Children's Services (previously circulated) presenting a summary of the report from the Commission for Social Care Inspection following the annual inspection of this Council's Fostering Service.

RESOLVED - (a) That the findings and recommendations of the Commission for Social Care Inspection, following the inspection of this Council's Fostering Service, as detailed in the submitted report, be noted.

(b) That the full report and action plan of the Commission for Social Care Inspection, be available from the Children's Accommodation Manager, on request.

REASONS - (a) To comply with statutory requirements to make the report public.

(b) To inform Members of the findings of the report.

C48. (URGENT ITEM) TEES VALLEY CITY REGION PROPOSALS - The Leader introduced the report of the Chief Executive and the Director of Development and Environment (previously circulated) seeking the views of Cabinet on the submission to the Government's Comprehensive Spending Review on proposals for the creation of a Tees Valley Metropolitan Economic Partnership and the business case for the economic development of the Tees Valley City Region (also previously circulated).

RESOLVED - (a) That the proposals to create a Tees Valley Metropolitan Economic Partnership, as detailed in the submitted report, be approved.

(b) That the Business Case for the economic development of the Tees Valley City Region, as outlined in the appendix to the submitted report, be supported as work in progress.

(c) That the final Business Case, as appended to the submitted report, form the basis of the submission to Government by the five Tees Valley Boroughs for Comprehensive Spending Review

REASON - To make the most of funding and organisational opportunities to enhance the economic regeneration of Darlington and the Tees Valley.

C49. COMPLAINTS MADE TO OMBUDSMAN - REVIEW - Pursuant to Minute C29/Jul/06, 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 indicating any points of particular attention and/or referral to the Standards Committee since the last meeting of Cabinet.

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.

C50. CONSULTATIONS ON REGULATIONS TO UNDERAGE SALE OF TOBACCO AND SMOKE FREE PREMISES AND VEHICLES - The Cabinet Member with the

Consumer and Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking Members views on the response to be made to two national consultations by the Department of Health on smoking and related issues.

RESOLVED - That the responses to the consultation papers, as agreed by the Joint Special Meeting of the Social Affairs and Health and Public Protection and Community Partnerships Scrutiny Committees held on 22nd August, 2006, and as detailed in the submitted report, be forwarded to the Department of Health as this Council's formal response.

REASONS - (a) The consultation papers should lead to better control of smoking.

(b) This Council's response will contribute to effective control being implemented as a consequence of the consultations.

C51. PUBLIC PROTECTION FORUM - Submitted - The Minutes (previously circulated) of the meeting of the Forum held on 13th July, 2006.

RESOLVED - That the Minutes be received.

REASON - They represent an accurate record of the meeting.

C52. SECOND DARLINGTON LOCAL TRANSPORT PLAN 2006 TO 2001 - TEES VALLEY INITIATIVES - The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking approval for the submission of a major scheme business case for the Tees Valley Bus Network Review to the Department for Transport and the Government Office for the North East and outlining the current position regarding two other emerging sub-regional transport initiatives, namely the Tees Valley Metro and joint working with the Highways Agency to address development issues effecting the trunk road network.

RESOLVED - (a) That the Tees Valley Joint Strategy Unit, acting on behalf of the Council and its partner authorities in the sub-region, be authorised to develop and submit a Major Scheme Business Case for the Tees Valley Bus Network Review to the Department for Transport and the Government Office for the North East, at the end of September 2006.

(b) That the current position regarding the proposed Tees Valley Metro and joint working with the Highways Agency, to address development issues affecting the trunk road network, be noted.

REASONS - (a) The Bus Network Review addresses fundamental issues with regard to bus service provision in Darlington and, if successful, would provide substantial funding to improve accessibility and help tackle traffic congestion, in line with the objectives of the Second Darlington Local Transport Plan.

(b) Continuing work on other Tees Valley initiatives address key transport and economic objectives in the Second Local Transport Plan.

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) seeking approval to the finalised Piercebridge Conservation Area Character Appraisal (also previously circulated).

RESOLVED - That the Piercebridge Conservation Area Character Appraisal, as appended to the submitted report, be approved.

REASON - In order to provide a document to assist in the protection and management of the Piercebridge Conservation Area.

C54. JOBCENTRE PLUS CO-FINANCE AND COMMUNITY REACHOUT PROJECT -

The Cabinet Member with Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking endorsement to the Community Reachout Project, November 2006 to March 2008 to be submitted to the eighth Jobcentre Plus Co-financing round and for this Council to be the lead authority and accountable body for the initiative and to enter into a Service Level Agreement with the four other Tees Valley Authorities.

RESOLVED - (a) That the submission by this Council of the Tees Valley Community Reachout Project, 2006 – 2008 for Jobcentre Plus Co-financing funding, be supported.

