

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 12TH DECEMBER, 2005**

CABINET
29th November, 2005

PRESENT - Councillor Williams (in the Chair); Councillors Bristow, Dixon, Harker, D.A. Lyonette, McEwan, Thistlethwaite, L. Vasey and Wallis. (9)

ALSO IN ATTENDANCE – Councillors Armstrong, Johnson, Richmond, Mrs. Scott, Swainston and Mrs Swift. (6)

C100. DECLARATION OF INTERESTS – That in respect of Minute C103(1) below, Councillor L. Vasey declared a personal but non-prejudicial interest; in respect of Minute C104(1) below, Councillor Dixon declared a personal but non-prejudicial interest; in respect of Minute C104(3) below, Councillor Bristow declared a personal and prejudicial interest and left the meeting during consideration of that item only and Councillors D.A. Lyonette, Armstrong, Johnson, Richmond and Mrs. Scott declared personal but non-prejudicial interests; and in respect of Minute C104(4) below Councillors Armstrong and Johnson declared personal but non-prejudicial interests.

C101. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 1st November, 2005.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C102. MATTERS REFERRED TO CABINET – There were no matters referred back for reconsideration.

C103. ISSUES ARISING FROM SCRUTINY – (1) School Attendance Task and Finish Review Group Final Report - The Cabinet Member with the Children’s Services Portfolio introduced the report of the Director of Children’s Services (previously circulated) reporting the Lifelong Learning Scrutiny Committee’s recommendations on the outcome of the School Attendance Task and Finish Review Group. The comments of the Director of Children’s Services on the Review were included within the submitted report.

A copy of the Final Report from the Review Group was appended to the submitted report.

RESOLVED - That the recommendations of the School Attendance Task and Finish Review Group, as detailed in the submitted report, be supported and the Scrutiny Committee be thanked for their work.

REASON - To improve outcomes of children.

(2) Darlington: A Breastfeeding Friendly Town - The Leader introduced the report of the Corporate Management Team (previously circulated) reporting the findings of the Social Affairs and Health Scrutiny Committee’s action learning scrutiny project ‘Darlington: A Breastfeeding

Friendly Town'. The comments of the Director of Children's Services on the project were included within the submitted report.

The findings and recommendations of the Project were appended to the submitted report.

The comments received from the Darlington NHS Primary Care Trust, County Durham and Darlington Priority Services Trust and County Durham and Darlington Acute Hospitals NHS Trust were circulated at the meeting.

RESOLVED - (a) That approval be given to:-

- (i) the strategic co-ordination and leadership on this issue being undertaken by the Local Strategic Partnership through the Health Improvement and Social Inclusion Themed Group;
- (ii) the development of a Borough-wide Breastfeeding Strategy;
- (iii) the introduction of a recognised local Breastfeeding Friendly Accreditation Scheme; and
- (iv) the implementation of those recommendations specific to the Council, as detailed in the submitted report.

(b) That the thanks and comments of Cabinet in respect of this project be referred back to the Social Affairs and Health Scrutiny Committee.

REASONS - (a) The need for a clear champion for the Darlington's 'breastfeeding friendly town' initiative to be located where maximum influence can be exerted at all levels across all sectors.

(b) The need for a co-ordinated approach across health, education employment and the wider community.

(c) To obtain the support of businesses and improve facilities in the Town Centre.

(d) To enable the Council to lead by example in the provision of accessible and comfortable facilities for nursing staff and customers.

(e) To enable the views of Cabinet to be sought and fed back to the Social Affairs and Health Scrutiny Committee.

(3) Academy in Darlington – Proposal – Pursuant to Minute C87(2)/Nov/05 and with the prior approval of the Leader to the matter being treated as urgent to allow the recommendations of the Lifelong Learning Scrutiny Committee to be considered at the earliest possible date, the Cabinet Member with the Children's Services Portfolio introduced the report of the Director of Children's Services (previously circulated) seeking the views of Members on the submission of an Expression of Interest in a City Academy for Darlington to the Department for Education and Skills (DfES).

