

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 17 MARCH 2014**

CABINET
4 March 2014

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, I Haszeldine and Mrs Scott. (3)

ALSO IN ATTENDANCE – The Mayor, Councillor Johnson and Councillor Richmond.

C116. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

C117. REPRESENTATIONS – No representations were made by Members or members of the public in attendance at the meeting.

C118. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of this Cabinet held on 4 and 18 February 2014.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C119. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C120. ISSUES ARISING FROM SCRUTINY – There were no issues referred from the Scrutiny Committees to this meeting.

C121. KEY DECISIONS - (1) Parking Strategy - The Cabinet Member with the Transport Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the Darlington Parking Strategy 2014/26 (also previously circulated).

The Chair made reference at the meeting to the receipt of a late submission, which had been received following the publication of the report, but only raised issues which had been previously considered.

Discussion ensued on the issue of free parking in the Town Centre, residents parking zones; parking by blue badge holders on double yellow lines; and the problems caused by parents parking outside of schools.

RESOLVED - That the Darlington Parking Strategy 2014/26, as appended to the submitted report, be approved with the amendments in response to consultation as detailed in paragraphs 68 to 70.

REASONS - (a) The Parking Strategy reflects the local, national and global changes affecting parking that have occurred since the previous strategy was published.

(b) The Parking Strategy provides a clear set of objectives and actions aimed at addressing parking issues in the Borough.

(2) Extra Care Housing - Charging Implications - The Cabinet Member with the Adult Social Care and Housing Portfolio introduced the report of the Director of People (previously circulated) requesting that consideration be given to the full cost of the charges for extra care housing being charged to the tenants living in the extra care housing as determined under the Fairer Contributions Policy.

In presenting the report the Cabinet Member with the Adult Social Care and Housing Portfolio made reference to the consultation that had been undertaken; the equalities impact assessments that had been carried out, taking into account the impacts from the representations received; and the processes put in place to mitigate those effects.

Particular reference was made to the potential adverse impact of implementing the Fairer Charging Policy on 27 individuals.

RESOLVED - (a) That the total cost of the service be charged to the tenants living within extra care housing in accordance with the Fairer Contributions Policy.

(b) That the outcome of the consultation, the Equalities Impact Assessment and the measures to be put in place to mitigate any impacts, as detailed in the submitted report, be noted.

REASONS - (a) The Fairer Contributions Policy ensures that all service user groups are treated fairly and equitably and contributions are determined on the ability of the individual to contribute to the cost of their support having taken into account their individual circumstances which includes their financial means.

(b) The application of the Fairer Contributions Policy will support the authority to maximises its income and meet its overall budget efficiencies.

(c) Where possible mitigating actions will be taken to reduce/ remove any potential impacts of the increased charges by carrying out reviews of financial assessments, including welfare benefit checks and the identification of Disability Related expenditure.

(d) The Fairer Contributions Policy allows that in exceptional circumstances the charges for Community Care may be waived.

C122. CALENDAR OF COUNCIL AND COMMITTEE MEETINGS 2014/15 - The Leader introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to the Calendar of Council and Committee Meetings for the 2014/15 Municipal Year.

RESOLVED - That the Calendar of Council and Committee Meetings 2014/15, as appended to the submitted report, be approved and the proposed dates for the meetings of Council be referred to the Annual Council meeting scheduled to be held on Thursday 15 May 2014, for approval.

REASON - To ensure that the calendar of meetings is approved for the forthcoming Municipal Year.

C123. OPPORTUNITY TO BID TO LOCAL SUSTAINABLE TRANSPORT FUND - The Cabinet Member with the Transport Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the submission of an application to the Department for Transport Local Sustainable Transport Fund, which is being made available through a competitive bidding process.

RESOLVED - (a) That a bid to the Local Sustainable Transport Fund, either in partnership as part of consortium of the Tees Valley local authorities, or as a single bidding local authority, be agreed.

