

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 15TH MARCH, 2010**

CABINET
2nd March, 2010

PRESENT - Councillor Williams (in the Chair); Councillors Copeland, Dixon, Harker, Hughes, McEwan, D.A. Lyonette, A.J. Scott and Wallis. (9)

INVITEES - Councillors Barker, I. Haszeldine and Mrs. Scott. (3)

ALSO IN ATTENDANCE – Councillors Coultas, Francis, Johnson and Richmond. (4)

APOLOGIES – Mr. A MacConachie.

C146. DECLARATION OF INTERESTS - There were no declarations of interest reported at the meeting.

C147. REPRESENTATIONS – There were no representations from Members or members of the public, made at the meeting.

C148. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of this Cabinet held on 2nd and 16th February, 2010.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C149. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C150. ISSUES ARISING FROM SCRUTINY - There were issues arising from Scrutiny.

C151. KEY DECISIONS - (1) Local Area Agreement Refresh - The Leader introduced the report of the Assistant Chief Executive (previously circulated) presenting to Members details of the revised targets, as part of the final refresh of the Darlington Local Area Agreement 2008/11, for approval.

The Chair of the Monitoring and Co-ordination Group reported that all five of the Council's Scrutiny Committees were undertaking reviews in respect of the proportion of children in poverty.

RESOLVED - (a) That the rationale for the proposed target revisions, as detailed in the submitted report, be noted.

(b) That the revised Local Area Agreement targets, as detailed at Appendix 1 to the submitted report, be approved.

REASONS - (a) To meet the refresh process timetable as set by the Department for Communities and Local Government and agreed with the Government Office North East.

(b) To comply with the relevant statutory guidance.

(c) To ensure designated targets continue to effect local changing circumstances.

(2) The Darlington Compact - The Cabinet Member with the Communities and Engagement Portfolio introduced the report of the Assistant Chief Executive (previously circulated) presenting the draft Darlington Compact and accompanying Codes of Practice (all also previously circulated).

Reference was made to the contribution and involvement of many organisations from the voluntary sector, in the preparation of the Compact, and in particular, to the Executive Director of eVOLution, who took the lead on the preparation of the document.

RESOLVED - (a) That the draft Darlington Compact, as appended at Appendix 1 to the submitted report, and accompanying Codes of Practice, as appended at Appendix 2 to the submitted report, be approved as the framework for managing working relationships between public and third sector organisations in Darlington.

(b) That any proposed changes of substance to the compact arising from consideration by partners, or from experience of using the compact, be reported back to a future meeting of Cabinet for consideration.

REASONS - (a) To put in place a compact framework in Darlington that accords with the national framework and with recognised good practice.

(b) To ensure that the compact reflects the views of all partners, and that it is kept up to date as a 'living compact' in the light of experience and progress in using it.

(3) Transport Capital Programme 2010/11 - The Cabinet Member with the Transport Portfolio introduced the report of the Assistant Chief Executive (Regeneration) requesting that consideration be given to varying the previously agreed programme for the Second Local Transport Plan; releasing capital resources for the delivery of the Tees Valley Bus Network Improvement Scheme; revising the scheme of Delegation to Officers; and to the criteria for prioritising 'Safer Routes to Schools' schemes.

Particular reference was made to the issue of 'pay on exit' car parks within the Town Centre, and the Leader responded thereon.

RESOLVED - (a) That the revised transport programmes, as set out in Appendices 2, 3 and 4 of the submitted report, be agreed.

(b) That, subject to the decision by the Department for Transport to award funding for the Tees Valley Bus Network Improvement scheme and acceptable grant conditions, the funding be released over a four year period, to implement the schedule of schemes, as detailed in Appendix 5 of the submitted report.

(c) That the Scheme of Delegation to Officers be amended to include a power for the Assistant Chief Executive (Regeneration) under (C) General Matters as a new item 6, as follows:-

‘In consultation with the relevant Cabinet Member, to implement transport schemes within the list of schemes approved by Cabinet by:-

- (i) applying for and releasing additional external funding for them; and
- (ii) varying the funding source for them.’

(d) That the criteria for Safer Routes to School, as detailed in Appendix 1 of the submitted report, be agreed.

REASONS - (a) To ensure that the most effective use is made of the settlements for 2010/11 by permitting a timely start to be made on the full programme of works.

(b) To release funding for Tees Valley Bus Network Improvement schemes, subject to acceptable grant conditions. To maximise the opportunity for match funding through Cycling England and Interreg IVB programme (European funding) and to replace funding that is no longer available so that programmes of work can be delivered by March 2011.

(c) To maximise the opportunity for match funding and to minimise procedural timescales in the delivery of the transport investment programme.

(d) To prioritise Safer Routes to School schemes based on objective criteria.

(4) Housing Investment Programme 2010/11 - The Cabinet Member with the Neighbourhood Services and Community Safety Portfolio introduced the report of the Director of Community Services (previously circulated) advising Members of the resources available for housing capital investment during 2010/11 and recommending a programme to utilise those resources.

RESOLVED - That the Annual Housing Investment Programme for 2010/11, as detailed in the submitted report, be agreed and the funding required to support those schemes, be released.

