

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE TUESDAY 15 MAY 2012**

CABINET
1 May 2012

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

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

ALSO IN ATTENDANCE – Councillors Carson, Coultas, Francis, L Haszeldine, Johnson and E A Richmond. (6)

C153. DECLARATION OF INTERESTS - There were no declarations of interest reported at the meeting.

C154. REPRESENTATIONS - In respect of Minutes C158(3) and C159 below, representations were made by a member of public and Members in attendance at the meeting.

C155. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 3 April 2012.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C156. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C157. ISSUES ARISING FROM SCRUTINY - There were no issues arising from Scrutiny.

C158. KEY DECISIONS - (1) Community Safety Plan 2012/15 - The Leader introduced the report of the Director of People (previously circulated) requesting that consideration be given to the Community Safety Plan 2012/15 (also previously circulated) for Darlington, which formed part of the Council's Policy Framework.

RESOLVED - (a) That the Community Safety Plan for 2012/15, as appended to the submitted report, be agreed.

(b) That the Community Safety Plan for 2012/15, as appended to the submitted report, be forwarded to Council for adoption (with or without modification).

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 as we prepare for the election of a Police Commissioner in November 2012.

(2) Disposal of Arts Centre Vane Terrace Premises and Future Options for Arts Premises

- The Leader introduced the report of the Chief Executive (previously circulated) presenting to Cabinet bids and an expression of interest received in response to the marketing of the Arts Centre Vane Terrace premises; reporting the outcome of the bid for Arts Council England capital funding for a new Arts Centre in the Town Centre; and requesting that consideration be given to options arising and recommending a way forward in relation to the future arts and cultural premises in Darlington.

The Cabinet Member with the Leisure and Local Environment Portfolio updated Members on the 'Creative Darlington' vision and stated that the first meeting of the Creative Darlington Board had been held and that the appointment process for the post of Creative Darlington Manager had commenced.

Discussion ensued on Project Vane; the future arts provision in Darlington; and the security of the Arts Centre once it was closed.

RESOLVED - (a) That Officers be requested to work with the proposers of Project Vane for approximately six months to see whether a viable proposal can be put together and report back to a further meeting of Cabinet.

(b) That it be noted that this would involve the building being leased or sold with no receipt.

(c) That consideration of the bids received for the Arts Centre Vane Terrace premises be deferred until the completion of that work.

(d) That the Director of Place be authorised, in liaison with the Cabinet Members with the Economy and Regeneration and Leisure and Local Environment Portfolios to express support for any bids for external funding appropriate to the pursuance of Project Vane.

(e) That a further report be submitted at an appropriate stage on whether to re-submit a bid to the Arts Council England for a new arts centre in the town centre.

(f) That the Director of Resources be authorised to arrange for any temporary lease of the Vane Terrace building for up to one year after the Arts Centre is closed.

(g) That the Arts Centre be declared surplus to operational requirements and the transfer of responsibility to the Resources Group following physical closure of the building, be approved.

(h) That £60,000 be allocated in the Medium Term Financial Plan to cover holding costs whilst Project Vane is being explored.

REASONS - (a) To allow time to see whether the potential benefits of Project Vane can be achieved.

(b) The benefits of Project Vane would be substantial in relation to One Darlington: Perfectly Placed, in relation to Creative Darlington: Investing in a Creative Community, and in relation to Economic Strategy.

(3) Procurement Strategy - Wheeled Bins - The Cabinet Member with the Leisure and Local Environmental Portfolio introduced the report of the Director of Place (previously circulated)

presenting to Members the procurement options for the purchase of wheeled bins, as required by the Contract Procedure Rules.

Members in attendance at the meeting raised a number of issues with regard to the funding of the wheeled bins; health and safety; to consultation undertaken on the proposed introduction of wheeled bins; and on the role of Scrutiny in the process. The Leader, the Cabinet Member with the Leisure and Local Environment Portfolio and the Director of Place responded to those issues thereon.

RESOLVED - (a) That the use of the Eastern Shires Purchasing Organisation framework to run a further competition for the supply of wheeled bins, be agreed.

(b) The evaluation criteria, as detailed in paragraph 18 of the submitted report, be agreed.

REASONS - (a) The Eastern Shires Purchasing Organisation framework has been procured in accordance with the EU Procurement Directives and offers economies of scale that the authority could never achieve on its own.

(b) There are six companies on the framework; the evaluation criteria will assist officers in determining the most economically advantageous tender for Darlington.

(4) Darlington Local Planning Policy Framework - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) seeking Members agreement that a recommendation be made to Council that planning policy contained in National Planning Policy Statements and Guidance Notes (PPSs and PPGs) continue to be used as good practice to support making decisions on planning applications where the statutory development plan and the Government's new National Planning Policy Framework (NPPF) are silent or provide insufficient detail on the planning matter at issue. A list of all the PPS's and PPG's whose content could be drawn on for this purpose was appended to the submitted report.

