

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 29 JUNE 2015**

CABINET
16 June 2015

PRESENT – Councillor Dixon (in the Chair); Councillors Copeland, Harker, C L B Hughes, McEwan and A J Scott. (6)

INVITEES – Councillors Curry and Mrs H I Scott and Dr A Jones. (3)

APOLOGIES – Councillor Wallis.

C1. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

C2. DEATH IN SERVICE – KEN BUCKINGHAM - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) informing Members of the recent sad death in service on Thursday 30 April 2015 of Ken Buckingham. Ken was employed as a Gas Fitter and was a valued member of the Building Services Team within the Neighbourhood Services and Resources Group.

RESOLVED – (a) That it be noted with great sadness, the recent death in service of Ken Buckingham, a respected employee of the Council.

(b) That the actions of the Council in conveying the sympathy to Ken’s family and the support offered from Human Resources, as detailed in the submitted report, be noted.

REASON - To make Members aware of the recent death in service.

C3. TIMES OF MEETINGS – RESOLVED – That meetings of this Cabinet be held at 5.00 pm for the remainder of the 2015/16 Municipal Year.

REASON – To comply with the views of Cabinet.

C4. REPRESENTATIONS – In respect of Minute C7 and C8(6) below, Members in attendance at the meeting, addressed Cabinet in relation to those items.

C5. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 7 April 2015.

RESOLVED - That the Minutes be confirmed as a correct record.

REASON - They represent an accurate record of the meeting.

C6. MATTERS REFERRED TO CABINET - There were no matters referred back to this meeting for reconsideration.

C7. ISSUES ARISING FROM SCRUTINY – PUBLIC EVENTS SAFETY ADVISORY GROUP (PESAG) - FINAL REPORT - The Cabinet Member with the Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth (previously circulated) presenting the final findings of the Public Events Safety Advisory Group (PESAG) Review Group, established by Place Scrutiny Committee, to contribute to both the promotion and protocol for PESAG. In introducing the report the Cabinet Member with the Economy and Regeneration Portfolio thanked the Place Scrutiny Committee for their work.

The Chair of the Place Scrutiny Committee addressed Cabinet in respect of the work undertaken by the Place Scrutiny Committee in conducting the review, and in doing so, made particular reference to a number of issues including the number of public activities that PESAG were involved in and the number of organisations involved.

RESOLVED - (a) That the findings and recommendations of the Public Events Safety Advisory Group (PESAG) Review Group, as detailed in the submitted report, be noted.

(b) That Officers be requested to continue to action the recommendations deliverable within existing resources, as detailed in the submitted report.

REASON - To conclude the work undertaken by the Place Scrutiny Committee Review Group.

C8. KEY DECISIONS - (1) School Term Dates 2016/17 - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of Children, Families and Learning (previously circulated) requesting that consideration be given to setting the school term date arrangements for Darlington Maintained Schools for the academic year 2016/17, and to publish those dates by the end of June 2015. A draft model of proposed school holiday and term dates for the 2016/17 academic year was appended to the submitted report.

RESOLVED - That the draft model of school holiday and term dates for Darlington Maintained Schools for the 2016/17 Academic Year, as appended to the submitted report, be agreed.

REASON - The draft model is the one preferred by most schools, Governing Bodies and other interested parties in Darlington following the consultation exercise which ended on 22 May 2015.

(2) Community Safety Plan 2015/20 - The Leader introduced the report of the Director of Commissioning (previously circulated) requesting that consideration be given to the Community Safety Plan 2015/20 for Darlington, as appended to the submitted report.

RESOLVED - (a) That Community Safety Plan 2015/20 for Darlington, as appended to the submitted report, be agreed.

(b) That, it be recommended to Council that, the Community Safety Plan 2015/20 for Darlington, as appended to the submitted report, be adopted.

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 to progress actions around community safety in the current changing climate.

(3) The Closure of the Independent Living Fund (ILF) and Transfer to the Local Authorities - The Cabinet Member with Adult Social Care and Housing Portfolio introduced the report of the Director of Commissioning (previously circulated) updating Members on national changes to the Independent Living Fund (ILF) and requesting that consideration be given to proposals to implement the closure of the ILF and the transfer of resource and responsibility to the local authority.

