

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE MONDAY 22 APRIL 2013**

**CABINET**

9 April 2013

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

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

**ALSO IN ATTENDANCE** – Councillors Francis, Johnson and B. Jones (3)

**C141. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**C142. REPRESENTATIONS** – In respect of Minutes C146(1), C146(2) and C147 below, representation was made by Members in attendance at the meeting.

**C143. MINUTES** - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 5 March 2013.

**RESOLVED** - That the Minutes be confirmed.

**REASON** - They represent an accurate record of the meeting.

**C144. MATTERS REFERRED TO CABINET** - There were no matters referred back for reconsideration.

**C145. ISSUES ARISING FROM SCRUTINY** - There were no issues arising from Scrutiny.

**C146. KEY DECISIONS - (1) Extra Care Housing – Strategy Future Options For Service Delivery** - The Cabinet Member with Adult Social Care and Housing Portfolio introduced the report of the Director of People and the Director of Place (previously circulated) advising Members of the outcome of the review of the extra care housing schemes in Darlington and seeking Members approval to the draft Extra Care Housing Strategy 2013-17 (also previously circulated).

The submitted report also advised Members of the outcome of the review of the in-house homecare service, which was provided in four extra care schemes, and approval was sought to undertake a competitive tender exercise for the award of a new contract for the delivery of domiciliary care and domestic support within the extra care schemes.

A Member in attendance at the meeting addressed Cabinet in relation to the proposal to commission an external service and the development of the specification for the tender.

**RESOLVED** - (a) That the draft Extra Care Strategy and Delivery Plan 2013 – 2017 be approved.

(b) That the tendering, within one agreement of outcome focussed domiciliary and domestic care to be delivered in extra care housing, be approved, with overnight on site support being provided within the contract in the schemes where there is an identified need

(c) That the tender be through an approved procurement process with the contract period commencing on 1 October 2013.

(c) That Cabinet has due regard to the public sector equality duty and, in consideration of this, the impact assessment against the need to achieve efficiencies within the Council's current financial position be noted.

(d) That a review of the meal service be approved.

(e) That a revision of the allocations policy to allow flexibility to manage voids be approved.

(f) That communal cleaning of the Council-owned properties remain in-house within the wider cleaning service.

**REASONS** - (a) The Strategy and Delivery Plan has been subject to consultation.

(b) The care and support services are no longer financially sustainable for the Council as the true cost of the in-house care service is not recovered from individuals (and exceeds Fairer Contributions Policy).

(c) Combining contracts will achieve a more equal, transparent and consistent service provision. It will support quality of care and also provide an opportunity to ensure 'value for money' by allowing the opportunity for providers to offer, seamless, more holistic, personalised support.

(d) Efficiencies can be made and are required to support the Council in meeting its overall budget efficiencies in future years.

(e) The proposed mitigations identified in this report will be considered as part of the individual care reviews of those individuals within the extra care schemes.

(f) The meal service has mixed comments on consultation; the review will aim to create a modernised service.

(g) There are a number of voids in the extra care schemes and in order to reduce these the current allocation mix will be reviewed.

**(2) Accessible Community Transport** - The Cabinet Member with Transport Portfolio introduced the report of the Director of Place (previously circulated) seeking approval to award grant funding for the provision of an accessible community transport service to be managed by eVOLution.

A Member in attendance at the meeting addressed Cabinet in relation to the work undertaken to provide accessible community transport to Sadberge, Little Stainton,

Great Stainton, Bishopton and Neasham and to his support for option D timetable 2 as detailed in table 1 of the submitted report.

**RESOLVED** – That the award of grant funding to eVOLution to enable it to appoint an accessible community transport service provider to operate a daytime service to Sadberge, Great Stainton, Little Stainton, Bishopton and Neasham, to an agreed timetable and standards of operation. be approved and that the grant funding be awarded for up to 2 years using all of the available funding, subject to progress on growing patronage and demonstrating on-going financial sustainability.

**REASON** - This service would best meet the needs of local people, particularly those in rural areas, as identified through the consultation process, the original bids and on-going discussions with community leaders. This option also best fits with the Sadberge Travel Club which now operates. The service will be independent of the Council and is community-led in line with the original criteria in the bidding guidance.

