

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 20 MAY 2013**

**CABINET
7 May 2013**

PRESENT - Councillor Dixon (in the Chair); Councillors Copeland, Harker, C L B Hughes, D A Lyonette, McEwan and A J Scott. (7)

INVITEES – Councillors I Haszeldine and Curry. (2)

ALSO IN ATTENDANCE – Councillors Johnson, Long and E A Richmond. (3)

APOLOGIES – Councillors Mrs Scott and Wallis. (2)

C152. DECLARATIONS OF INTEREST – In respect of Minute C159 below, Councillor A J Scott declared a personal and prejudicial interest and left the meeting during consideration of that item only.

C153. REPRESENTATIONS – No representations were made by Members or members of public in attendance at the meeting.

C154. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 9 April 2013.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C155. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C156. ISSUES ARISING FROM SCRUTINY - There were no issues arising from Scrutiny.

C157. KEY DECISIONS - (1) Carers' Strategy and Implementation Plan 2013/16 and Young Carers' Action Plan 2013/16 - The Cabinet Members with Adult Social Care and Housing and the Children and Young People Portfolios introduced the report of the Director of People (previously circulated) requesting that consideration be given to the Carers' Strategy and Implementation Plan 2013/16 and the Young Carers' Action Plan 2013/16 (both also previously circulated).

The submitted report stated that both documents had been developed by multi-agency Steering Groups, which included representatives from this Council, health partners, carers and voluntary sector organisations.

RESOLVED - That the Carers' Strategy and Implementation Plan 2013/16 and the Young Carers' Action Plan 2013/16, as appended to the submitted report, be approved.

REASON - To ensure that the Council meets its statutory duty to identify carers and assess their needs.

(2) CORPORATE PLANNING AND PERFORMANCE FRAMEWORK - The Leader introduced the report of the Chief Executive (previously circulated) providing an update on the implementation of the actions contained within the Corporate Plan 2012/15 and presenting proposals for a new suite of actions for 2013/14.

RESOLVED - (a) That the progress against existing Corporate Plan 2012/15 actions, as detailed in the submitted report, be noted.

(b) That the Corporate Plan 2013/14 priorities, as detailed in Appendix A of the submitted report, be approved.

REASONS - (a) To provide an updated corporate planning framework for the Council.

(b) To ensure effective arrangements for maintaining and improving Council performance.

(3) Discretionary Housing Payment Policy - 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 Discretionary Housing Payment Policy (also previously circulated) following consultation.

The submitted report stated that the aim of the Discretionary Housing Payment scheme was to provide people receiving Housing Benefit with further financial assistance with their housing costs and that the policy had been developed in consultation with registered housing providers and support and advice agencies.

RESOLVED - (a) That the results of the consultation exercise and the equalities impact assessment, as detailed in the submitted report, be noted.

(b) That the Discretionary Housing Payment Policy, as detailed at Appendix 1 of the submitted report, be approved.

REASONS - (a) The Discretionary Housing Payment scheme seeks to provide financial assistance to low income households, targeting the most vulnerable residents through the transitional period of key welfare reforms.

(b) The Discretionary Housing Payment Policy reflects national Department for Work and Pensions guidance on the operation of the scheme.

(c) The policy will underpin discretionary decisions and appeals being made by officers.

C158. PEER CHALLENGE - The Leader introduced the report of the Chief Executive (previously circulated) updating Members on the Corporate Peer Challenge taking place between the 4 to 7 June 2013. A copy of this Council's 'Position Statement', which had been submitted as part of the Peer Challenge, was appended to the submitted report.

RESOLVED - (a) That it be noted that the Peer Challenge is taking place in June.

(b) That the content of the Position Statement, as detailed in the appendix to the submitted report, be agreed.

(c) That the Peer Challenge report, expected in the summer, be considered by Cabinet in September.

REASONS - (a) The Peer Challenge is an excellent opportunity to review the Council's progress in implementing the new business model 'Darlington 2015' and to assess the approach to building a sustainable medium term strategy.

(b) The Peer Challenge Team will expect to meet Cabinet Members, Chairs of Scrutiny and a representative group of non-executive Members.

