

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY 21 MARCH 2011**

CABINET
8 March 2011

PRESENT – Councillor Williams (in the Chair); Councillors Copeland, Dixon, Harker, Hughes, McEwan, D A Lyonette, A J Scott and Wallis. (9)

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

ALSO IN ATTENDANCE – Councillors Dunstone, Francis, Johnson and Mrs. Swift.(4)

APOLOGIES – Councillor Swainston.

C143. DECLARATIONS OF INTEREST - There were no declarations of interest reported at the meeting.

C144. REPRESENTATIONS – A Member in attendance at the meeting addressed Cabinet in relation to Minutes C147(1) and (2) below.

C145. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of Cabinet held on 8 and 22 February 2011.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C146. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C147. ISSUES ARISING FROM SCRUTINY – (1) North East Joint Health Overview and Scrutiny Committee – Regional Review of the Health of the Ex-Service Community - The Cabinet Member with the Adult Services Portfolio introduced the report of the Director of People (previously circulated) presenting the final report of the North East Joint Health Overview and Scrutiny Committees’ Regional Review of the Health of the Ex-Service Community. In introducing the report the Cabinet Member with the Adult Services Portfolio thanked the Chair and Members of the Health and Well Being Scrutiny Committee for their work.

The Chair of the Health and Well Being Scrutiny Committee addressed Cabinet in respect of the work undertaken by the Scrutiny Committee in relation to the Review and to the 47 recommendations, not all of which were for this Authority to implement.

RESOLVED – (a) That the recommendations of the Health and Well Being Scrutiny Committee in relation to the review of the Health of Ex Service Community, as detailed in the submitted report, be approved.

(b) That Councillor Copeland be appointed as this Council's Member Champion for the ex-service community.

REASONS – (a) To raise awareness of the issues affecting ex-service personnel and improve the support and range of services available.

(b) To better promote and improve accessibility to existing support services.

(2) Personal Budgets Task and Finish Review Group – Final Report - The Cabinet Member with the Adult Services Portfolio introduced the report of the Director of People (previously circulated) presenting the outcome and findings of the Personal Budgets Task and Finish Review Group, which was established by the Health and Well Being Scrutiny Committee to explore and scrutinise how the Council had piloted personal budgets and worked with other local authorities to establish best practice. In introducing the report the Cabinet Member with the Adult Services Portfolio thanked the Chair and Members of the Health and Well Being Scrutiny Committee for their work.

The Chair of the Health and Well Being Scrutiny Committee addressed Cabinet in respect of the work undertaken by the Scrutiny Committee in relation to the Review.

Particular reference was made to two of the recommendations namely the procedures for monitoring overspend on budgets and on the availability of information on Personal Budgets.

RESOLVED – (a) That all of the recommendations made by the Personal Budgets Task and Finish Review Group, as detailed in the submitted report, be accepted.

(b) That the Services for People action any outstanding recommendations.

REASON - The recommendations made by the Health and Well Being Scrutiny Committee will enhance the current model of self directed support.

C148. KEY DECISIONS – (1) School Admission Arrangements 2012/13 - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of People (previously circulated) seeking approval for the Local Authority's Admission Policy (also previously circulated) for the 2012/13 academic year and co-ordinated arrangements for all schools in the Borough.

A Member enquired whether the Council were satisfied that there would be sufficient places in the rural area for children during the academic year 2012/13, and the Cabinet Member with Children and Young People Portfolio and Director of People, responded thereon.

RESOLVED – (a) That the changes required to the Local Authority's Co-ordinated Admission Schemes for both primary and secondary applications for the 2012/13 academic year, as detailed in the submitted report, be approved.

(b) That the determination of the schools adjudicator be accepted and the admissions criteria, as detailed at Appendix D to the submitted report, be approved.

REASONS – (a) The Authority is under a statutory duty to consult and adopt an admission scheme for both Primary and Secondary school places for the academic year 2012/13.

(b) If a scheme is not approved and returned to the Department for Education by the 15 April 2011 the Secretary of State may impose a scheme on the Authority.

(2) Northwood School Project - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of People (previously circulated) advising Members on the final account for the Northwood Capital Project and seeking approval for a funding strategy and an approach to the next stages.

Particular references were made at the meeting to Project Management within the Council and to the virement of resources to the project budget.

RESOLVED – (a) That the sources of funding recommended in the funding strategy, as detailed in the submitted report, be agreed.

(b) That the Director of People be authorised to vire sums to the project budget in accordance with the approach, as detailed in the submitted report.

(c) That all necessary delegations be granted to the Director of People to manage the next stages in accordance with the approach, as detailed in the submitted report.

(d) That the Assistant Director (Resources) be authorised to procure necessary legal and technical expertise as a non-strategic procurement and to take any steps to resolve the contractor's claim in the Council's interest.

REASONS – (a) To ensure prudent financial management.

(b) To allow the Council to protect its position in relation to the contracts.

(3) Hurworth Secondary School Academy Order - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of People (previously circulated) informing Members of an Academy Order issued by the Parliamentary Under Secretary of State for Schools regarding the conversion of Hurworth Secondary School from a Community School to Academy status.

RESOLVED – (a) That the report be received.

(b) That the Council resolve to cease to maintain Hurworth Secondary School on its conversion to Academy status.

(c) That the Director of People be authorised to liaise with the Hurworth Governing Body to negotiate and agree the transfer arrangements and arrange a conversion date on or after 1 April 2011, in line with the Secretary of State's direction.

REASON - The Council has been directed to carry out these actions by the Secretary of State for Schools.

