

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 15TH FEBRUARY, 2010**

CABINET
2nd February, 2010

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

INVITEES – Councillors Barker and Mrs Scott and Mr A Maconachie. (3)

ALSO IN ATTENDANCE – Councillor Richmond.

APOLOGIES – Councillors Wallis, I. Haszeldine and Swainston. (3)

C127. DECLARATION OF INTERESTS – There were no declarations of interest reported at the meeting.

C128. REPRESENTATIONS – No representations were made at the meeting.

C129. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of this Cabinet held on 5th and 12th January, 2010.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C130. MATTERS REFERRED TO CABINET - There were no matters referred to Cabinet.

C131. ISSUES ARISING FROM SCRUTINY – There were no issues arising from Scrutiny.

C132. KEY DECISIONS – DARLINGTON HOMELESSNESS STRATEGY 2010/15 – The Cabinet Member with the Neighbourhood Services and Community Safety Portfolio introduced the report of the Director of Community Services (previously circulated) requesting that consideration be given to this Council’s Homelessness Strategy 2010/15 (also previously circulated).

Particular reference was made to the issue of domestic abuse and whether consideration had been given to this when drafting the Strategy, and the Cabinet Member with the Neighbourhood Services and Community Safety Portfolio, responded thereon.

RESOLVED – That the Homelessness Strategy 2010/15, as appended to the submitted report, be approved.

REASONS – (a) National policy supports the development of homelessness strategies by local areas.

(b) The strategic direction to tackle homelessness outlined within the Strategy incorporates the key priorities and best practice identified at national, sub regional and local level.

C133. CALENDAR OF COUNCIL AND COMMITTEE MEETINGS 2010/11 - The Leader introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the Calendar of Council and Committee Meetings for the 2010/11 Municipal Year (also previously circulated).

RESOLVED – That the Calendar of Council and Committee Meetings 2010/11, 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, 20th May, 2010.

REASON – To ensure that the calendar of meetings is approved for the 2010/11 Municipal Year.

C134. (URGENT ITEM) TAXI LICENSING FEES AND CHARGES – INCREASE - The Cabinet Member with the Neighbourhood Services and Community Safety Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the proposed increase in the fees relating to the licensing of hackney carriages and private hire vehicles.

RESOLVED – (a) That the proposed fees and charges relating to hackney carriage licences, private hire licences and private hire operator licences, as detailed in Appendix B to the submitted report, be approved.

(b) That the revised charges be introduced for licences due on or after 1st April, 2010.

REASON – To ensure that the cost of delivering the taxi licensing service can be met.

C135. REGISTER OFFICE – NEW GOVERNANCE SCHEME - The Cabinet Member with the Health and Leisure Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to amending Darlington’s current registration scheme with effect from 1st April, 2010.

RESOLVED – That Darlington’s current registration scheme be amended with effect from 1st April, 2010, as detailed in the appendix of the submitted report.

REASON – To enable new governance arrangements at the Register Office to be implemented.

C136. (URGENT ITEM) HIGHWAY WINTER MAINTENANCE OPERATIONAL PLAN AND EMERGENCY REPAIRS - The Cabinet Member with the Transport Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the Director of Community Services being given delegated authority to make decisions in relation to the Highway Maintenance Operational Plan and requesting the release of capital funds to accelerate repairs to highway infrastructure.

Particular references were made to the eligibility for claiming funding from the Government for repairs and to the temporary repairs that had already been undertaken. The Assistant Director, Technical Services, responded to those issues thereon.

RESOLVED – (a) That the Scheme of Delegation to Officers, be amended, as detailed below:-

Under the powers of the Director of Community Services paragraph (I) in respect of Highways Matters, under Section 1 under the Highways Act 1980 add an additional paragraph (m).

‘Having regard to the Council’s statutory duty under S41 (1) (A) of the Act vary the Highway Winter Maintenance Operational Plan to respond to exceptional weather conditions and grit shortages in consultation with the relevant Cabinet Member’.

(b) That £100,000 of additional capital resources be released and the Director of Community Services be authorised to accelerate a prioritised programme of repairs.

(c) That the Director of Corporate Services be given authority to sign any documentation necessary to give effect to these decisions including the submission of any claims for funding.

REASONS – (a) In order to ensure that the statutory duty is fulfilled and that officers are able to respond to changing circumstances.

(b) A programme of permanent repairs is commenced on the highest priority areas as soon as practicably possible.

(c) The financial impact on the Council is minimised by seeking emergency capital funding if eligible.

