

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE  
MONDAY 16 SEPTEMBER 2013**

**CABINET**

3 September 2013

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

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

**ALSO IN ATTENDANCE** – The Mayor; and Councillor EA Richmond. (2)

**APOLOGIES** – Councillor Harker.

**C41. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**C42. REPRESENTATIONS** – In respect of Minute C46(2) below, a Member in attendance at the meeting made representations in respect of that item.

**C43. MINUTES** - Submitted - The Minutes (previously circulated) of the meetings of this Cabinet held on 1 and 18 July 2013.

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

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

**C44. MATTERS REFERRED TO CABINET** - There were no matters referred back for reconsideration.

**C45. ISSUES ARISING FROM SCRUTINY** – There were no issues raising from Scrutiny.

**C46. KEY DECISIONS - (1) Community Safety Plan 2012/15 (Refresh)** - The Leader introduced the report of the Director of People (previously circulated) requesting that consideration be given to the refresh of the Community Safety Plan 2012/15 (also previously circulated) for Darlington.

**RESOLVED** - That the refreshed Community Safety Plan 2012/15, as appended to the submitted report, be agreed, and it be recommended to Council for approval.

**REASONS** - (a) The Community Safety Plan requires Cabinet's support as it is part of the Council's policy framework.

(b) The plan is based on robust evidence and places Darlington in a stronger position to progress actions around community safety in the current changing climate.

**(2) (URGENT ITEM) Collective Energy Switching** - The Cabinet Member with the Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to entering into a direct contract with iChooser to deliver a Collective Energy Switching Scheme on a one-year trial/pilot basis with a view to undertaking a review to explore longer-term options.

Discussion ensued on the process of switching energy suppliers; fuel poverty; switching energy supplier for the Council's Housing stock; and the potential risks and benefits of collective switching.

**RESOLVED** – (a) That the development of a Collective Energy Switching Scheme for the Borough, as detailed in the submitted report, be approved.

(b) That a direct contract be entered into with iChoosr to deliver a Collective Energy Switching Scheme on a one-year trial basis.

(c) That a direct contract with Darlington Citizens Advice Bureau be entered into, to facilitate the offline registration element of the Scheme.

(d) That a direct contract with Age UK Darlington be entered into, to facilitate the offline registration element of the Scheme.

(e) That the Assistant Director (Resources) be authorised to complete all the necessary legal agreements and documentation.

(f) That a report regarding scheme performance and review of longer-term options, be considered at a future meeting of Cabinet

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

(b) To support actions arising from the Council's Housing Strategy, Further Report on the Home Energy and Conservation Act (March 2013) and Warm Up North programme looking to address fuel poverty in the Borough.

(c) To mitigate against the health impacts of fuel poverty and improve thermal comfort.

(d) To support delivery of the Darlington Partnership's One Darlington priority Welfare Reform agenda.

(e) To support actions arising from the Economic Strategy – enabling businesses and voluntary and community sector organisations to thrive through minimising operational costs.

**(c) Procurement Plan Update** - The Leader introduced the report of the Director of Resources (previously circulated) requesting that consideration be given to the updated Procurement Plan (also previously circulated) and the award of the energy contract.

Discussion ensued on the possibility of providing information on the number of local companies that the Council procures with.

**RESOLVED** - That the assessment of strategic and non-strategic contracts, as detailed in Appendix 1 as appended to the submitted report, be approved, and it be agreed that:

- (a) the procurement strategies for those contracts designated as strategic be brought to Cabinet for approval in advance of the tenders being issued and that the contract award decisions be made by Cabinet;
- (b) the contract award decisions for the contracts designated as non-strategic be delegated to the appropriate Director, as detailed in the plan at Appendix 1 to the submitted report;
- (c) the work undertaken by NEPO with regard to the energy contract, be noted, and that the contract be awarded to N.Power under the framework that has been procured via NEPO; and
- (d) the Assistant Director (Resources) be authorised to complete all of the necessary agreements and documentation to enter into the new Energy Contract.

**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.

(d) Approval of the new energy contract will allow for arrangements to be put in place for the continued supply of electricity at competitively procured rates after the current contract expires in March 2014

**C47. PEER CHALLENGE 2013** – The Leader introduced the report of the Chief Executive (previously circulated) updating Members on the outcome of the Corporate Peer Challenge, undertaken by the Local Government Association (LGA) from 4 to 7 June 2013.

**RESOLVED** - (a) That the Peer Challenge report, as appended to the submitted report, be received and be made widely available.

(b) That the approach to following up on the Peer Challenge's recommendations, as detailed in the submitted report, be noted.

**REASONS** - (a) The Peer Challenge process has provided a valuable external review of the progress Darlington is and can make to serve the population of the Borough.

(b) There are valuable recommendations within the report that can support the Council's strategies and plans.

**C48. ADJUSTMENTS TO FOUR BED COUNCIL PROPERTY DESIGNATION** - The Cabinet Member with Adult Social Care and Housing Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to a small number of four bedroomed Council houses, that are of a non-traditional design resulting in a fourth bedroom that is impracticable, being re-designated to three bedroomed houses and the rent reduced to reflect the change.

**RESOLVED** - (a) That 43 four bedroomed three storey properties identified as being affected, be re-designated to three bedroomed houses and the appropriate reduction in rent be applied.

(b) That the change in designation come into effect from 1 October 2013.

**REASONS** – The current design is making these properties more difficult to let and putting undue financial pressure on the families affected by the bedroom tax.

**C49. PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME**

**MONITORING – QUARTER ONE 2013/14** - The Leader introduced the report of the Director of Resources and the Director of Place (previously circulated) providing Members with a summary of the latest capital resource and commitment position, to inform monitoring and affordability and funding of the Council's capital programme; updating Members on the current status of all construction projects currently being undertaken by the Council; and requesting that consideration be given to a number of changes to the programme.

**RESOLVED** - (a) That the status position on the construction contracts, as detailed in the submitted report, be noted.

(b) That the projected capital expenditure and resources, as detailed in the submitted report, be noted.

(c) That the adjustments to resources, as detailed in paragraph 19 of the submitted report, be approved.

**REASONS** – (a) To inform Cabinet of the current status of construction projects.

(b) To make Cabinet aware of the latest financial position of the Council.

(c) To maintain effective management of resources.

**C50. MEMBERSHIP CHANGES – RESOLVED** - That Councillors Dixon and Lee Vasey be formally nominated to serve as Trustees on the Firthmoor and District Community Association for the 2013/14 Municipal Year.

**REASON** – To formally appoint the Members to the Firthmoor and District Community Association.

**C51. 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 item on the grounds that it involves the

likely disclosure of exempt information as defined in exclusion paragraph 3 of Part I of Schedule 12A to the Act.

**C52. DISPOSAL OF LAND AT FAVERDALE EAST BUSINESS PARK (EXCLUSION RESOLUTION NO. 3)** – The Leader introduced the report of the Director of Place and the Director of Resources (previously circulated) requesting that consideration be given to the disposal of land on Faverdale East Business Park to enable a local manufacturing company to expand their operations in Darlington.

**RESOLVED** – (a) That the disposal of 2.09 hectares (5.17 acres) of land on Faverdale East Business Park to the company as detailed in the submitted report, be agreed on the terms and pre-conditions as detailed in paragraphs 9 and 10 of the submitted report.

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

**REASON** – To facilitate the expansion of an established Darlington based company.

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

(c) To support the implementation of Darlington's Economic Regeneration Strategy.

**DECISIONS DATED –  
FRIDAY 6 SEPTEMBER 2013**