

**COUNCIL**

25th September 2014

**PRESENT** – The Mayor; Councillors Baldwin, Carson, Copeland, Cossins, Coultas, Crichlow, Crumbie, Mrs. Culley, Curry, Dixon, Donoghue, Grundy, Harker, Harman, L. Haszeldine, C. L. B. Hughes, L. Hughes, Johnson, B. Jones, Mrs. D. Jones, Kelley, Knowles, Landers, Lawton, Lister, Long, D. A. Lyonette, Macnab, McEwan, Nutt, Regan, E. A. Richmond, S. Richmond, A. J. Scott, Mrs. H. Scott, Stenson, Swainston, C. Taylor, J. Taylor, J. Vasey, L. Vasey, Wallis and Wright. (44)

**APOLOGIES** – Councillors Crudass, Galletley I. Haszeldine, Hutchinson, J. M. Lyonette, Newall, Thistlethwaite and York. (8)

**ABSENT** – Councillor Cartwright. (1)

**18. MINUTES** – Submitted – The Minutes (previously circulated) of the meeting of this Council held on 17<sup>th</sup> July 2014.

**RESOLVED** – That the Minutes be approved as a correct record.

**19. DECLARATIONS OF INTEREST** – Councillor Long declared a non-pecuniary interest in Minute 24(2) as Board Member of Theatre Hullabaloo. Councillor Stenson declared a non-pecuniary interest in Minute 24(3) as an operator of a Private Car Park within the Town Centre. Councillor Macnab declared a non-pecuniary interest in Minute 23(2) as the Clerk to Whessoe Parish Council. Councillor B. Jones declared a non-pecuniary interest in Minute 23(2) as Chair of the Darlington Association of Parish Councils and Parish Meetings. Councillor Mrs. D. Jones declared a non-pecuniary interest in Minute 23(2) as Chair of the Middleton St. George Parish Council.

**20. ORDER OF SEALING DOCUMENTS** – Presented – The Register showing the documents which had been sealed since the last meeting of Council.

**21. ANNOUNCEMENTS – (1) Northumbria in Bloom 2014** – The Mayor announced that there had been a number of winners from the Borough of Darlington in the Northumbria in Bloom 2014 competition. The Mayor stated that the village of Neasham had won a Gold Award in the Small Villages Category; the village of Sadberge had received a Silver Award in the Villages Category; the village of Middleton St, George had received a Silver Gilt Award in the Small Towns Category, and had been named the Most Improved Entry in Classes 1-9; Middleton Hall Retirement Home had won a Gold Award, and had been named as Overall Winners, in the Care, Residential, Convalescent Homes, Day Care and Hospices Category;

and that Mr. and Mrs. S. Short, of Middleton St. George, had won a Gold Award in the Private Gardens Category.

**22. QUESTIONS – TO ANSWER QUESTIONS (WHERE NOTICE HAS BEEN GIVEN) FROM – (1) The Public** – There were no questions from members of the public.

**(2) Members to Cabinet/Chairs** – There were no questions from Members, where notice had been given, for the Mayor, Members of the Cabinet, or the Chairs of the Scrutiny Committees.

**(3) Police and Crime Commissioner for Durham and Darlington** – The Police and Crime Commissioner for Durham and Darlington addressed Members, and answered questions thereon.

**23. COUNCIL REPORTS – (1) Implications of Boundary Changes** – The Assistant Chief Executive submitted a report (previously circulated) on the final recommendations of the Local Government Boundary Commission for England (LGBCE), and to set out the steps necessary to ensure the effective implementation of the changes.

The submitted report advised Members that the LGBCE had published its final recommendations for new electoral arrangements for Darlington Borough Council. It was reported that the recommendations proposed that Darlington should be represented by 50 Councillors, who would represent ten two-member wards and ten three-member wards across the Borough. The submitted report outlined the steps that the Council now needed to take to implement the changes, and the impact that these changes would have on data collection and performance data.

**RESOLVED** – (a) That the proposed changes be noted.

(b) That the proposed steps for the implementation and publication of the proposed changes be agreed.

(c) That the potential impact on data collection and performance data as a consequence of the changes be noted.

**REASONS** – (a) To comply with the legislative requirements.

(b) To keep the population of Darlington informed.

(c) To enable the Council to continue to analyse and manage performance.

**(2) Community Governance Review** – The Assistant Chief Executive submitted a report (previously circulated) to give consideration to the Council's responsibilities in relation to undertaking Community Governance Reviews (CGRs), and determining the electoral arrangements for Parish Councils, particularly in light of the changes to ward boundaries outlined in the Further Electoral Review.

The submitted report highlighted that the recommendations of the Further Electoral Review, conducted by the Local Government Boundary Commission for England (LGBCE), had resulted in a number of changes to boundaries affecting parishes, some of which had resulted in anomalies where urban new build had taken place within parish areas. The submitted report identified the parishes affected, and stated that the Council could choose to carry out CGRs, or wait to see if a review was petitioned for by residents.

**RESOLVED** – (a) That consultation be held with the parishes in relation as to whether or not it is appropriate to carry out a Community Governance Review in any particular parish.

(b) That, in parishes where a CGR is to be conducted, the Parish Councillor term of office at the 2015 elections be shortened to one year during the period 2015-16, and that parish elections in 2016 should be for a period of three years only to keep them in line with the Borough Council elections.

**REASONS** – (a) To enable the Council to fulfil its duties under the Local Government and Public Involvement in Health Act 2007.

(b) To respond to the impact of the ongoing ward boundary review on parishes.

