

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
WEDNESDAY 7 MARCH 2012**

CABINET
22 February 2012

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

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

ALSO IN ATTENDANCE – Councillors Carson, Coultas, Donaghue, Galletley, Harman, L Hughes, Johnson, B Jones, Mrs D Jones, Kelly, Knowles, Lawton, Lee, Lewis, Lister, Long, Macnab, E A Richmond, S Richmond Stenson and C Taylor. (21)

C124. DECLARATIONS OF INTEREST - There were no declarations of interest reported at the meeting.

C125. REPRESENTATION - In respect of Minute C127(1) below, representations were made by Members and members of the public in attendance at the meeting.

C126. DARLINGTON LIBRARY PLAN 2012/15 - The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Place (previously circulated) presenting the Annual Library Plan 2012/15 (also previously circulated) for consideration.

RESOLVED - That the Library Plan 2012/15, as appended to the submitted report, be forwarded to Council for approval.

REASON - The Libraries Plan reflects the assessment of local need, as well as One Darlington : Perfectly Placed and the Council's Business Model and provides context for the decision on the Libraries Service.

C127. KEY DECISIONS - (1) Medium Term Financial Plan 2012/13 to 2015/16 – Pursuant to Minute C83/Nov/11, the Cabinet Member with the Efficiency and Resources Portfolio gave a presentation to Cabinet on the results of the consultation process undertaken for the Medium Term Financial Plan 2012/13 to 2015/16. During the presentation particular references were made to the consultation responses; the high level spending plans; the Arts Centre; home to school transport; Cockerton Library; workforce changes; subsidised bus routes; funding to shopmobility; funding for closed circuit television in outlying areas; school crossing patrols; Leisure/Cultural Trust; and the proposed Council Tax increase.

The Leader introduced the report of the Chief Officers Executive (previously circulated) requesting that consideration be given to recommending a detailed Medium Term Financial Plan (MTFP) for the period 2012/13 to 2015/16 for approval by Council at its meeting scheduled to be held on 1 March 2012 in light of consultation on the draft MTFP.

Representations were made from Members and members of the public in attendance at the meeting on a number of proposals included within the MTFP 2012/13 to 2015/16, including the proposed closure of the Arts Centre; the Home to School Transport Policy; the withdrawal of financial support to supported bus services; the school crossing patrol service; withdrawal of grants to Parish Councils; the proposal to cease rent support to DAD; and the impact of the proposals on the Council's employees.

The Leader of the Council and Cabinet Members responded to those issues and concerns thereon.

RESOLVED – That it be recommended to Council that:-

(a) the proposed Medium Term Financial Plan 2012/13 to 2015/16, as summarised in Appendix 16 of the submitted report, be amended to reflect the removal of savings proposal 8/47 School Crossing Patrol Service, including the following:-

- (i) a 3.5 per cent Council Tax increase for 2012/13 and the following potential increases be included in the MTFP for future years;

2013/14	3.5 per cent
2014/15	3.5 per cent
2015/16	3.5 per cent

- (ii) budget reductions, as set out at Appendix 7 of the submitted report except 8/47 School Crossing Patrol Service;
- (iii) the schedule of charges, set out in Appendix 3 of the submitted report; and
- (iv) a discretion for Cabinet to vary the budget for 2012/13 by up to £0.5m without further Council approval;

(b) the Capital Medium Term Financial Plan, as set out on pages 30 to 35 and Appendix 15 of the submitted report, be approved; and

(c) any capital receipt from a sale of the Arts Centre be invested in the future delivery of Arts in Darlington.

REASONS - (a) To propose the Medium Term Financial Plan 2012/13 to 2015/16 for consideration by Council.

(b) To meet the statutory timetable for setting the 2012/13 budget and Council Tax.

(c) To continue to offer a varied and vibrant arts offer across the borough.

(2) (URGENT ITEM) Housing Revenue Account - Revenue Budget 2012/13 - The Cabinet Member with Adult Social Care and Housing Portfolio introduced the report of the Director of People (previously circulated) informing Members of the changes to the Housing Revenue Account (HRA) following the national review of the HRA Subsidy System and requesting that consideration be given to the proposals for the revenue budget, rent levels and service charges in the Council's HRA for the financial year 2012/13.

