

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 21 JANUARY 2013**

CABINET
8 January 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 H Scott. (2)

ALSO IN ATTENDANCE – Councillors Francis, Johnson and E A Richmond.(3)

APOLOGIES – Councillor Harker and Mr M Phillips. (2)

C98. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

C99. REPRESENTATIONS – In respect of Minute C104(1) below, representation was made by members of the public, officers of the Council and union representatives in attendance at the meeting.

C100. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 4 December 2012.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C101. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C102. ISSUES ARISING FROM SCRUTINY - There were no issues arising from Scrutiny.

C103 ANNUAL AUDIT LETTER 2011/12 - The Leader introduced the report of the Director of Resources (previously circulated) presenting the Annual Audit Letter for 2011/12 (also previously circulated) which provided a high level summary of the 2011/12 audit work undertaken by PriceWaterhouse Coopers, the Council's external auditors.

A representative from PriceWaterhouse Coopers presented the main findings to Members from the Annual Audit Letter 2011/12. The letter stated that the Council had been issued with an unqualified audit report and an unqualified value for money conclusion.

RESOLVED - That the Annual Audit Letter 2011/12, as appended to the submitted report, be noted.

REASON - To enable Cabinet to receive the results of the external audit work carried out.

C104. KEY DECISIONS - (1) (ITEM CALLED IN) Kids & Co - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of People (previously circulated) advising Members of the outcome of the consultation on the proposal to close the Kids & Co Nurseries at Borough Road and Northwood and the Flexi Childcare Service.

The Cabinet Member with the Children and Young People Portfolio stated that a petition had been received containing 530 signatures requesting that the Council reconsider their proposal to close both Borough Road and Northwood Kids & Co nurseries and work with parents, staff and the community to look at keeping them open.

A number of parents of children currently attending the nurseries addressed Cabinet in respect of the proposed closures and requested that consideration be given to the proposal put forward by the parents, which they believed, would move the nurseries to a situation whereby they did not require a subsidy from the Council. References were made to the current deficit of the service; the options available for the nurseries; staffing costs; grant funding; the risks to parents and their children should the nurseries close; other childcare providers; and the dedication of the staff at the nurseries.

The Manager of the Borough Road Kids & Co Nursery and representatives of Unison addressed Cabinet in respect of the staffing costs associated with the nursery; issues that had been highlighted when it had merged with Borough Road Nursery; the strategic management of the service; the refurbishment costs incurred when Kids & Co moved to Borough Road in 2009; redundancy costs should the nurseries close; grant funding; the audit of nursery places that had been undertaken; and what could be done to retain the service.

The Cabinet Member with the Children and Young People Portfolio and the Director of People responded to those issues thereon.

RESOLVED - (a) That the Flexi Childcare Service be closed, following the required period of notice for staff.

(b) That the childcare provision for children aged under three years of age, at both Borough Road and Northwood facilities, be closed from the end of the spring term.

(c) That the childcare provision be retained until August 2013 for the 95 children across both settings, who will be due to start school in September of that year, thus minimising disruption for those children and their families.

REASONS - (a) All three Kids & Co services are running at a total deficit of £212,000 per annum at a time when the Council is having to prioritise services in accordance with its statutory obligations and its available budget.

(b) In spite of extensive detailed work, no model of running the provision has been identified which removes the need for a Council subsidy.

(c) No alternative models have been proposed formally by any other parties which would remove the Council subsidy.

(e) Neither school (as hosts of the nurseries) is currently prepared to consider a partnership arrangement with another provider.

(f) Other childcare vacancies exist across Darlington amongst childminders and private day nurseries.

(g) There is no longer any demand for the Flexi Childcare Service, partly due to other service reductions within the Local Authority and there were no consultation responses received which would lead Members to review the original proposal for closure.

(h) Closure of the provision at the end of the Spring term for children aged under 3 gives parents a reasonable period of notice with which to find alternative settings or to make other arrangements.

(i) Closure of the provision at the end of August 2013 for children transferring to school in September 2013 removes any disruption for those families and removes the need for them to seek alternative arrangements for only one term.

