

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY 17 OCTOBER 2011**

CABINET
4 October 2011

PRESENT - Councillor Dixon (in the Chair); Councillors Copeland, Harker, C L B Hughes, McEwan, D A Lyonette, A J Scott and Wallis. (8)

INVITEES – Councillors Mrs H Scott and Curry. (2)

ALSO IN ATTENDANCE – Councillors Francis and Regan. (2)

APOLOGIES – Councillors I Haszeldine and Swainston and Mr A MacConachie. (3)

(NOTE – That following the agreement of Cabinet, Minute C65 below was moved from the confidential part of the meeting to the non-confidential part of the meeting.)

C54. DECLARATIONS OF INTEREST – In respect of Minute C59(3) below, Councillors A Scott and Mrs H Scott, declared personal but non-prejudicial interests, as they were Sponsor Governors at the Education Village, and Councillor A Scott also had a child at the school; and in respect Minute C62 below, Councillor DA Lyonette declared a personal but non-prejudicial interest.

C55. REPRESENTATION – A member of public in attendance at the meeting made representations in respect of Minute C65 below.

C56. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 13 September 2011.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C57. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration to this meeting.

C58. ISSUES ARISING FROM SCRUTINY - There were not matters arising from Scrutiny.

C59. KEY DECISIONS - (1) (URGENT ITEM) The Local Housing Offer - The Cabinet Members with Economy and Regeneration Portfolio and the Adult Social Care and Housing Portfolio introduced the report of the Director of Place and the Director of People (previously circulated) explaining the considerations and implications for the Council in responding to the Recent Homes and Communities Agency (HCA) grant offers and requesting that consideration be given to how this Council might respond to the registered providers proposals and the grant opportunity.

RESOLVED - (a) That the disposal of the Haughton Road site to deliver 12 new affordable homes, the acquisition of up to 26 new affordable apartments at Melland Street and the disposal of surplus land at Buxton Moor to facilitate the development of 20 new affordable homes, subject in each case to final agreement as to terms and conditions, be approved.

(b) That the Director of Resources be granted delegated power to agree the final terms and conditions of the disposal of the Haughton Road site.

(c) That the Director of Resources be granted delegated power to agree the final terms and conditions of the acquisition of up to 26 new affordable apartments at Melland Street and the disposal of surplus land at Buxton Moor.

(d) That an amendment to the scheme of delegation in relation to property exceptions in accordance with the variations outlined above, be approved.

REASONS - (a) There is a significant shortage of affordable housing in Darlington and the proposed new developments will assist in addressing the current shortfall.

(b) Homes and Community Agency grant rates have been substantially reduced in order to maximise the number of new homes being developed and there is an expectation that Councils will provide financial incentives such as providing land at nominal cost.

(2) Feethams - Town Centre Development Proposals - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) informing Members of development proposals received for Feethams and outlining the various options available to the Council.

RESOLVED – That the release and redevelopment of the Feethams site be supported in line with the strategy as detailed below:-

(a) take the southern Town Hall temporary car park site to market for a cinema multiplex and associated uses as the Council's preferred option through a formal marketing exercise; and

(b) release the remainder of the Feethams site and market as appropriate following the completion of the Darlington Car Parking Strategy.

REASONS - (a) A multiplex cinema and restaurants with possible hotel development is considered the most appropriate use for the Southern Town Hall temporary car park site in planning terms. The Core Strategy identifies the Feethams site as the most appropriate area for such a use.

(b) A high proportion of the Town Centre surface car parking is located in the Feethams Area; any release of the site will have to be managed in a manner as not to undermine the provision of Town Centre parking provision. The Car Parking Strategy will contain information which can assist in achieving this.

(3) Schools Converting to Academy Status - Pursuant to Minute C6/Jul/11, the Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of People (previously circulated) requesting that consideration be given to extending the delegation given to the Directors of People and Resources to negotiate transfers of schools to academy status.