**(3) Business Case for Three Borough Collaboration** - The Leader introduced the report of the Chief Executive and the Director of People (previously circulated) advising Members of the outcomes of the work to develop the Business Case for a three Borough collaboration on People Services between Darlington, Hartlepool and Redcar and Cleveland Borough Councils; and seeking approval for the Business case and for the implementation strategy recommended by the Programme Board.

**RESOLVED** - (a) That the Business Case, establishing the viability of a People Services collaboration between Darlington, Hartlepool and Redcar and Cleveland Borough Councils be approved.

(b) That a further report be submitted to Cabinet in due course, setting out options for implementation of a future People Services Collaboration.

(c) That the governance arrangements for the oversight and strategic direction of the project, comprising Leaders, Lead Members, Chief Executives and Directors of People Services be continued.

**REASONS** - (a) The Business Case demonstrates that collaboration can make savings for each participating authority.

(b) Further work is required by each of the participating local authorities on their own budget strategies before a final implementation plan can be agreed.

**(4) Feethams Office Development** - The Cabinet Member with the Efficiency and Resources Portfolio and the Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Resources and the Director of Place (previously circulated) seeking endorsement of the offer made to the Department for Education (DfE) in relation to their decision to retain an office in the North East when they relocate from Mowden Hall; seeking approval for the development of an office building to the rear (east) of the Town Hall, should the DfE provide written confirmation that this was their selected property option for the North East office; seeking delegated authority for the Director of Resources, in consultation with the Director of Place and the respective portfolio holders, to progress and finalise the design details and specification for the building; seeking delegated authority for the Director of Resources, in consultation with

respective portfolio holders, to negotiate terms in line with the principal Heads of Terms as set out in the submitted report; and seeking agreement to use the National SCAPE Framework as the preferred Procurement Strategy for the development.

In addition, Cabinet were also requested to recommend to Council, should the scheme be the DfE's preferred option, to agree capital funding of up to £9.3m for the construction of an office building to the rear (east) of the Town Hall to be funded by Prudential Borrowing; approve the estimated revenue financial consequences of the scheme noting that the range of costs was dependent on varying factors in the future; increase prudential borrowing limits to cover the total project costs, up to a maximum of £9.3million, with authority delegated being granted to the Director of Resources to borrow only the level of funding required to cover the total project costs.

**RESOLVED** - (a) That the offer made to the Department for Education (DfE) in relation to their decision to retain an office in the North East when they relocate from Mowden Hall be endorsed.

(b) That the development of an office building to the rear (east) of the Town Hall, should DfE provide written confirmation that this is their selected property option for the North East office be approved.

(c) That the Director of Resources, in consultation with the Director of Place and the Efficiency and Resources, and Economy and Regeneration portfolio holders, be granted delegated authority to progress and finalise the design details and specification for the building.

(d) That the Director of Resources, in consultation with the Director of Place and the respective portfolio holders, be granted delegated authority to negotiate terms in line with the principle Heads of Terms as set out in the submitted report.

(e) That the use of the National SCAPE Framework as the preferred Procurement Strategy for the development be approved.

(f) That, should the scheme be the DfE's preferred option, it be recommended to Council :-

- (i) that capital funding of up to £9.3m for the construction of an office building to the rear (east) of the Town Hall to be funded by Prudential Borrowing be approved; and
- (ii) that the estimated revenue financial consequences of the scheme, noting the range of costs is dependent on varying factors in the future, be approved.

**REASONS** - (a) To add further weight to and endorsement of the offer made to the DfE, which was made subject to the Council's formal decision making procedures.

(b) To retain between 340 and 440 jobs within the Borough.

(c) To aid the delivery of the Feethams Planning and Development Brief and the objectives of the Town Centre Fringe Masterplan.

(d) To enable the design to advance in line with the required timetable without the need for further Cabinet resolutions.

(e) To enable the Council to have the ability to have timely and efficient negotiations with the proposed End User in line with the agreed principles in advance of significant capital expenditure in respect of the project.

(f) The National SCAPE Framework is the preferred Procurement Strategy for the design and build for the proposed development. It enables the Council to work within the prescribed timescales of the proposed End User and delivers value for money.

(g) Should this project advance, the Council will be exposed to increased financial implications; due to the nature of these financial implications the constitution requires a Council resolution.