RESOLVED – That it be recommended to Council that:-

- (a) an average weekly rent increase of 7.70 per cent (£4.59) be implemented in line with the Government rent restructuring model;
- (b) garage rents and service charges be increased, as shown in Table 1 of the submitted report; and
- (c) the budget, as detailed in Appendix 1 of the submitted report, be approved.

REASON - To enable the Council to deliver an appropriate level of service to tenants.

(3) Prudential Indicators and Treasury Management Strategy Report 2012/13 - 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 Prudential Indicators and Limits for 2012/13 to 2014/15 relating to capital expenditure and treasury management activities; a policy statement relating to the Minimum Revenue Provision; and the Treasury Management Strategy 2012/13, which included the Investment Strategy for 2012/13.

RESOLVED – It is recommended to Council that:-

- (a) the Prudential Indicators and limits for 2012/13 to 2013/14, as summarised in Tables 1 and 2 of the submitted report, be approved;
- (b) the Minimum Revenue Provision (MRP) statement, as contained within paragraph 28 of the submitted report, be approved;
- (c) the Treasury Management Strategy 2012/13 to 2014/15, as summarised in paragraphs 38 to 56 of the submitted report, be approved; and
- (d) the Annual Investment Strategy 2012/13, as contained within paragraphs 57 to 87 of the submitted report, be approved.

REASONS - (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities and the Department for Communities and Local Government (CLG) guidance on investments.

(b) To comply with the requirements of the Local Government Act 2003.

(c) To approve a framework for officers to work within when making investment decisions.

(4) Implementing the Medium Term Financial Plan 2012/13 to 2015/16 (A) Darlington Arts - Options for Provision of an Arts Venue(s) - The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Place (previously circulated) presenting to Members the work of the Arts Enquiry Group on the options for the provision of an arts venue(s), appraising each option with respect to the provision of the arts and the risks to delivery, both financial and reputational and requesting that consideration be given, subject to decisions of Council at its meeting scheduled to be held on 1 March 2012 on the MTFP, to the closure of the Arts Centre in July 2012, putting in place transitional arrangements whilst a sustainable solution for an arts venue(s) is achieved.

RESOLVED - (a) That it be recommended to Council that a provision of £100,000 be made in the MTFP to allow the Arts Centre to operate until July 2012.

(b) That, subject to the decision of Council on 1 March 2012 on the MTFP, the closure of the the Arts Centre in July 2012, be agreed.

(c) That a report be considered by Cabinet in May 2012 outlining the outcome of the marketing exercise to dispose of the Arts Centre and the application for funding to Arts Council England.

(d) That it be recommended to Council that any capital receipt from a sale of the Arts Centre be invested in the future delivery of Arts in Darlington.

(e) That The Bridge former school site, off Hundens Lane, be re-used as an interim base for a number of organisations, and the Council make provision in the MTFP of £10,000 per annum for running costs.

REASONS - (a) In order to meet MTFP savings, the Council can no longer provide a sustainable subsidy for running the existing Arts Centre and arts programme.

(b) Officers will continue to develop an exit strategy and transitional arrangements for existing Arts Centre users.

(c) To enable Cabinet to consider future options for re-provision of an Arts Venue in the light of the marketing exercise and funding application outcome.

(B) Supported Bus Services Implementation Options - The Cabinet Member with Transport Portfolio introduced the report of the Director of Place (previously circulated) detailing the options for implementing the budget proposal to withdraw funding for supported bus services, should it become part of the MTFP budget.

RESOLVED - That the withdrawal of all early morning services from 3 June 2012 and rural services (services 16, 17, 18 and 20) from 30 December 2012, be agreed, should the budget proposal to withdraw funding from supported bus services be agreed by Council as part of the MTFP at its meeting scheduled to be held on 1 March 2012, after consideration of the potential impacts identified through consultation.

REASONS - (a) To permit business cases for the operation of alternative taxi and community transport services to be brought forward if there is a viable opportunity.

(b) To achieve recommended MTFP savings.

(C) Changes to Car Parking - The Cabinet Member with Transport Portfolio introduced the report of the Director of Place (previously circulated) updating Members on the implementation of changes to car parking, providing feedback on public responses to proposals being considered as part of the 2012 budget proposals and seeking approval for the implementation of changes, subject to Council decisions on the MTFP budget for car parking at its meeting scheduled to be held on 1 March 2012.