REASON - To enable the works and projects identified in the annual Housing Investment Programme for 2010/11, to proceed.

(5) Darlington Local Development Framework - Statement of Community Involvement - The Cabinet Member with the Economy Portfolio introduced the report of the Assistant Chief Executive (Regeneration) requesting that consideration be given to the comments made in response to the draft revised Statement of Community Involvement (SCI).

RESOLVED - That it be recommended to Council that:-

(a) the suggested responses to comments made during consultations, as set out in Appendix 1 of the submitted report, be this Council’s response; and

(b) the Statement of Community Involvement, as detailed in Appendix 2 of the submitted report, be adopted.

REASONS - (a) To fulfil the statutory requirement to have an up to date Statement of Community Involvement in place.

(b) The revised SCI will provide clarity to all about the community engagement that will take place in the production of the Local Development Framework, in the lead up to the submission of planning applications and in the determination of planning applications.

C152. COMBINED SERVICE AND FINANCIAL PERFORMANCE REPORT QUARTER THREE 2009/10 - The Leader introduced the report of the Chief Executive (previously circulated) reporting the Council's service and financial performance at the end of the third quarter of 2009/10 and providing an update on the financial information provided to Cabinet at its meeting held on Tuesday, 2nd February, 2010.

RESOLVED - (a) That the areas where targets have not been met, as detailed in the submitted report, be noted.

(b) That the above target performance against the Sustainable Community Strategy, on target performance for the Corporate Plan and the Local Area Agreement, as detailed in the submitted report, be noted.

(c) That the latest projected financial outturn for 2009/10 compared with the approved 2009/13 Medium Term Financial Plan, as detailed in the submitted report, be noted.

REASON - To maintain appropriate management arrangements for the Council's finances to make effective use of the Council's resources and to continue to effectively manage services and improve value for money.

C153. CARBON REDUCTION COMMITMENT - ENERGY EFFICIENCY SCHEME - The Cabinet Member with the Sustainable Environment and Climate Change Portfolio introduced the report of the Assistant Chief Executive (Regeneration) and the Director of Corporate Services (previously circulated) outlining to Members the new Carbon Reduction Commitment Energy Efficiency Scheme (CRC) and seeking delegated powers for the Director of Corporate Services to take the necessary actions to manage the scheme.

Particular reference was made to the cost of the meters, which were required as part of the initial registration process.

RESOLVED - (a) That the report be noted.

(b) That the Scheme of Delegation to Officers be amended to include a power to the Director of Corporate Services under (A) Financial Matters as a new item 17, as follows:'

'To buy and sell allowances under the Carbon Reduction Commitment Scheme.'

REASONS - (a) To ensure that this Council comply with the new Carbon Reduction Commitment Energy Efficiency Scheme.

(b) To maximise the benefits of trading by allowing quick decisions to be made in line with day to day changing market conditions.

C154. FITZWILLIAM DRIVE JUNCTION IMPROVEMENT - OBJECTION TO ROAD HUMP NOTIFICATION - The Cabinet Member with the Transport Portfolio introduced the report of the Director of Community Services (previously circulated) requesting that consideration be given to an objection received against the construction of road humps on Fitzwilliam Drive and Wensleydale Road.

References were made to the importance of the scheme to the area; the implications of new legislation in respect of traffic calming; and on noise pollution from constructing road humps. The Cabinet Member with the Transport Portfolio responded thereon.

RESOLVED - (a) That the objection, to the construction of speed cushions, as detailed in the submitted report, be set aside.

(b) That the proposals be implemented as advertised.

REASONS - (a) The resident's objection is not considered to be substantive for the reasons set out in the chart in paragraph 19 of the submitted report.

(b) The scheme consultation process indicates that a majority of local residents support the proposed scheme.

C155. RELEASE OF FUNDING - SAFER STRONGER COMMUNITIES - The Cabinet Member with the Neighbourhood Services and Community Safety Portfolio introduced the report of the Assistant Chief Executive (previously circulated) requesting that consideration be given to the release of £84,118 of capital resources from the Safer Strong Communities fund and £32,000 revenue contribution for capital from the revenue grant received for Youth Crime Action Plan funding.

RESOLVED - That £116,118 of capital expenditure for Community Safety Initiatives, as detailed in paragraphs 9 to 12 of the submitted report, be approved.

REASON - To contribute towards the delivery of safer local communities.

C156. WRITE-OFF OF HOUSING BENEFIT OVERPAYMENTS - The Cabinet Member with the Neighbourhood Services and Community Safety Portfolio introduced the report of the Director of Community Services (previously circulated) updating Members on the current position on housing and council tax benefit overpayments and seeking approval to write-off debts of £66,768.

RESOLVED - That a total amount of £66,768 for housing and council tax benefit overpayments be written off subject to steps for recovery being taken, wherever possible, if and when contact is made.

REASON - Regular arrangements of writing off debts are in accordance with the Audit Commission Best Practice for Good Financial Management.

**DECISIONS DATED -
FRIDAY, 5TH MARCH, 2010**