

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY 14 NOVEMBER 2011**

CABINET

1 November 2011

PRESENT - Councillor Dixon (in the Chair); Councillors Harker, C L B Hughes, McEwan, D A Lyonette and Wallis. (6)

INVITEES – Councillors Curry, I Haszeldine and Mrs H Scott. (3)

ALSO IN ATTENDANCE – Councillors Carson, Coultas, Johnson and B. Jones. (4)

APOLOGIES - Councillors Copeland and A J Scott. (2)

C66. DECLARATIONS OF INTEREST – In respect of Minute C75 below, Councillor D A Lyonette declared a personal but non-prejudicial as he had a grandson who was a member of the golf club.

C67. REPRESENTATION – A member of public in attendance at the meeting addressed Cabinet in respect of Minute C76 below and a representative of Unison in attendance at the meeting addressed Cabinet in respect of Minute C73 below.

C68. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 4 October 2011.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C69. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C70. ISSUES ARISING FROM SCRUTINY - There were no matters arising from Scrutiny.

C71. DARLINGTON CAMPUS AND FUTURE OF HIGHER EDUCATION - A presentation was given by Professor Henderson, Vice Chancellor and Chief Executive, Teesside University, on the Darlington Campus and on the future of higher education.

During the presentation reference was made to the recent achievements of the University both in Middlesbrough and in Darlington; the offer at Darlington; targets; longer term aspirations; implications of recent changes on the University; and the issues and challenges facing the University.

A number of questions were raised by Cabinet on engaging with local schools; social mobility; and on the provision of nursing courses in Darlington. Professor Henderson responded to those questions thereon.

RESOLVED - That the thanks of Cabinet be extended to Professor Henderson for his informative presentation.

REASON - They represent the views of Cabinet.

C72. KEY DECISIONS - (1) Draft Child Poverty Strategy - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of People (previously circulated) seeking approval of the Draft Child Poverty Strategy (also previously circulated).

RESOLVED - That the Draft Child Poverty Strategy, as appended to the submitted report, be approved.

REASONS - (a) To ensure compliance with the Child Poverty Act 2010.

(b) To ensure that the Council and its partners have a comprehensive strategy to mitigate the causes and impact of child poverty.

(2) Darlington Domestic Abuse Strategy 2011 - The Leader introduced the report of the Director of People (previously circulated) requesting that consideration be given to Darlington's Domestic Abuse Strategy 2011 (also previously circulated).

Discussion ensued on the rise in statistics over the last few years which it was felt was down to the fact that people now had more confidence in reporting incidents of domestic violence and that they were investigated and dealt with better. Reference was also made to the complexity of some of the domestic violence cases and to contributing factors.

RESOLVED - That the Domestic Abuse Strategy 2011, as appended to the submitted report, be adopted.

REASON - A strategy with multi-agency support is necessary to guide service provision, commissioning and development activity in respect of tackling domestic abuse in the future.

C73. IMPLEMENTATION OF THE COUNCIL'S BUSINESS MODEL - The Leader introduced the report of the Chief Officers Executive (previously circulated) updating Members on the implementation of the Council's Business Model and seeking approval to move certain projects forward and to agree a timetable for further reviews of service provision.

A representative of Unison addressed Cabinet in respect of a number of issues relating to the business model, including the need to consider quality as well as cost; outsourcing of services; contract management; terms and conditions of employees; the continued involvement of the unions in the various stages of the implementation of the business model; and to the morale of staff. The Chair responded to those issues and concerns thereon.

RESOLVED - (a) That the contents of the submitted report with regard to the Proof of Concept work undertaken and the implementation of the Business Model, be noted.

(b) That the preparation of a detailed business case for the strategic collaboration of the People based services, be approved.

(c) That the provision of £100,000 from reserves to provide funds to produce the detailed business case, be approved.

(d) That the continued work in respect of Place based services, as detailed in the submitted report, be approved.

REASONS - (a) To maximise the opportunities to meet the Council's financial challenges through arrangements that may protect services.

(b) To update Cabinet on the extensive change since the Business Model was initially agreed.

C74. REVIEW OF OUTCOME OF COMPLAINTS MADE TO OMBUDSMAN - The Leader introduced the report of the Director of Resources (previously circulated) providing Members with an update of the outcome of cases which have been considered by the Local Government Ombudsman and indicating any points of particular attention since the preparation of the report for the meeting of Cabinet held on 19 July 2011.

RESOLVED – That the report be noted and future reports be presented to Cabinet on a six-monthly basis.

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

(b) The contents of the submitted report do not suggest that further action, other than detailed in the report, is required.

C75. CENTRAL PARK ENTERPRISE ZONE - SIMPLIFIED PLANNING - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) seeking approval for stakeholder consultation on the Draft Local Development Order for the Central Park Enterprise Zone site and informing Members of the Local Development Order, its contribution to the Enterprise Zone and the tight timetable for its adoption.

RESOLVED - (a) That the publication of the Local Development Order for stakeholder consultation, be endorsed.

(b) That the procedure for decisions on the Local Development Order be referred to Full Council.

REASONS - (a) Stakeholder consultation is a statutory stage in Local Development Order preparation.

(b) Government has imposed deadlines upon the Tees Valley planning authorities for the preparation and adoption of the simplified planning rules. To achieve the agreed timetable there may be a need for some delegated authority. Full Council is the mechanism by which the use and extent of delegated authority can be determined.

C76. 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 granting 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 at the meeting addressed Cabinet on a number of issues relating to the request to grant an easement to Darlington Golf Club and made references to the caution made by the owners of the land; investigations that had been undertaken with the adjoining landowner; the consideration of the planning application for the easement which had been considered by the Council's Planning Applications Committee; and to the restrictive covenants. The Director of Place and the Chair responded to those issues thereon.

RESOLVED - That an easement in perpetuity to the Golf Club and the owner of Elm Tree House Farm, be approved, on the terms detailed in the submitted report.

REASONS - (a) To facilitate provision of a better access to Darlington Golf Club.

(b) To put the Council in the best position to be able to control any future residential development of Elm Tree House Farm.

C77. REVENUE BUDGET MONITORING 2011/12 - QUARTER TWO - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources (previously circulated) providing an up to date forecast of the 2011/12 revenue budget out-turn as part of the Council's continuous financial management processes.

RESOLVED - (a) That the forecast revenue outturn for 2011-12 and actions being taken to manage the Council's finances and services, as detailed in the submitted report, be noted.

(b) That further regular reports be made to monitor progress and take prompt action if necessary.

REASONS - (a) To continue effective management of resources.

(b) To continue to deliver services to agreed levels.

C78. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C79. 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.

C80. (URGENT ITEM) TEES VALLEY BUS NETWORK IMPROVEMENT (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Transport Portfolio introduced the report of the Director of Place (previously circulated) seeking approval for the appointment of a Principal Contractor to undertake the construction of the North Road Bus Priority Scheme following a shortlisting exercise.

RESOLVED - That Lumsden and Carroll be appointed as Principal Contractor for the North Road Bus Priority Scheme.

REASON - To contribute to the delivery of the North Road Bus Priority Scheme as part of the overall Tees Valley Bus Network Initiative (TVBNI) Project.

DECISIONS DATED - FRIDAY 4 NOVEMBER 2011