Particular reference was made to the payment of redundancy costs of employees/personal assistants and to the costing of the case studies included within the submitted report. The Director of Commissioning responded thereon.

RESOLVED – (a) That all reassessments be undertaken between May and August 2015 in a personalised and outcome focussed way, using the Council's eligibility criteria.

(b) That all financial assessments be completed by 30 June 2015.

(c) That the reassessments and resulting financial assessments be used to understand the eligible care and support needs, impacts on individuals and the total cost of support packages, the findings from which to be submitted to a future meeting of Cabinet for a final decision.

(d) That the fund allocation up to the end of March 2016, be ring-fenced, to enable staff to complete all proposed tasks and/or any other required actions whilst ensuring the ILF users' eligible needs are met continuously without interruption during the period of the transition.

(e) That the Council fund the existing care and support packages at the current rate, for direct payments users, until the final decision is made.

(f) That the proposed timescales should provide sufficient time to put any required actions or alternative support arrangements in place during this transition.

REASON - Approval is sought in order to ensure a managed process is in place to support the transfer arrangements.

(4) Preventing Homelessness Strategy 2015/17 - The Cabinet Member with Adult Social Care and Housing Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given to the Preventing Homelessness Strategy 2015/17, as appended to the submitted report.

The Leader made particular reference to the fact that, following a review of the Homelessness Services, the Council had been identified as either meeting or exceeding national performance standards.

RESOLVED - That the Darlington Preventing Homelessness Strategy 2015/17, as appended to the submitted report, be approved.

REASONS - (a) A new Preventing Homelessness Strategy is required to replace the existing Homelessness Strategy which expires this year.

(b) The revised Strategy reflects the recent changes in the national and local housing landscape, including the implications of changes in public finances.

(c) The Strategy provides a clear set of objectives and actions to address the challenges of homelessness in Darlington.

(5) New Build Council Housing - The Cabinet Member with Adult Social Care and Housing Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given to the release of funding from the annual Housing Capital Programme to provide an additional 102 new Council homes for rent and requesting retrospective approval for a further grant application to the Homes and Communities Agency's (HCA) Affordable Housing Programme 2015/18.

RESOLVED - (a) That £12.9m from the Housing Capital Programme and £2m Homes and Communities Agency Grant, be released, for the provision of 102 new Council homes.

(b) That the Director of Neighbourhood Services and Resources be authorised to proceed with the works, as detailed in the submitted report, subject to planning consent.

(c) That land at Allington Way, as detailed in the submitted report, be transferred from the General Fund to the Housing Revenue Account, at a cost of approximately £0.5m.

(d) That retrospective approval be given to the submission of a second bid to the Homes and Communities Agency's (HCA) Affordable Housing Programme.

REASONS - (a) There is a need to meet the demand for more low cost housing options for rent.

(b) Funds are available through the HRA to build Council homes and grant of around 20 per cent will replace some of the Council's funding and make our limited funds stretch further.

(6) Infrastructure Review - The Cabinet Member with the Health and Partnerships Portfolio introduced the report of the Assistant Chief Executive (previously circulated) requesting that consideration be given to proposed changes to the funding of infrastructure support to the voluntary sector from September 2015.

The Cabinet Member with the Health and Partnerships Portfolio, in introducing the report, stated that the Local Authority referred to in paragraph 47 of the submitted report

was Hartlepool and NOT Redcar and he re-iterated that the cost of the delivery of volunteer centres varied considerably and it was not possible to compare 'like for like' the organisations referred to the submitted report.

Particular reference was made to concerns regarding the accuracy of the figures contained within the report.

RESOLVED - (a) That the proposal to remove the Strategic Grant in relation to infrastructure, as detailed in the submitted report, be approved.

(b) That the development of an effective representational forum which can help to achieve the broader objectives of commissioners whilst providing effective representation and engagement with the sector, be agreed.