(c) The Position Statement is an important document in setting the context for Darlington's Peer Challenge.

(d) Feedback from the Peer Challenge will support the Council's forward planning.

C159. HUMANTICS - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Place and the Director of Resources (previously circulated) requesting that consideration be given to the writing-off of £18,000 of the secured loan to Humantics; reducing the loan interest costs; and extending the rent free period on the Humantics' lease from five to ten years.

RESOLVED - (a) That the report be noted.

(b) That the interest charges for the loan to Humantics, be halved.

(c) That the reduction in interest charges be back-dated to the start of the loan.

(d) That the value of the loan be reduced to £62,000, treating the first £18,000 as a cost of securing the future of the Forum.

(e) That (b) to (d) above, be conditional on Venturesome confirmation of halving the cost of providing the loan guarantee.

(f) That the rent free period to Humantics be extended from 5 to 10 years.

(g) That the Assistant Director Resources be authorised to conclude the legal documentation accordingly.

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

(b) To support the work of the Creative Darlington Board in seeking to achieve sustainable arts venues and activities with reduced continuing public sector funding.

C160. LAND OFF BATES AVENUE, DARLINGTON - PLAYINGFIELDS TO FORMER ALDERMAN LEACH PRIMARY SCHOOL - 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 disposal of council owned land off Bates Avenue, Darlington. The land was formerly used as the playing field to the former Alderman Leach Primary School.

RESOLVED - (a) That the land off Bates Avenue, Darlington, be declared surplus to the Council's requirements and authority to offer it for sale be granted.

(b) That the Director of Resources be authorised, in consultation with the Cabinet Portfolio Member with the Efficiency and Resources Portfolio, to agree the detailed terms of disposal, including price and the sum to be invested in sports provision and, to complete the appropriate documentation.

REASONS - (a) To secure a capital receipt for the Council.

(b) To contribute to the provision of housing in line with the adopted Darlington Core Strategy.

(c) To meet Sport England's requirements for investing in sports facilities within the Borough.

C161. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C162. 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 paragraphs 3 and 5 of Part I of Schedule 12A to the Act.

C163. CENTRAL PARK: HAUGHTON ROAD FOOT/CYCLE BRIDGE (EXCLUSION NO 5) - The Cabinet Members with the Efficiency and Resources, Transport and the Economy and Regeneration Portfolios introduced the report of the Director of Place (previously circulated) setting out the background to the current position with regard to the Haughton Road Foot/Cycle Bridge contract and recommending a strategy for handling the contract dispute from this point, involving a negotiated settlement of the long-running dispute.

RESOLVED - (a) That the current Haughton Road Foot/Cycle Bridge contract be terminated by agreement with Carillion, as a full and final settlement, and a fixed-price contract be entered into with Carillion for a steel bridge, as set out in paragraph 84 of the submitted report.

(b) That the Assistant Director (Resources) be authorised to complete the necessary documentation.

REASONS - (a) To achieve the building of a foot/cycle bridge over the railway at Haughton Road, in order to improve pedestrian and cycle access to Central Park,

including Darlington College and Teesside University, and to complete an important link in the Darlington cycle network.

(b) To bring under control and to minimise the financial risks to the Council.

C164. LAND AT FAVERDALE (EXCLUSION NO 3) - 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 conditional sale of approximately 0.46 hectares (1.13 acres) of land at Faverdale North subject to the grant of planning permission for development of a transport depot, site investigations and the interrelated sale of the purchasers existing land at Southampton Street.

RESOLVED - (a) That the sale of land at Faverdale North, as shown on the plan appended to the submitted report, to Davies Transport Ltd, be approved, conditional upon planning permission, ground investigations, and the sale of land owned by Davies Transport at Southampton Street.

(b) That the Director of Resources be authorised to conclude negotiations and complete the sale in line with the terms, as set out in paragraph 12 of the submitted report.

(c) That the Assistant Director Resources be authorised to complete the transaction as necessary.

REASONS - (a) To achieve a significant capital receipt for the Council.

(b) To bring forward development at and improve an underused site at Albert Road.

**DECISIONS DATED
FRIDAY 10 MAY 2013**