

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE  
TUESDAY 13 MAY 2014**

**CABINET**  
29 April 2014

**PRESENT** - Councillor Harker (in the Chair); Councillors C L B Hughes, D A Lyonette, McEwan and A J Scott. (5)

**INVITEES** – Councillors Curry, I Haszeldine and Mrs Scott. (3)

**ALSO IN ATTENDANCE** – The Mayor, Councillor Johnson; Councillors Crichlow and E A Richmond. (3)

**APOLOGIES** – Councillors Copeland, Dixon and Wallis. (3)

**C141. DECLARATIONS OF INTEREST** – In respect of Minute C146(1), Councillor Harker declared a non-pecuniary interest, as he was Chair of Governors of one of the Nursery Schools that was likely to receive funding.

**C142. REPRESENTATIONS** – In respect of Minutes C146(2), C147 and C148, representations were made by Members and members of the public in attendance at the meeting.

**C143. MINUTES** - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 1 April 2014.

**RESOLVED** - That the Minutes be confirmed.

**REASON** - They represent an accurate record of the meeting.

**C144. MATTERS REFERRED TO CABINET** - There were no matters referred back for reconsideration.

**C145. ISSUES ARISING FROM SCRUTINY** – There were no issues referred from the Scrutiny Committees to this meeting.

**C146. KEY DECISIONS - (1) (URGENT ITEM) Funded Childcare Places for Two Year Olds - Funding Approval and Release** - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of People (previously circulated) requesting that consideration be given to the release of capital funds, relating to the expansion of childcare places for two year old children, consisting of £212,638 designated capital funding and £500,000 converted from two year old revenue funding, agreed by the Department for Education and the Schools Forum.

Particular reference was made at the meeting to the criteria in respect of two year olds with a current statement of Special Educational Needs and how those needs would be identified prior to those children attending school.

**RESOLVED** - (a) That the release of £212,638 two year olds capital funding, be approved.

(b) That the release of £500,000 two year olds capital funding (converted two year olds revenue funding), be approved.

(c) That the delegated powers, as detailed below, to create the additional funded childcare places for two year olds, as outlined in paragraph 27 and Appendix A of the submitted report, be approved.

### **Delegations**

That the Director of People be authorised to make decisions about the use of this capital funding and that this power should be exercised:-

(a) in consultation with the Local Authority Asset Management Group who will have oversight of the funded places for two year olds capital programme; and following recommendations from the funded places for two year olds Project Board;

(b) in order to agree finalised project values following full feasibility and further scoping works, not to exceed the total value of the capital programme of £712,638; and

(c) to create the additional funded places for two year olds as outlined in Paragraph 27 and Appendix A of the submitted report.

**REASON** - To enable providers to extend provision and therefore the Local Authority to meet its September 2014 funded childcare places for two year olds targets.

**(2) Local Plan - Revised Draft New Housing Development Policy** - 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 revised Draft Local Plan Policy on New Housing Development (also previously circulated) and for public and other consultations to be carried out on the revised draft policy.

A member of the public in attendance at the meeting, referred to a letter that had been sent to all Cabinet Members, in respect of Woodburn Nursery, and the implications of that proposed development on Woodburn Cottage.

The Mayor addressed the meeting in respect of his objections to the development of the former Renthorpe School site, as he felt it represented an over-development of the site; and to the development of the Woodburn Nursery, due to the loss of green space, impact on Woodburn Cottage and to the outstanding issues of the owners of Woodburn Cottage, that needed to be addressed.

Reference was also made to the why the proposed site at Upsall Drive had been included in the document, which was identified for 'top-end executive housing', and to the proposed increase in properties on the site.

The Cabinet Member with the Economy and Regeneration Portfolio responded to those issues thereon.

**RESOLVED** - (a) That the revised draft Making and Growing Places Policy MGP16, as set out at Appendix 1 to the submitted report, be agreed.

(b) That the revised annual housing targets for 2015/26, as set out in Table 1 of the submitted report, be agreed.

(c) That additional housing land be identified, to enable approximately 6,200 new homes to be provided by 2026.

