
CABINET URGENT DECISIONS

Responsible Cabinet Member - Councillor John Williams, Leader

Responsible Director - Corporate Management Team

Matter for Consideration

1. To report the urgent decisions made by Cabinet to which the procedure for calling-in could not be applied and the decisions made by Cabinet in accordance with the Special Urgency Rule, as contained in this Council's Constitution.

NOTE – The topics of the reports outlined below are not to be the subject of debate by Council. However, Councillors may ask technical or factual questions to the relevant Director as to the reason(s) for urgency.

Information

2. Contained within this Council's Constitution is a procedure for Scrutiny Committees to call-in decisions of Cabinet. This call-in procedure does not apply where the decision being taken by Cabinet or an Officer is urgent.
3. A decision will be urgent if any delay, which is likely to be caused by the call-in process, would seriously prejudice the Council's or the public interest.
4. The Constitution states that decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency and, given below, are details of such decisions taken since the last ordinary meeting of Council held on 28th September, 2006.
5. In addition, there are also provisions within this Council's Constitution for a decision which is a key decision and which has not been included on the Forward Plan to be made under the Special Urgency Rule. The Special Urgency Rule requires the agreement of the Chair or Vice-Chair of the relevant Scrutiny Committee that the taking of the decisions could not be reasonably deferred and, in this instance, the approval of Councillor S. Robson, as the relevant chair, was obtained, and the decision is detailed below.

C70	Durham Tees Valley Airport – Southside Development Agreement.	To provide confirmation of the Council's approval of the deadline extension requested by Peel Airports Limited, to enter into a Southside Development Agreement at Durham Tees Valley Airport under the Subscription and Shareholders Agreement. (Cabinet Urgent Decision).
-----	---	---

C75 (1)	Release of Funding for the Darlington Eastern Transport Corridor.	To enable the Council to respond quickly to the expected Department of Transport announcement of full approval of the scheme. (Cabinet Urgent Decision).
C75 (2)	Affordable Housing Supplementary Planning Document.	To accord with the published timetable for the preparation of the draft Supplementary Planning Document. (Cabinet Urgent Decision and Special Urgency Rule).
C86 (1)	Disabled Equality Scheme.	To enable the adoption of the Scheme by the required deadline of the 4th December 2006, both to comply with the law and to further the principles previously adopted by the Council in "All Together Now: A Social Inclusion Strategy for Darlington". (Cabinet Urgent Decision).
C86 (3)	Town Centre Car Parking.	To enable the introduction of incentives in relation to town centre parking for the Christmas trading period, which is key to the economic health of town centre retailing. (Cabinet Urgent Decision).

Outcome of Consultation

6. No formal consultation was undertaken in the preparation of this report.

Council Policy Framework

7. The issues contained within this report have, in accordance with the Constitution, to be considered by Council.

Legal Implications

8. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers needs to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

9. The contents of this report has been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its areas. It is not considered that the contents of this report have any such effect.

Recommendation

10. That the urgent decisions taken be noted.

Reason

11. To comply with this Council's Constitution.

Corporate Management Team

Background Papers

- (i) Report to Cabinet on 28th September 2006, entitled 'Durham Tees Valley Airport – Southside Development Agreement'.
- (ii) Reports to Cabinet on 10th October 2006, entitled 'Release of Funding for the Darlington Eastern Transport Corridor', and 'Affordable Housing Supplementary Planning Document'.
- (iii) Reports to Cabinet on 7th November 2006, entitled 'Disability Equality Scheme', and 'Town Centre Car Parking'.

Paul Dalton : Extension 2387

PD