C137. RISK MANAGEMENT STRATEGY - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to proposed changes to the Council’s Risk Management Strategy. A copy of the updated Risk Management Strategy was appended to the submitted report.

The Cabinet Member with the Efficiency and Resources Portfolio reported at the meeting, that this Council had recently won an award in respect of its Risk Management.

RESOLVED – That the updated Risk Management Strategy, as appended to the submitted report, be approved.

REASON – To ensure the Council has a Risk Management Strategy that remains current and fit for purpose.

C138. CAPITAL PROGRAMME MONITORING – THIRD QUARTER 2009/10 – The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Corporate Services (previously circulated) presenting an update of the Capital Programme, including spending and resource levels, and requesting that consideration be given to a number of changes to the programme.

Particular reference was made to the increased grant allocation for the delivery of alternative education opportunities for 14-16 year olds in Darlington and the Director of Children’s Services responded thereon.

RESOLVED – (a) That the projected capital expenditure and resources, as detailed in the submitted report, be noted.

- (b) That the resource virements required for Children's, Transport and Corporate Services budgets, as detailed in the submitted report, be approved.
- (c) That £47,000 of funding for School Travel Plans, as detailed in the submitted report, be released.
- (d) That £3,576 of funding for the Hummersknott Cycle Shelter, be released.
- (e) That £205,000 of funding in respect of the Alternative Education Provision Programme, as detailed in the submitted report, be released.
- (f) That the reduction of Children's Services brought forward balances of £807,000, to reflect completed works, be noted.
- (g) That the departmental revenue contribution of £6,000 towards the Open Contractor Implementation, as detailed in the submitted report, be noted.
- (h) That the budget update in respect of the Xentrall Partnership ICT Room, as detailed in the submitted report, be noted.
- (i) That £10,000 of funding, in respect of the additional costs incurred as part of the Allotment Site Clearance, as detailed in the submitted report, be released.
- (j) That the return of £85,000 to Capital Resources, in respect of the Orange Employment Grant, be noted.
- (k) That the variances within the Safer Stronger Communities Fund Mobile Unit of £35,000 and Carefirst Grants of £32,000, be noted, pending resource release at future Cabinet meeting(s).

REASONS - (a) To make Cabinet aware of the latest financial position of the Council.

(b) To maintain effective management of resources.

C139. REVENUE BUDGET MONITORING 2009/10 – QUARTER THREE - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Corporate Services (previously circulated) providing an up to date forecast of the 2009/10 revenue budget out-turn as part of the Council's continuous financial management processes.

The Cabinet Member with the Efficiency and Resources Portfolio stated at the meeting that that Council had received a VAT refund projected to amount to £3,154,000, which would be added to the Council's reserves.

A Member made reference to the increased insurance claims, referred to the in submitted report, and the Director of Corporate Services stated that a written response would be given on this matter.

RESOLVED – (a) That the forecast revenue out-turn for 2009/10 and the actions being taken to manage the Council's finances and services, as detailed in the submitted report, and the recent VAT refund projected to amount to £3,154,000, be noted.

(b) That regular reports be submitted to future meeting of Cabinet to monitor progress and take prompt action if necessary.

REASONS – (a) To continue effective management of resources.

(b) To continue to deliver services to agreed levels.

C140. MEMBERSHIP CHANGES – There were no membership changes reported at the meeting.

C141. 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 it involves the likely disclosure of exempt information as defined in exclusion paragraph 3 of Part I of Schedule 12A to the Act.

C142. KEY DECISION – ARCHITECTURAL AND HIGHWAYS CONSULTANCY – APPOINTMENT OF CONSULTANTS FOR FRAMEWORK PARTNERSHIPS (EXCLUSION NO. 3) - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Community Services (previously circulated) requesting that consideration be given to the appointment of companies to the Architectural and Highways Framework Partnership.

RESOLVED - That the following consultants be included in the new consultancy frameworks:

(a) Architecture:

- (i) Capita Symonds;
- (ii) Scott Wilson;
- (iii) Space;
- (iv) Ryder;
- (v) Devereux Architects; and
- (vi) Browne Smith Baker.

(b) Highways:

- (i) Halcrow;
- (ii) Scott Wilson;
- (iii) JMP Consultants;
- (iv) Capita Symonds;
- (v) Grontmij; and
- (vi) Mouchel

REASON - The Pre Qualification Questionnaire (PQQ) and Invitation to Tender (ITT) process identified the most suitable consultants in accordance with the adopted selection criteria.

**DECISIONS DATED -
FRIDAY, 5TH FEBRUARY, 2010**