(d) That the deletions/amendments/additions to the original proposed housing allocations, as highlighted in paragraphs 24 to 35 of the submitted report, be agreed.

(e) That the options for new housing in the Beaumont Hill/Harrowgate Hill area be agreed for consultation, on an 'either/or' basis.

(f) That targeted public and other consultations be carried out, as soon as possible, on the revised Draft Local Plan Policy MGP16, as appended to the submitted report.

(g) That the Director of Economic Growth, in consultation with the Cabinet Member with the Economy and Regeneration Portfolio, be authorised to make minor amendments to the proposed housing sites, to reflect the findings of the sustainability appraisal and any other new information available before the start of consultations.

**REASONS** - (a) To enable further progress on the preparation of an up to date adopted development plan.

(b) To meet the requirements of the Council's Statement of Community Involvement.

**C147. SUSTAINABLE COMMUNITY STRATEGY REFRESH** - The Chair introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to the proposed Sustainable Community Strategy and Performance Management Framework (both also previously circulated).

Particular references were made at the meeting to the role of the Council's Scrutiny Committees in the refresh of the Sustainable Community Strategy; whether the comments made by Scrutiny had been included in the revised document; the detailed plans on how the savings identified would be achieved; linkages to partners; who would scrutinise the different parts of the document; and the role of the Darlington Partnership.

The Chair and Cabinet Members with the Health and Partnerships and Efficiency and Resources Portfolios, responded thereon.

**RESOLVED** - That the revised Sustainable Community Strategy and Performance Management Framework, as appended to the submitted report, be recommended to Council for approval.

**REASON** - (a) To ensure that the Council's vision is articulated and explained.

(b) To provide a revised framework in which other policies will operate.

**C148. HARROWGATE HILL SCHOOL ONE WAY SYSTEM - OBJECTIONS OF TRAFFIC REGULATION ORDER** - The Cabinet Member with Transport Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to an objection that has been received, in response to proposed changes to Traffic Regulation Orders, in the back lane to the south of Thompson Street West, as shown on the plan appended to the submitted report.

A Member in attendance at the meeting addressed Cabinet in respect of a number of concerns in respect of the implementation of the scheme, including the introduction of the 'one-way' system, due to the narrowness of the back lane; the lack of a campaign to encourage the use of the back gates to the school; and to the fact that the 'drop-off' point on Whessoe Road was not used, which he felt was due, in part, to the lack of signing and to the high kerbs.

The Cabinet Member with the Economy and Regeneration Portfolio, responded thereon.

**RESOLVED** - (a) That the objection to the proposed restrictions, as detailed in the submitted report, be set aside.

(b) That the Traffic Regulation Order be implemented as advertised.

**REASON** - To improve safety at the school entrance and to facilitate the expeditious movement of traffic in accordance with the Council's statutory network management duty.

**C149. TEES VALLEY STRATEGIC ECONOMIC 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 Tees Valley Local Enterprise Partnerships Strategic Economic Plan and Local Growth Fund Bid (previously circulated), which was submitted to Government on 31 March 2014.

**RESOLVED** - (a) That the Tees Valley Strategic Economic Plan, as appended to the submitted report, that was submitted to Government on the 31 March 2014, be endorsed.

(b) That the Local Growth Fund bids for 2015/2016, as detailed in the Plan appended to the submitted report, that were submitted by the Tees Valley Local Enterprise Partnership, to advance priority economic development projects in the Tees Valley, be endorsed.

**REASONS** - (a) The Strategic Economic Plan is a critical framework for delivering more jobs and more businesses across the Tees Valley.

(b) The Strategic Economic Plan embraces Darlington's economic strategy and its wider ambitions as set out in the Community Strategy, One Darlington: Perfectly Placed.

**C150. RELEASE OF CAPITAL ALLOCATION IN THE MEDIUM TERM FINANCIAL PLAN - RAILWAY MUSEUM - FORMER GOODS SHED** - 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 essential electrical and associated refurbishment works, to the former goods shed at the Railway Museum.