RESOLVED - That delegated powers be given to the Directors of People and Resources to liaise with the Department for Education and Governing Bodies of Schools converting to academy status and agreeing the transfer arrangements to complete any requisite transfers of land, in line with the Secretary of State's direction.

REASON - To comply with a direction to the Council to carry out these actions by the Secretary of State for Education.

C60. ECONOMIC STRATEGY - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) outlining the need for Members to refresh the Economic Strategy and seeking approval for this work to be done.

RESOLVED - That a review of the Economic Strategy be carried out, as outlined in the submitted report.

REASON - (a) To validate the findings of the Local Economic Assessment and provide a focus for involvement by business sectors in the development of the Economic Strategy.

(b) To provide a common template to guide discussion about the future of the local economy.

(c) A refreshed Economic Strategy is critically important to position Darlington both in terms of business opportunities and public sector interrelations within Local Enterprise Partnerships for the benefit of local prosperity.

(d) Economic and funding conditions have changed substantially since the last refresh of the Borough's Economic Strategy, 'Taking Forward Darlington Gateway'.

C61. ANNUAL LETTER OF THE LOCAL GOVERNMENT OMBUDSMAN - The Leader introduced the report of the Director of Resources (previously circulated) presenting to Members the Annual Letter of the Local Government Ombudsman (also previously circulated) in relation to complaints and education appeals against this Authority.

RESOLVED - (a) That the Annual Letter from the Local Government Ombudsman for 2010/11, as appended to the submitted report, be welcomed.

(b) That the robust practices and procedures implemented by the Council in relation to complaints handling ensuring that the Council is well placed to deal with an increase in complaints to the Local Government Ombudsman, be noted.

REASON - To enable the local authority to continue to learn from complaints, improve service provision and increase efficiency.

C62. CONSULTATION ON THE LOCAL GOVERNMENT RESOURCES REVIEW - BUSINESS RATES RETENTION - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources (previously circulated) providing Members with an overview of the proposals to allow local authorities to retain their locally raised business rates.

RESOLVED - (a) That the contents of the report and the issues raised about proposed changes in relation to business rates, as detailed in the submitted report, be noted.

(b) That delegated authority to respond to the consultation be given to the Cabinet Member with the Efficiency and Resources Portfolio and the Director of Resources to allow further work and consultation with colleagues in the region to be undertaken prior to the response date.

REASON - To ensure that the views of this Council are fully heard on the consultation on the Local Government Resources Review.

C63. CONSULTATION ON COUNCIL TAX BENEFIT REFORM - The Cabinet Member with Adult Social Care and Housing Portfolio introduced the report of the Director of People (previously circulated) providing Members with an overview of the proposed changes to Council Tax Benefit, and seeking approval for the Council's response to the Government's consultation on this issue.

RESOLVED - (a) That the contents of the report and the areas of concern being raised about the proposed changes, as detailed in the submitted report, be noted.

(b) That the response to the consultation document, as set out in paragraphs 14 to 16 of the submitted report, be approved, the final version to be delegated to the Director of People to allow further work and consultation with colleagues in the region to be undertaken, prior to the response date.

REASON - To ensure the views of this Council are fully heard on the consultation on the future of council tax relief for vulnerable and low income residents.

C64. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C65. DARLINGTON GOLF CLUB PROPOSED ACCESS - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources (previously circulated) requesting that consideration be given to the grant of an easement to Darlington Golf Club to allow them to create a new access across Council-owned land at Sparrow Hall Drive to the Golf Club and Elm Tree House Farm.

A member of the public in attendance, addressed Cabinet in respect of the request to grant an easement to Darlington Golf Club to allow them to create a new access across Council owned land at Sparrow Hall Drive, and made reference to the ownership of Green Lane. The Director of Place and the Assistant Director Resources responded thereon.

(NOTE – Following consideration of this item, it was subsequently withdrawn at the request of the Chair, and with the agreement of Cabinet).

**DECISIONS DATED -
FRIDAY 7 OCTOBER 2011**