(4) Implementing the Third Local Transport Plan - The Cabinet Member with the Transport Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to the Implementation Plan (also previously circulated) for the delivery of capital investment through the Third Local Transport Plan and to the Council's continued participation in the Tees Valley Bus Network Initiative.

RESOLVED - (a) That funding for the Implementation Plan for the Third Local Transport Plan, as shown in Annex 1 of Appendix 1 to the submitted report, be agreed.

(b) That the Council's continued participation in the Tees Valley Bus Network Improvement project be agreed and the associated Department for Transport (DfT) grant funding of £2,380k for year 2 of the project, subject to revised grant conditions being accepted, be released.

(c) That a bid for funding to the Local Sustainable Transport Fund, as set out in the submitted report, be agreed.

(d) That the additional winter maintenance funds, be agreed, on the terms and conditions as set out in paragraph 17 of the submitted report.

REASONS - (a) To deliver schemes in the first four years of the Third Local Transport Plan.

(b) To deliver improvements for bus travel, using grant funding from the Department for Transport, subject to confirmation of its availability and the acceptance of revised grant conditions.

(c) To seek additional funding to maximise the benefits of transport investment across the Borough, through Local Motion style activity. The bid will use existing committed funding from the MTFP and additional funding from third parties.

(d) To facilitate the necessary repair of the highway network following the severe winter.

(5) (URGENT ITEM) Housing Investment Programme 2011/12 - The Cabinet Member with the Community and Public Protection Portfolio introduced the report of the Director of People (previously circulated) advising Members of the resources available for Housing Capital Investment during 2011/12 and recommending a programme to utilise those resources.

Particular reference was made at the meeting to a number of schemes contained within the Programme.

RESOLVED - That the annual Housing Investment Programme, as set out in Table 2 of the submitted report for 2011/12, be agreed and the funding be released.

REASON - To enable the works and projects identified in the annual Housing Investment Programme for 2011/12 to proceed.

(6) Central Park Compulsory Purchase Order - The Cabinet Member with the Economy Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to the Council taking the lead on Compulsory Purchase Order (CPO) proceedings to acquire remaining interests and complete land assembly within the Central Park redevelopment area; and the use of funding remaining with One North East for some property acquisitions to be drawn down before the end of the financial year.

RESOLVED - (a) That the Council be the lead public body for land assembly and to use, if necessary, Compulsory Purchase Order powers to facilitate the implementation of the planning permission for Central Park, subject to the developer consortium providing guaranteed funding to underwrite the CPO process and land assembly.

(b) That any funding transferred to the Council from One North East for land acquisitions be released for that purpose and the Director of Place be authorised to agree the terms of any such transfer with One North East.

REASONS - (a) The redevelopment and regeneration is essential to create a sustainable mixed use community at Central Park. The acquisition of land and property will facilitate the redevelopment of the land, which will improve the economic, social and environmental well being of the area.

(b) The public benefits of the scheme lie in the redevelopment and regeneration of the area resulting from the redevelopment via the provision of modern attractive homes for rent and sale, high quality mixed use development and open green space with safe routes for pedestrians. Secondary economic benefits are through the many training and employment opportunities that will be created for local people which will in turn boost the local economy.

(c) To enable the implementation of the Central Park Masterplan.

(d) To enable the good planning of the area as expressed through the emerging Local Development Framework Core Strategy.

(e) The redevelopment is in accordance with a range of other national, regional and local plans and strategies including National Planning Guidance (PPG3), the Regional Spatial Strategy (North East of England Plan).

(f) To enable execution of existing Outline Planning Approval.

(g) To ensure the continuity of public funding for land assembly purposes.

(7) Procurement Plan - 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 Procurement Plan (also previously circulated).

RESOLVED - (a) That the procurement strategies for those contracts designated as strategic be brought to Cabinet for approval in advance of the tenders being issued and that the contract award decision be made by Cabinet.

(b) That the contract award decisions for the contracts designated as non-strategic be delegated to the appropriate Director, as detailed in Appendix 1 of the submitted report.

REASONS - (a) The contracts designated strategic are of high value and high significance in respect of the impact on residents, Health and Safety and public safety.

(b) The contracts designated non-strategic are of a lower value and lower significance in respect of the impact on residents and public safety.

C149. SUPPORTING THE VOLUNTARY SECTOR TO CELEBRATE THE ROYAL WEDDING AND THE GREAT POPPY WEEKEND - The Cabinet Member with the Health and Leisure Portfolio introduced the report of the Director of Place (previously circulated) informing Members on how the Events Team, based in the Dolphin Centre, would be able to

facilitate support within the voluntary sector in organising street parties or events to celebrate the Royal Wedding and the Great Poppy Party Weekend.

RESOLVED – That Events Team’s continue to provide support to the voluntary sector to enable them to celebrate the Royal Wedding and the Great Poppy Weekend, to be held on 29 April and 10 to 12 June 2011, respectively.

REASON - To enable community events to continue to take place.

C150. REGULATION OF INVESTIGATORY POWERS - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources (previously circulated) updating Members on the Regulation of Investigatory Powers Act 2000 and the developments that had taken place since the last report to Cabinet in December 2010.

RESOLVED - (a) That the developments that have taken place in respect of the Regulation of Investigatory Powers since December 2010, as detailed in the submitted report, be noted.

(b) That quarterly reports on the use of RIPA and associated issues, be submitted to Cabinet on a quarterly basis.

REASONS - (a) To ensure appropriate use of powers contained within relevant legislation.

(b) To ensure compliance with the Codes of Practice and Guidance.

**DECISIONS DATED -
FRIDAY 11 MARCH 2011**