**(3) Waste Contract** – The Director of Neighbourhood Services and Resources submitted a report (previously circulated) to extend the existing waste management contract with Stonegrave Aggregates Limited.

The submitted report stated that the Council had a medium term (11 year) contract with Stonegrave Aggregates Limited, with 3 x 12 months optional extensions exercisable by the Council for waste management, which included treatment, recycle, disposal and management of the Household Waste Recycling Centre. It was reported that the contract had intentionally been let to end in March 2020, to be co-terminus with the other four Tees Valley authorities, whose contract with Sita UK Limited also ended in March 2020.

The submitted report noted that the five Tees Valley authorities had considered joint working within waste management services, however had not put any conclusive arrangements in place. It was therefore proposed that the existing contract be extended, which in turn delivered significant financial savings of approximately £280,000 per annum, and totalling £2.8m over the remaining life of the contact.

**RESOLVED** – (a) That the optional 3 x 12 month extensions be varied to incorporate them into the guaranteed term, and that the contract be further extended by two years, giving a total guaranteed term of 16 years from the original commencement date.

(b) That authority be delegated to the Director of Neighbourhood Services and Resources, in consultation with the Portfolio Holder for Leisure and Local

Environment, in continued discussions with Tees Valley authorities to ensure that Darlington is part of any future waste management.

**REASONS –** (a) To ensure continuity of service for the waste management contract in the medium to long term.

(b) To deliver significant financial savings starting in this financial year.

**24. CABINET REPORTS – (1) Overview Reports of Cabinet Members –** The Cabinet Members each gave a report (previously circulated) on the main areas of work undertaken under their relevant portfolio during the previous cycle of meetings. Cabinet Members answered questions on their portfolios.

**(2) Purchase of 9 Borough Road Former Fire Station -** The Director of Neighbourhood Services and Resources submitted a report (previously circulated) to update Members on the Arts Council England (ACE) Partnership bid with Theatre Hullabaloo to provide a children's theatre, and request approval to underwrite the Council's contribution of £0.660M.

The submitted report stated that Cabinet had received a number of reports in recent years with regard to the provision of a children's theatre following the closure of the former Arts Centre. Cabinet had previously agreed to support an application to the third round of ACE large scale capital programme to develop a small flagship theatre focused on performing arts for children and young people, but which would also be available for other arts activities, and the wider community, and to note the purchase of an option agreement to enable the acquisition of a site adjacent to the Civic Theatre 9 Borough Road for the new venue and agreed to proceed to purchase should the ACE application be successful.

Following a successful Stage 1 application to ACE, Cabinet had considered further actions, which included the underwriting of £0.660M for the project, the purchase of 9 Borough Road, and to enter into an agreement with Theatre Hullabaloo to formalise their occupation of the proposed new children's theatre.

**RESOLVED –** That the Council underwrite £0.660M for the Children's Theatre Hullaballoon.

**REASON –** To enable the Children's Theatre Hullaballoon to be delivered subject to a successful ACE Stage 2 application.

**(3) Town Centre Parking -** The Director of Economic Growth submitted a report (previously circulated) to seek approval on actions to support and underpin the Town Centre Economy through the subsequent 18 months, as the Cinema, Leisure complex and multi-storey car park development at Feethams takes place.

The submitted report stated that the car park on the site of the former bus depot adjacent to the Town Hall had closed to enable the commencement of the development of the Cinema and Leisure complex, and that 270 parking spaces

would be lost as a consequence. It was reported that a multi-storey car park accommodating 650 vehicles was to be constructed, which would open around the same time as the new cinema, and that a number of actions had been proposed to support the Town Centre economy during the period of construction work at Feethams.

**RESOLVED** – That the allocation of £320K in 2014/15 and £380K in 2015/16 be approved, to meet the cost of: -

- (a) The £5,000 grant to the Sunday market;
- (b) The introduction of the extra hour's free parking for drivers paying for two or more hours, to start in mid-November 2014, and run until Spring 2016;
- (c) The introduction of a lower tariff of 50p per hour in four of the Council's less busy car parks (East Street, Garden Street, Upper Archer Street and Chesnut Street), to start on 1 October and run until Spring 2016;
- (d) The standardisation of parking charges in Abbots Yard car park with the other popular Town Centre car parks;
- (e) The additional parking to be provided through a temporary Park and Ride scheme and through temporarily reinstating some parking spaces adjacent to the Town Hall and Department for Education; and
- (f) Reinstatement of the electronic highway signage showing available parking spaces in Town Centre car parks.

**REASONS** – (a) To encourage Town Centre visitors parking in Council car parks to stay in the Town Centre for longer.

(b) To support the Town Centre businesses including the Markets through the next 18 months, so that they are well placed to maximise the benefits to Town Centre Economy arising from the Feethams developments.

(c) To help reduce pressure on popular car parks by more evenly distributing parking across all of the Town Centre car parks.

**(4) Cabinet Urgent Decisions** – The Chief Officer Executive submitted a report (previously circulated) detailing one decision taken by Cabinet as a matter of urgency and to which the procedure for call-in could not be applied.

The submitted report outlined the procedures to be followed if a decision was taken under the Urgency Rule and the Special Urgency Rule.

**RESOLVED** – That the urgent decision taken by Cabinet be noted.

**REASON** – To comply with the Council's Constitution.

**25. SCRUTINY REPORTS – OVERVIEW REPORTS** – Four Scrutiny Committee Chairs each submitted a report (previously circulated) on the main areas of work undertaken by their relevant Scrutiny Committee during the last cycle of Committee meetings.

**26. MEMBERSHIP CHANGES** – There were no membership changes reported at the meeting.