(b) That the Director of Economic Growth be authorised, in consultation with the Cabinet Member with the Transport Portfolio, to agree the detailed elements of the funding bid prior to submission to the Department for Transport.

REASONS - (a) Darlington has a strong track record and high national profile on the delivery of sustainable transport initiatives, and is therefore well placed to secure LSTF grant.

(b) Encouraging sustainable travel requires a long term programme of marketing and influencing measures combined with improvements to sustainable transport infrastructure. Darlington's current LSTF grant funding comes to an end in March 2015, the award of a further grant would enable work on promoting sustainable travel to continue in 2015/16.

(c) Encouraging sustainable travel and therefore reducing the number trips by car, is an important element of the Councils Transport Strategy to maintain a reliable and efficient transport network, to reduce carbon emissions from transport and to contribute to people living healthy and active lives.

(d) There is a short timescale in which to develop and agree an LSTF bid.

C124. ECONOMIC STRATEGY ANNUAL MONITORING REPORT - The Cabinet Member with the Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the Economic Strategy Annual Monitoring Report and the 2014/15 Economic Strategy Action Plan (both also previously circulated).

RESOLVED - That the Economic Strategy Annual Monitoring Report and the 2014/15 Action Plan, both as appended to the submitted report, be endorsed.

REASON - The Action Plan sets out the tasks and targets for the continued delivery of the Economic Growth Agenda.

C125. ASSETS OF COMMUNITY VALUE OPERATIONAL POLICY - The Cabinet Member with the Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to revised procedures and arrangements within the Operational Policy, to implement duties under the Localism Act 2011 relating to the 'Community Right to Bid'.

RESOLVED - That the revised Operational Policy relating to the Community Right to Bid, as appended to the submitted report, be approved.

REASON - To enable the Council to meet its duties under the Localism Act 2011 with respect to assets of community value.

C126. ST MODWEN DEVELOPMENT PROPOSAL - ACCESS ARRANGEMENTS - 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 a request for access rights across Council land at Faverdale (as shown on the plan appended to the submitted report), for the residential-led development proposed by developers St Modwen.

RESOLVED - (a) That rights of access across Council owned land at Faverdale, as shown on the plan appended to the submitted report, for residential-led development proposed by developers St Modwen, not be agreed.

(b) That the commitment to working with St Modwen to facilitate the development of their land for employment uses, be re-affirmed, and a new access agreement be entered into only for employment uses, following the ending of the current agreement.

(c) That the Director of Economic Growth, in consultation with the Cabinet Members with the Efficiency and Resources and Economy and Regeneration Portfolios, be authorised to agree terms for a new access agreement in line with the existing agreement and the heads of terms as previously reported to Cabinet in 2006.

(d) That the Borough Solicitor be authorised to complete the necessary documentation.

REASONS - (a) To avoid undermining the Council's ability to deliver the overall long term spatial strategy of the adopted development plan for Darlington.

(b) To avoid unsustainable patterns and forms of new development.

(c) To ensure the land owned by St Modwen is not developed for residential purposes.

(d) To confirm the Council's continued commitment to work with and encourage St Modwen to open up its land for employment uses and have it available and serviced for potential enquiries.

C127. RELEASE OF CAPITAL ALLOCATION IN THE MEDIUM TERM FINANCIAL PLAN - FORMER HOPETOWN CARRIAGEWORKS - 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 release of funding allocated in the Capital Medium Term Financial Plan to undertake repair works to the former Hopetown Carriageworks.

RESOLVED - (a) That £150,000, allocated in the Capital Medium Term Financial Plan, for the repair of the former Hopetown Carriageworks, be released.

(b) That the Director of Economic Growth be authorised to proceed with the works, as indicated in paragraph 11 of the submitted report.

REASON - To remedy the appearance and condition of the Council's Grade II Listed Building.

C128. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

**DECISIONS DATED –
FRIDAY 7 MARCH 2014**