RESOLVED - (a) That it be recommended to Council that national planning policy statements and guidance notes (PPSs and PPGs), as detailed at Appendix 1 of the submitted report, in force before the National Planning Policy Framework was issued continue to be used as good practice to support making decisions on planning applications, where the statutory development plan and the Government's new National Planning Policy Framework (NPPF) are silent or provide insufficient detail on the planning matter at issue.

(b) That a further report be presented to Cabinet in Autumn 2012, indicating which elements of the PPS's and PPG's are useful and relevant, and which local planning policy documents the provisions could be accommodated within.

REASON - To maintain a comprehensive local planning policy framework to support consistent decision making on planning applications.

(5) Central Park – Refreshed Scheme and Consequential Changes to the Development Agreement – With the prior approval of the Leader to the matter being treated as urgent to enable the decision to be made at the earliest opportunity, the Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place and the Director of Resources (previously circulated) requesting that consideration be given to the refreshed Masterplan for Central Park (also previously circulated); changes to the scheme, including the

consequential changes required to vary the Development Agreement and Joint Venture; and to authorising the Director of Place and the Director of Resources to negotiate the terms and conditions of, and for, the completion of the Deed of Variance and Joint Venture.

The Director of Place circulated further information at the meeting which included the comments received from the Teesside University on the Masterplan.

RESOLVED - (a) That the key role and opportunities the University will make to both the Borough and the Central Park Development, be acknowledged.

(b) That, subject to clarification that the B1 commercial phases includes B1 business incubation/innovation centre uses, the refreshed Central Park Masterplan, as appended to the submitted report, be endorsed.

(c) That the draft Heads of Terms for the Deed of Variation required to the Development Agreement dated 9 April 2009, be endorsed.

(d) That the Director of Place and the Director of Resources be authorised to negotiate and complete the Deed of Variation, in line with the principles, as set out in the Heads of Terms appended to the submitted report.

(e) That the Director of Place and the Director of Resources be authorised to negotiate and complete the revisions to the Joint Venture required from the transfer of assets from One NorthEast to the Homes and Communities Agency.

REASON – (a) The Masterplan represents an appropriate planning framework to achieve the regeneration of the Central Park site, delivering both the quantum and quality aspirations envisaged by the public sector partners in challenging economic conditions.

(b) The Heads of Terms to the Deed of Variation for the Development Agreement seek to protect the Council's interests and minimise its risks through the development process.

(c) To enable the Deed of Variation to be negotiated and agreed in line with the agreed Heads of Terms within the project timetable.

C159. BANK TOP STATION - The Cabinet Member with Economy and Regeneration Portfolio and the Cabinet Member with the Transport Portfolio introduced the report of the Director of Place (previously circulated) advising Members of proposals to reconfigure the rail network/track layout within and adjacent to Bank Top Station as part of a wider scheme to increase the frequency and decrease the journey time of trains to and from London and requesting that consideration be given to this Council working with partners to deliver a whole industry and regeneration solution for Bank Top Station in order to make Bank Top Station and the surrounding area an anchor for the regeneration of the southern part of the Town Centre Fringe area.

A member of the public addressed Cabinet in respect of the proposals, and in doing so made a number suggestions on how he felt services at Bank Top Station could be improved for everyone using the station, including freight services. The Cabinet Member with the Economy and Regeneration Portfolio and the Director of Place responded thereon.

RESOLVED - (a) That the report be noted.

(b) That the Council's participation in delivering a whole industry solution for Bank Top Station, including ensuring links are made with key Council regeneration schemes including Central Park and Town Centre Fringe and that wider social, economic and environmental impacts are taken into consideration, be endorsed.

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

(b) To support actions arising from Darlington's Economic Strategy.

C160. HEAD OF STEAM - BUSINESS PLAN 2009/14 AND COLLECTIONS MANAGEMENT STRATEGY 2012/17 - The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Place (previously circulated) providing Members with evidence of governance of the Head of Steam Museum for accreditation with the Arts Council. The key documents to evidence how the Museum meets the criteria required for accreditation is through the Business Plan and the Collections Management Strategy (both previously circulated).

RESOLVED – That the Head of Steam's Business Plan 2009/14 and the Collections Management Strategy 2012/17, both as appended to the submitted report, which evidence how this Council manages the museum service, be approved.

REASONS - (a) To prove effective and professional management of Darlington's Museum Service so that the museum remains an accredited museum and entitled to future support from the Arts Council (Central Government Body).

(b) To be eligible for future funding from Renaissance, English Heritage and the Heritage Lottery Fund.

(c) To ensure that we remain registered and comply with the standards and ethics as set out by the Museums Association.

**DECISIONS DATED -
FRIDAY 4 MAY 2012**