(b) That this Council enters into a Service Level Agreement with the other four local authorities in the Tees Valley, with this Council acting as lead authority and accountable body for the initiative.

(c) That should the bid be successful, the funding, as detailed in the submitted report, be released.

REASONS - (a) To support a holistic Tees Valley initiative aimed at training unemployed individuals and assisting them into employment.

(b) To support the local economy by tackling skills shortages and providing unemployed individuals with the skills they require to find employment.

C55. PLANNING EXCELLENCE - SERVICE DELIVERY IMPROVEMENT PLAN -

The Cabinet Member with the Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking endorsement of the Service Improvement Action Plan (also previously circulated) and seeking approval to advertise and tender for the services of specialist consultants to review the Council's Development Control processes and procedures and provide best practice guidance on consultation techniques, as part of the actions identified in the Service Improvement Plan.

RESOLVED - (a) That the Planning Services Improvement Action Plan, as appended to the submitted report, be endorsed.

(b) That specialist consultants be commissioned to carry out:

(i) a review of Development Control processes and procedures, and

(ii) a review of consultation best practice and advise on a range of methods and techniques.

REASONS - (a) To gain Members support for the variety of Service Improvement Actions identified.

(b) To meet the Council's Procedure Rules on Tendering for consultants services.

C56. (ITEM CALLED-IN) REVENUE BUDGET MANAGEMENT - MONTHLY MONITORING REPORT - JULY 2006 - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) presenting Director's projections (also previously circulated) of income and expenditure for the year compared with approved budgets for consideration of the Council's overall revenue budget position for 2006/07.

RESOLVED - (a) That the 2006/07 revenue budget projections, as appended to the submitted report, be noted.

(b) That additional resources of £0.140M be allocated to cover costs associated with establishing the Street Scene service.

(c) That projected overspend on Adult Services be noted, pending completion of work to determine the level of additional resources required.

(d) That further budget management and annual efficiency statement monitoring reports be presented regularly to Cabinet.

REASON - To ensure that robust revenue budget management procedures are maintained and efficiency gains are monitored regularly.

C57. CAPITAL PROGRAMME - QUARTERLY MONITORING REPORT - APRIL TO JULY 2006 - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) presenting an update of the capital programme (also previously circulated) and looking at spending and resource levels.

RESOLVED - (a) That the 2006/07 updated Capital Programme, as appended to the submitted report, be noted.

(b) That the projected £0.218m overspend, as detailed in the submitted report, be noted.

(c) That additional resources of £0.018m be approved for the Customer Service centre.

(d) That the Children Services Capital programme be reported to the meeting of Cabinet scheduled for 10th October, 2006.

REASON - To allow Members to note the progress of the agreed Capital Programme and agree changes to the Capital Programme.

C58. CHIEF EXECUTIVE - PERFORMANCE APPRAISAL - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) informing Members of the recommendations of the Appraisal Sub-Group in respect of the Chief Executive's Performance Appraisal.

RESOLVED - That the recommendation of the Appraisal Sub-Group, as detailed in the submitted report, be approved.

REASON - To enable the appraisal to be confirmed.

C59. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C60. (URGENT ITEM) DARLINGTON RAILWAY CENTRE AND MUSEUM – RELEASE OF FUNDING – With the prior approval of the Leader to the matter being treated as urgent to allow a decision to be made at the earliest possible date, the Cabinet Member with the Leisure Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the release of external funding awarded by the Heritage Lottery Fund, Northern Rock Foundation, Railway Heritage Trust, English Heritage and the European Regional Development Fund (ERDF) for Phase 1 of the refurbishment of the Darlington Railway Centre and Museum.

RESOLVED – (a) That English Heritage and Railway Heritage Trust funds, relating specifically to Element 1 of Phase 1 of the refurbishment of the Darlington Railway Centre and Museum, as detailed in the submitted report, be approved, to allow the roof element of the scheme to commence.

(b) That other awarded funds be released and officers be authorised to proceed with the implementation of the remainder of Phase 1 of the redevelopment scheme of the Darlington Railway Centre and Museum, as detailed in the submitted report, should the European Regional Development and Railway Heritage Trust funding be approved and the other funding, as detailed in the submitted report, remains available.

(c) That no other capital funding from the Council be made available for the refurbishment of the Darlington Railway Centre and Museum, other than that, as detailed in the submitted report.

(d) That it be noted that no increase in net revenue funding will be required by the works, as detailed in the submitted report.

REASON – (a) To ensure that the monies from English Heritage and the Railway Heritage Trust are not lost and that the Council’s liability for future costs of roof repairs is minimised.

(b) To improve the Museum as a visitor attraction for Darlington in order to deliver an increase in economic impact from the tourist economy whilst improving social impact through the social inclusion and learning activities plan.