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

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

**REASON** - To safeguard the condition of the Council's Grade II Listed Building.

**C151. PROPOSAL TO SUPPORT CREDIT UNION LOW COST LOANS** - The Cabinet Member with the Health and Partnerships Portfolio introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to a proposal to support the Darlington Credit Union expand its existing provision of providing an affordable, low cost loan scheme for individuals, to help fund the purchase of household white goods and electrical items; and to allocating £50,000, as one-off grant funding, to the Darlington Credit Union, to be funded from the 2013/14 underspend on the Social Fund, to support the proposal.

Particular reference was made to the funding of the proposal, which was from underspend on the Social Fund and to the assistance the scheme would give to those people who were experiencing financial difficulties.

**RESOLVED** - That one-off funding of £50,000, to support the provision by the Credit Union of low cost loans for household white goods and/or electricals, as detailed in the submitted report, be approved.

**REASONS** - (a) The loan scheme with the Credit Union (in association with The Co-operative Electrical) provides a credible and low cost alternative to individuals purchasing household white goods and electrical items through other forms of high cost lending.

(b) Using the credit union enables individuals to receive advice and support about saving and appropriate lending as well as helping them to avoid reaching crisis through high cost lending it also helps them to meet other commitments including payment of council tax and housing rent.

**C152. MEMBERSHIP CHANGES** - There were no membership changes reported at the meeting.

**C153. 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.

**C154. COCKERTON REGENERATION - NICKSTREAM LANE SHOPS (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 obtaining possession of tenanted shops at Nickstream Lane shopping parade and the demolition of the buildings; the release of funding from the housing capital programme in 2014/15 of £200,000 to support the regeneration of an area of Council housing in Cockerton as part of the medium term financial plan; and to the use of the proceeds from the capital receipt from the sale of land to help contribute towards the additional costs of obtaining possession of tenanted shops at Nickstream Lane shopping parade.

**RESOLVED** - (a) That the surrender of the leases of Nos. 86 and 92 Nickstream Lane, be approved, on the terms at outlined in the submitted report.

(b) That the Director of Economic Growth be authorised to demolish and then market the site for sale as a development site for a local convenience store, subject to planning permission.

(c) That the Borough Solicitor be authorised to complete all documentation as necessary.

(d) That the release of £200,000 of funding from the Annual Housing Capital Programme in 2014/15, be approved.

(e) That the capital receipt from the sale of the land be used to fund the additional costs of the scheme.

**REASONS** - (a) To achieve the aims of the Cockerton Regeneration Scheme.

(b) To alleviate anti-social behaviour at the existing Cockerton shopping parade.

(c) To provide a modern local convenience store for residents in the regeneration area and neighbourhood.

**C155. DARLINGTON ARTS CENTRE, VANE TERRACE - DISPOSAL (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 authorising the Director of Economic Growth to negotiate terms for the sale of the Arts Centre site, by agreement, subject to planning permission and site investigations.

The Director of Economic Growth circulated additional information at the meeting.

**RESOLVED** - (a) That the Director of Economic Growth be authorised to negotiate and agree terms for a sale of the Arts Centre, conditional upon the grant of planning permission and site investigations, in consultation with the Cabinet Member with the Efficiency and Resources Portfolio.

(b) That the Borough Solicitor be authorised to complete all documentation as necessary.

(c) That the allocation of £0.660m as match funding, for the Children's Theatre, be underwritten, and Theatre Hullabaloo be advised accordingly.

(d) That a further report be brought back to a future meeting of Cabinet, once the final sale price becomes unconditional, on options for using any part of the capital receipt should it be over £0.660m.

**REASONS** - (a) To achieve a disposal of the Arts Centre site on acceptable terms.

(b) To achieve a significant reduction in the Council's maintenance liabilities.

(c) To provide match funding for a new children's theatre.

**C156. SCHEDULE OF TRANSACTIONS (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 Schedule of Transactions (also previously circulated) and seeking approval of the terms negotiated.

**RESOLVED** - That the schedule of transactions, 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 2 MAY 2014**