

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 29TH JANUARY, 2007**

CABINET
16th January, 2007

PRESENT - Councillor Williams (in the Chair); Councillors Bristow, Dixon, Harker, Lyonette, McEwan, Thistlethwaite, L. Vasey and Wallis.

ALSO IN ATTENDANCE – Councillors Haszeldine, Ruck and Mrs. Scott.

C115. DECLARATION OF INTERESTS - There were no declarations of interest reported at the meeting.

C116. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 5th December, 2006.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C117. MATTERS REFERRED TO CABINET – There were no matters referred back for reconsideration.

C118. ISSUES ARISING FROM SCRUTINY – (1) Pedestrian Heart Task and Finish Review Group - Final Report - The Leader introduced the report of the Director of Corporate Services (previously circulated) reporting the Resources Scrutiny Committee's findings and recommendations in relation to the Pedestrian Heart project to date and the review of future capital project management. The final report of the Review Group was appended to the submitted report.

RESOLVED – (a) That the recommendations of the Resources Scrutiny Committee, as detailed in the submitted report, in relation to the Pedestrian Heart project, be approved.

(b) That the thanks of Cabinet be extended to the Chair of the Resources Scrutiny Committee in overseeing the review of the Pedestrian Heart Project and to the Members of that Committee for their work.

REASON - To ensure that the Council undertakes capital projects effectively and with best practice.

(2) Financial Incentives to Business Review Group - Final Report - The Cabinet Member with Regeneration and Planning Portfolio introduced the report of the Director of Corporate Services (previously circulated) outlining the recommendations of the Environment Scrutiny Committee in relation to the review of this Council's Financial Incentives to Businesses within the Borough. The final report of the Review Group was appended to the submitted report.

RESOLVED - (a) That the recommendations of the Environment Scrutiny Committee, as detailed in the submitted report in relation to the review of the Council's Financial Incentives to Businesses, be approved.

(b) That the comments of the Director of Development and Environment, as detailed in the submitted report, be endorsed.

REASON - To enable the views of Cabinet to be sought and referred back to the Environment Scrutiny Committee.

(3) Procurement Task and Finish Review Group - Final Report - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) reporting the Resources Scrutiny Committee's findings and recommendations in relation to the development of procurement within the authority. The final report of the Review Group was appended to the submitted report.

RESOLVED - That the implementation plan, in relation to the Council's Procurement Strategy, be drafted and presented to the Resources Scrutiny Committee and Cabinet, and thereafter be monitored by the Resources Scrutiny Committee.

REASON - To allow Scrutiny input to improvements to procurement to be continued.

C119. KEY DECISIONS – (1) Federation of Abbey Schools - Targeted Capital Fund Project Update - The Cabinet Member with the Children's Services Portfolio introduced the report of the Director of Children's Services (previously circulated) updating Members on the development of the capital project to build a new school hall at the Federation of Abbey Schools and requesting the release of £600,000 funding to support the scheme.

RESOLVED - (a) That the progress of the project to build a new school hall at the Federation of Abbey Schools, as detailed in the submitted report, be noted.

(b) That the release of £600,000 of funding, made up of £480,000 Department for Education and Skills targeted capital funding and £120,000 to be raised by the schools to progress the project, be released.

REASONS - (a) The school and other stakeholders have shown their support for the project and signed off the outline design.

(b) Abbey Federation has provided financial breakdown showing how it plans to raise the funding to support the project.

(2) (URGENT ITEM) Taxi Licensing Fees and Charges - Increases - The Cabinet Member with the Consumer and Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the proposed increase in the fees relating to the licensing of hackney carriages and private hire vehicles and operators, in the light of an objection received from the Trade.

RESOLVED - (a) That the objection to the proposed increase in fees and associated charges, as appended to the submitted report, be noted.

(b) That the fees relating to hackney carriage licences, private hire vehicle licences and private hire operator licences, as detailed in the appendix to the submitted report, be approved, to take effect from 1st April, 2007.

(c) That driver licence fees and the cost associated with the licensing of drivers, vehicles and operators, be not increased.

REASON - To ensure that the costs of delivering the taxi licensing service can be met.

(3) Darlington Strategic Quality Bus Partnership - The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking approval to enter into a voluntary Quality Bus Partnership agreement with operators running local bus services in the Borough of Darlington.

RESOLVED - That the establishment of a Darlington Strategic Quality Bus Partnership, as detailed in the submitted report, be approved.

REASONS - (a) To improve bus services for the public in the Borough of Darlington.

(b) To deliver aspirations set out in the Darlington Local Transport Plan.

(4) Tees Valley Sub-Regional Housing Strategy 2006 - The Cabinet Member with the Community and Public Protection Portfolio introduced the report of the Director of Community Services (previously circulated) seeking approval for the first Tees Valley Sub-Regional Housing Strategy (also previously circulated).

RESOLVED - That the Tees Valley Sub-Regional Housing Strategy, as appended to the submitted report, be endorsed and referred to Council for approval.

REASON - To endorse the strategic housing activity being undertaken throughout the Tees Valley Sub-Region.

C120. PLAYING FOR SUCCESS - The Cabinet Member with the Children's Services Portfolio introduced the report of the Director of Children's Services (previously circulated) seeking approval to carry out alterations to Darlington Football Club, using funding provided by the Department for Education and Skills to develop a 'Playing for Success' Study Centre, in partnership with the Department for Education and Skills, the Football Foundation and Darlington Football Club at the 96.6 TFM Darlington Arena, Neasham Road.

RESOLVED - (a) That the development of a 'Playing for Success' Study Centre at Darlington Football Club, be approved.