**(5) Annual Procurement Plan** - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources (previously circulated) presenting the Annual Procurement Plan to Cabinet for approval.

**RESOLVED** - That the assessment of strategic and non-strategic contracts, as detailed in Appendix 1 of the submitted report be approved and that further reports on the procurement process for those contracts designated as strategic be brought to Cabinet for approval and the contract award decision be made by Cabinet and the contract award decisions for the contracts designated as non-strategic be delegated to the appropriate Director as listed in the plan at Appendix 1 of the submitted report.

**REASONS** - (a) The Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic and non-strategic.

(b) The contracts designated strategic are of high value and high significance in respect of the impact on residents, Health and Safety and public safety.

(c) The contracts designated non-strategic are of a lower value and lower significance in respect of the impact on residents and public safety.

**C147. MEDIUM TERM FINANCIAL PLAN BUDGET SAVINGS PROPOSALS** - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Chief Officers Executive (previously circulated) identifying where budget savings can be made in HOW the Council operates as highlighted in the report to Council on 28 February 2013.

A Member in attendance at the meeting addressed Cabinet in relation to the possible risks associated with the continual savings proposals and questioned whether an analysis of those risks had been undertaken. The Director of Resources responded thereon.

**RESOLVED** - (a) That the budget savings proposals, as summarised and detailed in Appendix 1 of the submitted report, be approved.

(b) That the implications of the restructure, as set out in the submitted report, be submitted to Council for approval as it impacts on Chief Officers.

**REASONS** - (a) To enable savings to be delivered.

(b) Chief Officer terms and conditions are the responsibility of Council.

**C148. CENTRAL PARK – BUSINESS GROWTH HUB** - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) seeking approval to take the necessary steps to enable Officers to set up contracts and other legal documentation in respect of the proposed Business Growth Hub on Central Park (formerly known as the Innovation Centre).

**RESOLVED** - (a) That the contents of the report be noted.

(b) That the Director of Resources be granted delegated powers, in consultation with the Director of Place, to :-

- (i) progress a competitive tender process to the point of conditionally letting a contract to operate the Business Growth Hub;
- (ii) progress a competitive tender process to the point of conditionally letting a contract for the construction and associated infrastructure work of the Business Growth Hub including all fees;
- (iii) to enter into a conditional lease with the chosen operator for the Business Growth Hub;
- (iv) grant conditional approval to transfer land associated with the Business Growth Hub to HCA; and
- (v) grant conditional approval to enter into a 20-year lease with HCA

**REASONS** - (a) To enhance the environmental, social and economic well-being of the Borough.

(b) To support actions arising from Darlington's Economic Strategy.

(c) To support the delivery of the Enterprise Zone on Central Park.

**C149. DARLINGTON TOWN CENTRE FRINGE MASTERPLAN** - The Cabinet Member with Economy and Regeneration Portfolio and the Cabinet Member with Transport Portfolio introduced the report of the Director of Place (previously circulated) requesting approval to the Town Centre Fringe Masterplan (also previously circulated).

The submitted report outlined the results of the consultation in March and April 2012 and the subsequent changes made to the final document following the consultation.

**RESOLVED** - That the Town Centre Masterplan, as attached to the submitted report, and the associated Conservation Management Plan be adopted..

**REASONS** - (a) The master planning of the area is a part of the on-going plan making process and is a continuation of work already undertaken.

(b) The adopted Masterplan will stimulate, promote and help to manage the development of the area in line with the adopted Local Plan Core Strategy, facilitating growth, economic development and the creation of jobs.

**C150. PERFORMANCE MANAGEMENT REPORT 2012-13** - The Leader introduced the report of the Chief Executive providing an update on the Council's performance for the period 1 April to 31 December 2012, including progress against key performance measures targets and outcomes as identified within the Council's agreed performance management framework.

**RESOLVED** - (a) That the performance indicators performing at, or above, target, be noted.

(b) That the areas of service which are performing below target be noted.

(c) That the achievements across Service Groups be acknowledged.

(d) That receive regular updates on the performance of services continue to be submitted to Cabinet.

**REASONS** - To effectively manage performance to deliver the agreed priorities and outcomes.

**C151. MEMBERSHIP CHANGES** - There were no membership changes reported at the meeting.

#### **DECISIONS DATED 12 APRIL 2013**