RESOLVED - (a) That, subject to the approval of the MTFP by Council at its meeting scheduled to be held on 1 March 2012, the comments/objections as set out in Appendix 2 of the submitted report, relating to the proposed changes to parking provision and charges associated with the MTFP 2012, be set aside, and the Director of Place and the Director of Resources be authorised to take the necessary steps to implement traffic regulation orders to:-

- (i) introduce the weekday charges on Sundays in all Council operated car parks, such that there is a one short or long tariff seven days per week, except for Archer Street, Garden Street and Kendrew Street (East and West);
- (ii) introduce a mixed short and long stay tariff in Archer Street, Garden Street and Kendrew Street (East and West), this measure to be reviewed after 31 March 2013;
- (iii) introduce Sunday operation of residents' parking zones for zones A to N;
- (iv) introduce progressive increases in residents' permit fees, such that that charges are increased to £30 per annum in 2012/13, rising to £40 in 2013/14 and £50 in 2014/15 with a linked tariff for three and six month permits that is proportionally higher than the cost per month of a 12 month permit in accordance with Table F in Appendix 1 of the submitted report;
- (v) increase the cost of the standard weekly long stay parking ticket to £16 and the Chesnut Street weekly long stay parking ticket to £8;
- (vi) introduce a Saturday and Sunday charge of 50p every 30 minutes up to a maximum stay of two hours, no return within one hour 8 am to 6 pm at the pay and display places shown Table D in Appendix 1 and in Figure 1 of the submitted report; and
- (vii) introduce a £5 per day waiver for eligible trade people and builders who require parking on yellow lines and in parking places in order to undertake their work.

REASON - The recommendations concerning the detail of implementing the 2012 MTFP decision are supported by the following reasons:-

- (a) To enable the Council to continue to maintain and manage the parking service in a sustainable way.
- (b) To introduce a mixed short and long stay tariff in Archer Street, Garden Street and Kendrew Street (East and West) in response to feedback from users.
- (c) To minimise the impact of displaced parking on residents in residents' parking zones.
- (d) To operate the residents' parking zones in a sustainable way.
- (e) To increase the cost of the weekly tickets to reflect the fact they apply all week, yet still offering a discount compared to the cost of parking for five days a week.
- (f) To implement Saturday and Sunday charging at on-street parking places in the town centre, appropriate to the individual locations set out in Table D of the submitted report

- (g) To contribute to the cost of processing parking waiver requests.

(D) Cease Rent Support to Darlington Association on Disability - The Cabinet Member with Transport Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to reducing the rent subsidy to Darlington Association on Disability (DAD) in line with the approach introduced for other third sector organisations and to negotiating a lease agreement between the Council and DAD for No. 22/24 Horsemarket, Darlington.

RESOLVED - (a) That a phased reduction of rent subsidy to Darlington Association on Disability, be supported, to be consistent with the approach taken in the 2011 MTFP to other voluntary organisations, on the following basis:

- (i) 90% in year 1;
- (ii) 75% in year 2;
- (iii) 50% in year 3; and
- (iv) 0% in year 4.

(b) That subject to the approval of the MTFP at Council at its meeting scheduled to be held on 1 March 2012, the Director of Resources be authorised to negotiate terms for a lease of No. 22-24 Horsemarket to Darlington Association on Disability with basic terms to be reported to a future meeting of Cabinet on the Schedule of Transactions.

(c) That the Assistant Director – Resources be authorised to complete a new lease agreement.

REASONS - (a) To provide an appropriate period of time for DAD to review their Business Plan and introduce new financing arrangements to sustain the use of these premises in the longer term.

(b) To achieve the necessary savings required to meet the expectations of the MTFP.

(c) To ensure that all third sector organisations located in council owned buildings are treated equitably.

(d) To ensure that an appropriate lease agreement is in place for No. 22-24 Horsemarket, Darlington to sustain the service provided by DAD.

(E) Reduction in Service to 12-19 (Youth and Connexions Service) - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of People (previously circulated) providing Members with additional information and clarity regarding the proposal to reduce the 12-19 years service by £127,000 for 2012/13.

RESOLVED - (a) That the report and contextual information be noted.

(b) That a reduction in the budget for 12-19 services of £127,000 for 2012/13, and a corresponding reduction in the level of service, as detailed in paragraph 11 of the submitted report, be agreed, subject to approval of the MTFP by Council at its meeting scheduled to be held on 1 March 2012.

REASONS - (a) Changes in national guidance and legislation.

(b) Financial efficiencies within the service.

**DECISIONS DATED -
TUESDAY 28 FEBRUARY 2012**