(2) Energy Efficiency Improvements North Road 2012/13 - 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 the release of funding for energy efficiency improvements to 248 Council-owned dwellings in the North Road area.

RESOLVED - That the replacement of failing timber and external doors and the installation of additional radiators in the entrance hallways to 248 properties in the North Road area, be approved, at an estimated cost of £350,000.

REASONS - (a) The work to the North Road properties will reduce the issue of condensation and mould growth in the properties.

(b) The replacement of the doors will also ensure that the Council meets the requirements of the Decent Homes standard for failing key building components and reduce maintenance costs for the repair and replacement of those elements.

(3) Introduction of Charging for Pre-Application Planning Advice - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to the introduction of a charging policy for pre-application planning advice and the associated fee schedule, to commence in March 2013.

RESOLVED - (a) That the principle of introducing charges for pre-application advice and the proposed scale of fees for pre-application advice as set out in Appendix B to the submitted report, be approved, and implemented from March 2013.

(b) A review of the policy be carried out after one year with a view to ensuring that it continues to operate reasonably and efficiently

REASON - In order to make a fair charge to allow the Council to recover some of its costs of providing the service.

(4) Procurement Plan - Update - The Director of Resources submitted a report (previously circulated) presenting an update of the Procurement Plan to Cabinet for Members to approve the assessment of strategic and non-strategic contracts and to delegate the non-strategic contract award decisions to the appropriate Directors.

The Director of People referred to a contract to be deleted from the list of contracts detailed in Appendix 1 to the submitted report.

RESOLVED – That the assessment of strategic and non-strategic contracts as detailed in Appendix 1 of the submitted report, be approved, and that 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.

REASONS - (a) The Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic and non-strategic.

(b) The contracts designated non-strategic are of a lower value and lower significance in respect of the impact on residents and public safety

C105. BELASIS OFFICE ACCOMMODATION - APPROVAL TO RELEASE PRELIMINARY PHASED FUNDING OF GROWING PLACES – This item was withdrawn at the meeting.

C106. (URGENT ITEM) CITY DEAL - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to the principles of the emerging expression of interest for City Deal status; this Council's involvement in the expression of interest; and the arrangements for completing the submission.

RESOLVED – That the making of a bid for City Deal status be supported and the agreement on the final detailed draft of the Expression of Interest be delegated to the Chief Executive in consultation with the Leader of the Council.

REASON - To facilitate the preparation of the final document by the bid deadline.

C107. CONTAMINATED LAND INSPECTION STRATEGY - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to the revised Council's Contaminated Land Inspection Strategy dated January 2013 (also previously circulated).

RESOLVED - That the Contaminated Land Inspection Strategy for the Borough of Darlington dated January 2013, as appended to the submitted report, be agreed for adoption.

REASON - It supports compliance with the Council's statutory duty in Part 2A of the Environmental Protection Act 1990 to inspect its Boroughs to identify contaminated land.

C108. MID-YEAR PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT MONITORING REPORT - The Director of Resources submitted a report (previously circulated) requesting that consideration be given to the revised Treasury Management Strategy and Prudential Indicators and providing half-yearly review of the Council's borrowing and investment activities.

RESOLVED - (a) That the revised prudential indicators and limits, as detailed within Tables 1 to 6, 8 and 14 to 17 of the submitted report, be examined.

(b) That the changes to the Council's Annual Investment Strategy, as outlined in paragraphs 32 to 35 of the submitted report, be agreed, namely:-

- (i) to increase the counterparty limit for Banks 2 (UK part-nationalised) from £3.000M per bank to £5.000M per bank; and
- (ii) to increase the maximum investment period for Banks 2 (UK part-nationalised) from 1 year to 2 years.

(c) That the reduction in the Treasury Management Budget (Financing Costs) of £30,000, as shown in Table 11 of the submitted report, be noted.

(d) That the report be forwarded to Council for approval of the updated prudential indicators and revised Annual Investment Strategy.

REASONS - (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities.

(b) To inform Members of the performance of the Treasury Management function.

(c) To comply with the Local Government Act 2003.

(d) To enable further improvements to be made in the Council's Treasury Management function.

**DECISIONS DATED
FRIDAY 11 JANUARY 2013**