(c) That the commission of an electronic funding resource which can also provide community based governance information to support community groups and voluntary sector organisations, as detailed in the submitted report, be agreed.

(d) That the commission of a service to recruit and support volunteers and to promote volunteering across the Borough, be agreed.

(e) That a performance framework to monitor the number of volunteers and the contribution of volunteering to drawing in external funding and reducing demand, be established.

(f) That it be noted that, the proposals, as detailed in the submitted report, will enable the savings identified within the Strategic Grant budget as set out in the Medium Term Financial Plan (MTFP) for 2016/17 to be achieved.

REASONS - (a) To realise the savings in Strategic Grant detailed in the MTFP.

(b) To support the delivery of the objective 'Building Stronger Communities' and in particular to provide effective representation, grow volunteering and support volunteers.

(c) To maximise the amount of external funding which Darlington is able to attract.

(d) To manage the performance of relevant commissioning.

C9. REVIEW OF OUTCOME OF COMPLAINTS MADE TO OMBUDSMAN - The Leader introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) providing Members with an update of the outcome of cases which had been determined by the Local Government Ombudsman (LGO) and to indicate any points for particular attention since the preparation of the previous report to Cabinet on 2 December 2014.

RESOLVED - That the contents of the report be noted.

REASONS - (a) It is important that Members are aware of the outcome of complaints made to the LGO in respect of the Council's activities.

(b) The contents of this report do not suggest that further action, other than detailed in the report, is required.

C10. REPRESENTATION ON OTHER BODIES 2015/16 - The Leader introduced the report of the Assistant Chief Executive (previously circulated) requesting that consideration be given to this Council's representation on other bodies for the 2015/16 Municipal Year, to which Cabinet appoints.

RESOLVED - That the appointments to the other bodies, as detailed below, for the 2015/16 Municipal Year, be approved.

| Name of Body or Organisation | Nomination(s) |
|--|---|
| Association of Rail North Partnership Authorities | Leader of the Council (Councillor Dixon) |
| Business Improvement District (BID) Board | Leader of the Council (Councillor Dixon) |
| Charitable Organisations for the Blind (COB) | Councillor Newall |
| County Durham and Darlington Foundation Trust – Board of Governors | Councillor Copeland |
| Darlington and District Youth and Community Association (2002) | Councillor Baldwin (and one vacancy) |
| Darlington Partnership Board | Leader of the Council (Councillor Dixon), Cabinet Member with Health and Partnerships Portfolio (Councillor A J Scott), Cabinet Member with Children and Young People Portfolio (Councillor C L B Hughes) and Councillor Mrs Scott (Leader of the Opposition) |
| Darlington Cares | Councillor McEwan (Cabinet Member with Economy and Regeneration Portfolio) |
| Darlington Railway Museum Trust | Cabinet Member with Leisure and Local Environment Portfolio (Councillor Wallis) |
| Durham County Pension Fund Committee | Cabinet Member with Efficiency and Resources Portfolio (Councillor Harker) and Chair of Efficiency and Resources Scrutiny Committee (Councillor I G Haszeldine) |
| Durham Tees Valley Airport Limited - Board | Councillor Dixon (Director) (Councillor Wallis as substitute Council Director) |
| Durham Tees Valley Airport | Cabinet Member with Leisure and Local Environment |