C61. REPRESENTATION ON OTHER BODIES 2006/07 – COUNTY DURHAM AND DARLINGTON FOUNDATION TRUST – With the prior approval of the Leader to the matter being treated as urgent to enable a decision to be made at the earliest possible date, the Leader introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the appointment of a Member to the Board of Governors of a future County Durham and Darlington Foundation Trust.

RESOLVED - That Councillor Thistlethwaite be nominated as this Council’s representative on the County Durham and Darlington Foundation Trust.

REASON - To ensure that this Council is represented on the County Durham and Darlington Foundation Trust.

C62. 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 paragraph 3 of Part I of Schedule 12A to the Act.

C63. DEVELOPING SUPPORTED LIVING SERVICE OPTIONS FOR PEOPLE WITH LEARNING DISABILITIES (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Adult Services Portfolio introduced the report of the Director of Community Services (previously circulated) to establish the need for expanding existing supported living options for people with learning disabilities who have complex needs; to establish ‘in principle’ agreement on developing those supported living options to allow detailed preparatory work to be undertaken; and to propose robust inter-agency project management arrangements with the capacity and resources to deliver a complex project, within the resources available, leading to high quality care outcomes for service users.

RESOLVED - (a) That the development of supported living arrangements, as outlined in the submitted report, be agreed and implemented through joint commissioning arrangements involving key partners, as identified in the submitted report.

(b) That the Housing Business Plan be amended to reflect the change in priorities identified in the submitted report.

REASONS - (a) Developing supported living options will provide evidence of local agencies compliance with Valuing People guidance in a way which is consistent with the Community Strategy, Corporate Plan and Best Value Performance Plan, and policy guidance impacting on the NHS.

(b) Developing supported living options will produce enhanced quality of care outcomes for existing service users, develop community based resources available for their successors and deliver significantly improved value-for-money in comparison with existing arrangements.

C64. LAND AT WELBECK AVENUE (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to declaring 0.43 acres of land at Welbeck Avenue, as shown on the plan appended to the submitted report, surplus to requirements and seeking authority to dispose of the land to North Star Housing Group for provision of affordable homes.

RESOLVED - (a) That premises, as referred to in the submitted report, be declared surplus to the Council’s requirements.

(b) That the Director of Development and Environment be authorised to dispose of the premises, as outlined in the submitted report.

(c) That the Borough Solicitor be authorised to prepare and complete all necessary documentation.

REASONS - (a) To achieve the development of affordable homes.

(b) To generate a capital receipt for the Council’s housing revenue account.

C65. CENTRAL HOUSE ANNEXE, GLADSTONE STREET (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Development and Environment (previously circulated) informing Members of a collective agreement that had been reached with Community Safety partners at Gladstone House regarding the recovery of rental charges and service costs for the building for 2006/07 and seeking authority to grant leases of the accommodation to the partners.

RESOLVED - (a) That the lease of accommodation at Central House, Gladstone Street Annexe be granted to the Police and to Darlington Primary Care Trust, on the terms as detailed in the submitted report.

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

REASON - To recover a proportion of the overall rental charges associated with the operation of the Community Safety Partnership base at Gladstone Street.

C66. MORTON PALMS - OFF-SITE INFRASTRUCTURE WORKS - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the costs of undertaking the off-site infrastructure works at Morton Palms Business Park and seeking approval to request the Highways Agency to award the contract.

RESOLVED - (a) That the cost of the off site infrastructure works (£0.900m), as detailed in the submitted report, be noted and capital receipts be released to cover that expenditure.

(b) That the Director of Development and Environment be authorised to confirm the order for the works to proceed and, in consultation with the Cabinet Member with the Resource Management Portfolio, agree variations to the contract and price as deemed necessary.

REASONS - (a) To inform Members of the current status and progress regarding this strategically important development.

(b) To fulfil the Council's joint venture obligation and enable a planning condition to be satisfied.

(c) To provide potential occupiers the assurances they require to commit to the Morton Palms Business Park development.

(d) To help ease traffic congestion at the A66, Yarm Road roundabout.

C67. LAND AT ALLINGTON WAY AND JOHN STREET, DARLINGTON (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to a linked proposal between this Council and Magnet Limited, involving the disposal of Council-owned land at Allington Way, as shown on the plan appended to the submitted report, to enable Magnet to improve loading and access arrangements and for the Council to acquire an interest from Magnet in land at John Street, required for the Albert Road to John Street cycleway.

RESOLVED - (a) That the request to dispose of land at Allington Way, as shown on the plan appended to the submitted report, and the option to acquire the leasehold interest in land at John Street, 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 allow Magnet to achieve their proposed development.

(b) To start the site assembly process for the Albert Road to John Street cycleway.

C68. SCHEDULE OF TRANSACTIONS (EXCLUSION PARAGRAPH NO. 3) - 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, 15TH SEPTEMBER, 2006**