(b) That investment of £125,000 of capital funding to support premises developments at Darlington Football Club to establish a home base for the Centre, be approved.

(c) That the proposal to take a lease of accommodation at Darlington Football Stadium, on the terms as outlined in the submitted report, be approved.

(d) That the Borough Solicitor, be authorised to complete the necessary legal documentation accordingly.

(e) That the thanks of the Council be conveyed to the Darlington Football Club for their participation in the scheme.

REASON - The development of the centre will provide support to schools in allowing pupils to receive additional support enabling them to realise their full potential.

C121. OUTCOME OF COMPLAINTS MADE TO OMBUDSMAN - REVIEW - Pursuant to Minute C103/Dec/06, the Leader introduced the report of the Director of Corporate Services (previously circulated) providing Members with an update of the outcome of cases which had been considered by the Local Ombudsman and indicating any points of particular attention and/or referral to the Standards Committee since the last meeting of Cabinet held on 5th December, 2006.

RESOLVED - That the report be noted.

REASONS - (a) It is important that Members are aware of the outcome of complaints made to the Local Ombudsman in respect of the Council's activities.

(b) The contents of the report do not suggest that further action is required.

C122. TOWN CENTRE FORUM AND DARLINGTON TRANSPORT FORUM - Submitted - The Minutes (previously circulated) from the Joint Meeting of the Forum held on 21st September, 2006.

RESOLVED - That the Minutes be received.

REASON - They represent an accurate record of the meeting.

C123. TRAFFIC CALMING - FIRTHMOOR PHASE 5 - ESTORIL ROAD SOUTH, FIRTHMOOR CRESCENT, HEWITSON ROAD SOUTH, INGLEBY MOOR CRESCENT, LANETHORPE CRESCENT, MARSTON MOOR ROAD - OBJECTION TO ROAD HUMPS ADVERTISED UNDER SECTION 90A OF THE HIGHWAYS ACT 1980 - The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the objections received to proposed road humps outside or adjacent to No. 42 Firthmoor Crescent; Nos. 69, 71, 74 and 76 Hewitson Road South; and Nos. 10 and 12 Ingleby Moor Crescent.

RESOLVED - That the objections to the speed reduction features in the following locations be set aside :-

- (a) Nos. 42 Firthmoor Crescent;
- (b) Nos. 69, 71, 74 and 76 Hewitson Road South; and
- (c) Nos. 10 and 12 Ingleby Moor Crescent.

REASON - To allow the implementation of Phase 5 of the Traffic Calming Scheme and thus the completion of the area-wide traffic calming scheme.

C124. COCKERTON CONSERVATION AREA CHARACTER APPRAISAL - The Cabinet Member with Regeneration and Planning Portfolio introduced the report of the Director

of Development and Environment (previously circulated) seeking approval to the finalised Cockerton Conservation Area Character Appraisal (also previously circulated).

RESOLVED - That the Cockerton Conservation Area Character Appraisal, as appended to the submitted report, be approved.

REASON - To provide a document to assist in the protection and management of the Cockerton Conservation Area.

C125. RISK MANAGEMENT STRATEGY - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) seeking approval for proposed changes to the Council's Risk Management Strategy (also previously circulated).

RESOLVED - That the updated Risk Management Strategy, as appended to the submitted report, be approved.

REASON - The revised Risk Management Strategy now incorporates recent Council developments such as Leading Edge and the establishment of the Audit Committee and reflects Use of Resources requirements, in relation to significant Partnerships.

C126. MEMBERSHIP CHANGES - No membership changes were reported at the meeting.

C127. (URGENT ITEM) SECONDARY SCHOOL CAPITAL INVESTMENT – With the prior approval of the Chair to the matter being treated as urgent to allow a decision to be made at the earliest possible date, the Cabinet Member with the Children's Services Portfolio introduced the report of the Director of Children's Services (previously circulated) requesting that consideration be given to an investment strategy for secondary schools in Darlington.

RESOLVED – (a) That the objective of maintaining seven successful and high performing secondary schools of choice in Darlington, be approved.

(b) That the approach of determining investment options for Branksome, Longfield and Hurworth Schools, as detailed in the submitted report, be approved.

(c) That the final investment decisions be made when the bidding criteria for targeted capital funding is known.

REASON – To maximise potential investment in Darlington's secondary school stock.

C128. 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 paragraph 3 of Part I of Schedule 12A to the Act.

C129. LEARNING DISABILITY DAY CARE PROVISION - MODERNISATION (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Adult Services Portfolio introduced the report of the Director of Community Services and the Director of Development and Environment (previously circulated) requesting the release of capital from the sale of the property at No. 78 Whitby Way, to fund the next stage of the modernisation of the Learning Disability Day Care Provision.

RESOLVED - That the capital receipts from the sale of No. 78 Whitby Way be ring-fenced up to a maximum of £110,000 for use by the Learning Disability Service to enable the next stage of the modernisation agenda in respect of the Learning Disability Day Care Provision, to be taken forward.

REASON - To generate a capital receipt for use by the Learning Disability Service.

C130. SCHEDULE OF TRANSACTIONS (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Resource Management Portfolio introduced the report and schedule of the Director of Development and Environment (both previously circulated) requesting that consideration be given to the schedule of transactions and seeking approval of the terms negotiated.

RESOLVED - That the schedule, as appended to the submitted report, be approved and the transactions be completed on the terms and conditions detailed therein.

REASON - The terms negotiated require approval by Council before bindings itself contractually to a transaction.

**DECISIONS DATED -
FRIDAY, 19TH JANUARY, 2007**