| Name of Body or Organisation | Nomination(s) |
|---|---|
| Limited - Consultative Committee | Portfolio (Councillor Wallis) |
| Family Help Organisation | Councillors Copeland, Newall and Curry |
| Family Placement Panel | Councillor Crumbie |
| Ground Work North East: | |
| Board | Cabinet Member with Leisure and Local Environment Portfolio (Councillor Wallis) |
| Sub-Regional Board | Cabinet Member with Leisure and Local Environment Portfolio (Councillor Wallis) and Cabinet Member with Health and Partnerships Portfolio (Councillor A J Scott) |
| Maidendale Nature and Fishing Reserve (Associate Member) | Councillor Dixon (Ward Member) |
| North East Regional Employers Organisation | Cabinet Member with Efficiency and Resources Portfolio (Councillor Harker), Chair of Efficiency and Resources Scrutiny Committee (Councillor I G Haszeldine) and Vice Chair of Efficiency and Resources Scrutiny Committee (Councillor Crumbie) |
| Executive Committee | Cabinet Member with Efficiency and Resources Portfolio (Councillor Harker) |
| North East Strategic Migration Partnership (NESMP) | Cabinet Member with Health and Partnerships Portfolio (Councillor A J Scott) (Councillor C L B Hughes as named substitute) |
| North Eastern Purchasing Organisation Collaborative Procurement Sub-Committee | Cabinet Member with Efficiency and Resources Portfolio (Councillor Harker) |
| Northern Council of Education Authorities | Cabinet Member with Children and Young People Portfolio (Councillor C L B Hughes), Chair of Children and Young People Scrutiny Committee (Councillor Lister) and Councillor Crudass |
| Northern Housing Consortium | Cabinet Member with Adult Social Care and Housing Portfolio (Councillor Copeland) |
| Northumbrian Regional Flood and Coastal Committee | Councillor McEwan (One Vacancy as named substitute) |
| Rail North Limited | Leader of the Council (Councillor Dixon) (Director) |

| Name of Body or Organisation | Nomination(s) |
|--|--|
| RELATE North East | Councillors Regan and Cartwright |
| Shopmobility Steering Group | Cabinet Member with Leisure and Local Environment Portfolio (Councillor Wallis) and Cabinet Member with Health and Partnerships Portfolio (Councillor A J Scott) |
| Tees Valley Local Access Forum | Councillor Carson (Chair of Place Scrutiny Committee) |
| Tees Valley Rivers and Fisheries Association | Councillor I G Haszeldine |
| Tees Valley Unlimited – Leadership Board | Leader of the Council (Councillor Dixon) and Deputy Leader of the Council (Councillor Harker) |
| Tidy North Regional Consultative Committee | Cabinet Member with Leisure and Local Environment Portfolio (Councillor Wallis) |

REASON - To comply with the nominations received from the Political Groups.

C11. FINANCIAL WELLBEING - SOCIAL FUND - The Cabinet Member with the Health and Partnerships Portfolio introduced the report of the Assistant Chief Executive (previously circulated) requesting that consideration be given to the amended Social Fund Policy 2015/16 (also previously circulated) that has been reviewed to increase efficiency and increase the focus on prevention.

RESOLVED - That the amended Social Fund Policy 2015/16, as appended to the submitted report, be approved.

REASON - The Social Fund provides the mechanism to ensure support is available for residents in crisis situations or to prevent increased demand on other services such as social care and/or housing through the provision of Community Care Support.

C12. DARLINGTON TOWN CENTRE BUSINESS PLAN - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the Darlington Town Centre Business Plan (also previously circulated).

Discussion ensued on ways of encouraging employees located within new office developments in the town centre, to visit the Town Centre during their lunch break.

RESOLVED - That the Darlington Town Centre Business Plan, as appended to the submitted report, be approved.

REASONS - (a) The Town Centre Business Plan responds to the findings from the Town Centre conference and other recent consultation (e.g. Town Centre Regeneration game) and draws together in one document policies and proposals (Local Plan,

Transport Plan and Car Parking Strategy, Economic Strategy, Distinct Darlington Business Plan Feethams Brief etc.) impacting upon the Town Centre.

(b) The Business Plan provides a statement of vision, ambition, outcomes and priority actions aimed at securing the future success of the Town Centre.

C13. PARKGATE CONSERVATION AREA AND CHARACTER APPRAISAL - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to designating Parkgate Conservation Area (as shown on the plan appended to the submitted report), adopting the Character Appraisal (also previously circulated) and reporting the outcome of the consultation on Parkgate Conservation Area Character Appraisal, including comments received on the proposed designation and boundary.

RESOLVED - That the designation of Parkgate Conservation Area, as shown on the plan appended to the submitted report, be approved and the Character Appraisal, which includes the proposed boundary, as appended to the submitted report, be adopted.

