

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 18 NOVEMBER 2013**

CABINET

5 November 2013

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

INVITEES – Councillors Curry and Mrs H Scott. (2)

ALSO IN ATTENDANCE – Councillors Francis and EA Richmond. (2)

C68. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

C69. REPRESENTATIONS – There were no representations made at the meeting.

C70. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 1 October 2013.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C71. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C72. ISSUES ARISING FROM SCRUTINY – There were no issues referred from the Scrutiny Committees to this meeting.

C73. DEATH IN SERVICE - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of People (previously circulated) informing Members of the recent sad death in service of Sandra Holmes, a much valued colleague who was the Registered Manager at Eldon Street Children's Home.

RESOLVED - (a) That the recent tragic and sudden death of Sandra Holmes, a respected employee of this Council, be noted with great sadness.

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

(c) That the actions taken to support young people affected by the sudden death of Sandra, as detailed in the submitted report, be noted.

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

C74. KEY DECISIONS - (1) Disabled Facilities Grant Policy and Contract Award - Home Improvement Agency - The Cabinet Member with Adult Social Care and Housing Portfolio introduced the report of the Director of People (previously circulated) requesting that consideration be given to the award of the contract for the provision of a Home Improvement Agency and to implement the Disabled Facilities Grant Policy with immediate effect.

Discussion ensued on whether it would be possible for the successful tenderer to sub-let the contract.

RESOLVED - (a) That the Evaluation Panel's recommendation to award the contract for the provision of a Home Improvement Agency, as detailed in paragraph 25 of the submitted report, be approved.

(b) That the Disabled Facilities Grant Policy, as attached at Appendix 2 to the submitted report, be approved, for immediate implementation.

REASON - (a) In accordance with the agreed selection criteria, the tender process identified this organisation as the most suitable contractor to achieve the outcomes identified within the service specification.

(b) The draft Policy clarifies and formalises existing practice.

(2) Stonebridge Junction and Inner Ring Road Project - The Cabinet Member with Transport Portfolio introduced the report of the Director of Place (previously circulated) advising Members of the detail of the inner ring road and Stonebridge junction project and associated consultation.

Discussion ensued on the scheme and the implications on a number of areas close to the ring road, including Garden Street and Borough Road.

RESOLVED - (a) That the comments received during the consultation period, as detailed in Appendix 2 of the submitted report, be noted.

(b) That it be noted that no objections were received to the Traffic Regulation Orders associated with the Project.

(c) That it be agreed that the project proceed to procurement and construction.

REASONS - (a) To enable investment in the local transport network to deliver the Local Transport Plan outcomes.

(b) To better manage performance of key highway network junctions to accommodate desired growth.

(c) To deliver the Projects identified in the Tees Valley Bus Network Improvement initiative.

(d) To enable delivery of the Town Centre Fringe Masterplan.

(3) Council Tax Support - Scheme Approval - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources (previously circulated) requesting that consideration be given to the draft Council Tax Support (CTS) Scheme (also previously circulated) for 2014/15.

RESOLVED - That the draft Council Tax Support Scheme 2014/15, as appended to the submitted report, be recommended to Council for approval.

REASONS - (a) The Council is required to publish a local Council Tax Support Scheme for 2014/15 by 31 January 2014.

(b) The Council Tax Support Scheme for 2013/14 has been implemented successfully without any major challenges.

(c) The financial position of the Council has not improved and therefore the continued application of a reduced entitlement for working aged people is still appropriate.

C75. FREEDOM OF INFORMATION, ENVIRONMENTAL INFORMATION AND SUBJECT ACCESS REQUEST ANNUAL REPORT 2012/13 - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources (previously circulated) providing Members with the Freedom of Information, Environmental Information and Subject Access Request Annual Report 2012/13 (also previously circulated) and informing Members of the legislative changes introduced by the Protection of Freedoms Act 2012.

RESOLVED - (a) That the Freedom of Information, Environmental Information and Subject Access Request Annual Report 2012/13, as appended to the submitted report, be noted.

(b) That a further report on the implications of the Protection of Freedoms Act 2012 be considered at a future meeting of Cabinet.

REASON - To make Cabinet aware of the progress made in ensuring the Council understands the nature of the requests for information it receives and facilitating the publication of the most frequently requested information in order to increase the efficiency with which the Council is able to deal with such requests.

C76. (URGENT ITEM) CHRISTMAS SHOPPING PERIOD PARKING PROMOTION - The Cabinet Member with Transport Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to a car parking proposal during the December Christmas shopping period.

In presenting the report, the Cabinet Member with the Transport Portfolio reported at the meeting that the cost of implementing the proposals would be £37,500 and not £43,000 as detailed within the submitted report.

RESOLVED – That the ‘Free after 3pm’ Christmas parking promotion, to take place from Saturday 7 December until Tuesday 24 December 2013, as detailed in the submitted report, be approved.

REASON - (a) This is a temporary parking promotion, timed to coincide with the Christmas shopping period.