REASONS - (a) To fulfil the statutory duty to designate as Conservation Areas any areas that from time to time the Council may determine as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'.

(b) To provide a document, the Character Appraisal, to assist in the preservation and enhancement of the Parkgate Conservation Area through planning decisions.

C14. WEST PARK GARDEN VILLAGE DEVELOPMENT - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that endorsement be given to the decision taken by officers to submit a joint outline planning application for residential development in respect of Council owned land at Stag House Farm and land in private ownership at Mount Pleasant Farm; endorsement be given the Masterplan (also previously circulated) that forms parts of the outline planning application in order to assess future planning applications; consideration be given to the marketing of Council owned land at Stag House Farm (as shown on the plan as appended to the submitted report); and requesting that consideration be given to entering into an Equalisation Agreement with the adjoining owner of Mount Pleasant Farm, Bussey and Armstrong Projects Ltd, to share strategic infrastructure costs and Section 106 planning obligations.

Discussion ensued on the consultation that had been undertaken in respect of the development.

RESOLVED - (a) That the decision to include the Council's land at Stag House Farm in a joint West Park Garden Village outline planning application with land in private ownership at Mount Pleasant Farm, as detailed in the submitted report, be endorsed.

(b) That the Masterplan, as appended to the submitted report, which was prepared to support the planning application, be approved and adopted as a document having material weight in the consideration of planning applications as referred to in the Core

Strategy, subject to a condition that the Masterplan is capable of being amended, if required.

(c) That Stag House Farm be marketed, with the benefit of the Masterplan, outline planning permission if granted and an Equalisation Agreement in respect of strategic infrastructure and shared planning obligations.

(d) That the Director of Economic Growth be granted delegated authority to negotiate and agree terms relating to an Equalisation Agreement in consultation with the Cabinet Member for the Efficiency and Resources Portfolio.

(e) That the Borough Solicitor be authorised to complete the necessary legal documentation for the Equalisation Agreement and sharing of Section 106 planning obligations.

REASONS - (a) The preparation of a Masterplan was to ensure good planning for the area, to shape the vision and the environment, by developing a cohesive scheme.

(b) In agreeing the joint Masterplan this will help to ensure a well-planned area which contributes a significant portion of Darlington's strategic housing allocations during the Local Plan period. A site of this size would require a number of developers and to agree the key principles up front for the site as a whole should enable development to occur in a more effective and efficient manner than development on a piecemeal basis.

(c) An Equalisation Agreement between respective landowners will share the infrastructure and planning requirements to enable the Development to proceed and ensure the Parties can benefit from shared efficiencies and viability.

C15. PROPOSED WRITE-OFF OF IRRECOVERABLE DEBTS - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given to the writing-off of sundry debtor invoices with individual values greater than £500 that are considered to be irrecoverable.

RESOLVED - That Sundry Debtor invoices over £500 in value amounting to £89,532.65 for 2014/15 be written-off, subject to further action being taken, if and when contacts are made.

REASONS - (a) It is considered all practical steps have been made to recover the debts.

(b) To enable the Council's accounts to be maintained in accordance with the Financial Procedure Rules.

C16. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C17. EXCLUSION OF THE PUBLIC - RESOLVED - That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the

likely disclosure of exempt information as defined in exclusion paragraph 3 of Part I of Schedule 12A to the Act.

C18. SALE OF SITE AT KELLAW ROAD, DARLINGTON (EXCLUSION PARAGRAPH NO 3) - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the disposal of the Council's freehold reversionary interest in a plot of land adjacent to Kellaw Road occupied by National Window Systems Limited (NWS) (as shown on the plan appended to the submitted report).

RESOLVED - (a) The disposal of the Council's interest in the site at Kellaw Road, as shown on the plan appended to the submitted report, be approved on the terms as outlined in the report.

(b) That the Borough Solicitor be authorised to document the disposal.

REASONS - (a) To secure the future of an established local business.

(b) To achieve a capital receipt for the Council.

**DECISIONS DATED –
FRIDAY 19 JUNE 2015**