(b) Distinct Darlington have committed to reimbursing the Council with 50% of the estimated loss of parking revenue.

(c) Distinct Darlington is funding a range of Town Centre promotional activities during the run up to Christmas, and if the parking promotion is approved will include this within a TV advertising campaign.

(d) A survey of Town Centre businesses has shown that most will stay open late during the last two weeks leading up to Christmas.

(e) It is anticipated that the promotion will help to spread some of the demand for parking further throughout the day, thereby reducing pressure on parking spaces at the peak time, which is usually between 12:00 Noon and 2:00 pm. Depending upon the impact of the promotion in 2013, encouragement to spread demand maybe a useful strategy to adopt as one element of the parking contingency plan required to mitigate against the temporary loss of Town Centre parking spaces when the Feethams developments are taking place.

C77. HOUSING STRATEGY ANNUAL MONITORING REPORT - 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 Housing Strategy Annual Monitoring Report and to two new priority actions contained within the action plan (also previously circulated).

In presenting the report, the Cabinet Member with the Adults and Housing Portfolio reported that a report on the Housing Strategy Annual Monitoring Report had been considered and well received by the Adults and Housing Scrutiny Committee and they had made particular reference to the help and support given to residents to help them manage their finances.

RESOLVED - (a) That the first year's progress on implementing the Housing Strategy, as detailed in the submitted report, be noted.

(b) That the revised Priority Action Plan, as appended to the submitted report, including two new Priority Actions relating to older persons' accommodation and the introduction of Universal Credit, be agreed.

REASON - To achieve the outcomes and outputs in relation to the delivery of new housing and improving the condition of existing housing.

C78. TOWN HALL - PROPOSED RE-COMMISSIONING OF SOUTHERN PASSENGER LIFTS - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources (previously circulated) requesting that consideration be given to the release of funding to modernise and re-commission the two southern passenger lifts at the Town Hall.

RESOLVED - (a) That the two southern passenger lifts at the Town Hall be modernised and re-commissioned.

(b) That the release of £115,000 from the Capital Medium Term Financial Plan and the allocation of the balance of £3,000 from Revenue Medium Term Financial Plan, be agreed.

(c) That the southern passenger lifts be added to the Annual Procurement Plan and they be classified as a non-strategic procurement.

REASONS - (a) To ensure the Town Hall remains fit for purpose and meets the needs and requirements of its workforce.

(b) The designation of contracts as strategic or non-strategic is a Cabinet function.

C79. MEMBERSHIP CHANGES – RESOLVED - There were no membership changes reported at the meeting.

C80. 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 items on the grounds that they involve the likely disclosure of exempt information as defined in exclusion paragraph 3 of Part I of Schedule 12A to the Act.

C81. CENTRAL PARK - LAND DISPOSAL AND ACQUISITIONS (EXCLUSION PARAGRAPH NO 3) - The Cabinet Members with the Efficiency and Resources Portfolio introduced the report of the Director of Resources and Director of Place (previously circulated) requesting that consideration be given to acquiring, by agreement, those properties which remain to be purchased in order to further progress the site assembly process in respect of Central Park South.

RESOLVED - (a) That the land assembly strategy, as set out in Annex 1 and 2 of the submitted report, be endorsed

(b) That the Director of Resources, in consultation with the Cabinet Member with the Efficiency and Resources Portfolio, be authorised to negotiate and complete the purchase of properties and where relevant, the extinguishment of specific businesses within Central Park South in line with the anticipated maximum costs, as set out in Paragraph 52 of the submitted report.

(c) That any associated demolition contracts be deemed non-strategic and added to the Annual Procurement Plan.

(d) That the Director of Resources, in consultation with the Cabinet Members with the Efficiency and Resources and the Economy and Regeneration Portfolios, be authorised to dispose of the land within Central Park in line with the terms of the Collaboration Agreement, the agreed masterplan and for the best consideration reasonably achievable in line with Section 123 of the Local Government Act 1972 and that this be recorded within the scheme of delegation in the section 'Exceptions in relation to Specific Projects'.

REASONS - (a) To help achieve the delivery of Central Park.

(b) To enable the Council to fulfil its obligations as set out in the Collaboration Agreement in respect of the land assembly within the revised timescales.

(c) To enable the Council to fulfil its obligations as set out in the Collaboration Agreement in respect of delivering Central Park in line with the agreed masterplan.

(d) To help ensure the gateway site to Central Park is developed comprehensively and not undermined by the presence of third party ownerships and interests.

(e) To enable the land sale to Centre for Process Innovation for the National Biologics Manufacturing Centre.

C82. SCHEDULE OF TRANSACTIONS (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report and schedule of the Director of Resources (both previously circulated) requesting that consideration be given to the schedule of transactions and seeking approval of the terms negotiated.

RESOLVED - That the schedule, as appended to the submitted report, be approved and the transactions be completed on the terms and conditions detailed therein.

REASON - The terms negotiated require approval by Cabinet before binding itself contractually to a transaction.

**DECISIONS DATED –
FRIDAY 8 NOVEMBER 2013**