RESOLVED – (a) That the recommendations of the Lifelong Learning Scrutiny Committee be welcomed and supported.

(b) That the development of an expression of interest in an academy for Darlington, as invited by the Department for Education and Skills, be supported, in principle.

(c) That the submission of an expression of interest in an academy be deferred until a further report is submitted to Cabinet that details:-

(i) the identity of the sponsor; and

(ii) the views expressed by a broader group of interest within Darlington on the proposal. Engagement to be secured with all schools and parents, employers, community groups, public service organisations and others who have an interest.

(d) That dialogue with the governing bodies of both Hurworth School Maths and Computing College and Eastbourne Comprehensive School be continued to secure their active involvement with the exploration of an academy.

REASONS - (a) To ensure as wide a range of views as possible to be gathered about an Expression of Interest for a Darlington Academy.

(b) To allow the Authority time to identify an appropriate sponsor for a Darlington Academy.

C104. KEY DECISIONS – (1) Children’s Centres Strategic Proposal - Round 2, 2006/08 -

The Cabinet Member with the Children’s Services Portfolio introduced the report of the Director of Children’s Services (previously circulated) seeking approval to the proposed boundary changes of Darlington’s Round 1 (2004/06) Children’s Centres and the proposed locations of Darlington’s Round 2 (2006/08) Children’s Centres, both as shown on the tables and plans as appended to the submitted report.

RESOLVED - (a) That the round 1 (2004-06) catchment area changes, as detailed in Appendices A and B to the submitted report, be approved.

(b) That the round 2 (2006-08) Children’s Centre proposals for Dodmire and Haughton, as detailed in Appendices C and D to the submitted report, be approved.

REASONS - (a) They meet the national and regional Sure Start Units, Government Office North East Round 2 Children’s Centres requirements and comply with guidance.

(b) They enable the government set minimum 'reach targets' to be met and exceeded in Darlington.

(2) Disabled Facilities Grants - Review - The Cabinet Member with the Community and Public Protection Portfolio introduced the report of the Director of Community Services (previously circulated) requesting that consideration be given to increasing the level of financial assistance available for adaptations to dwellings where the work required exceeds the current grant limit of £25,000.

RESOLVED - That the provision of top-up loans of up to £10,000, where the cost of adaptations to dwellings exceed the disabled facilities grant maximum limit, in accordance with the terms as detailed in paragraph 5 of the submitted report, be agreed.

REASON - To enable adaptation work to proceed where the cost exceeds the disabled facilities grant maximum limit.

(3) (URGENT ITEM) Darlington Concessionary Fare Travel Schemes 2006/07 - The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to a course of action in view of the uncertainties around the revised statutory concessionary fare travel scheme giving free travel on local bus services (for people aged over 60 and people with travel disabilities) due for implementation from 1st April, 2006.

RESOLVED - (a) That the standard bus pass scheme be amended to reflect the new conditions set by the Government from the 1st April, 2006 and the current taxi voucher scheme be continued.

(b) That the Director of Development and Environment be authorised to make any necessary administrative arrangements to implement the concessionary fare travel schemes, including the addition of any discretionary elements as set out in the submitted report, should funding permit, in consultation with the Cabinet Member for Highways and Transport.

REASONS - (a) To meet legal obligations placed upon the Council.

(b) To implement the requirements of the new statutory scheme (and any discretionary add-ons) in a timely and effective manner.

(4) Ring-A-Ride Service Level Agreement - Extension - The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the extension of the current Ring-A-Ride Service Level Agreement until 31st March, 2007, whilst a review of the Ring-A-Ride and associated transport functions is undertaken. A copy of the proposed Service Level Agreement was appended to the submitted report.

RESOLVED - That the extension of the Ring-A-Ride Service Level Agreement until 31st March, 2007, be approved to enable a review OF accessible transport to be undertaken.

REASONS - (a) To enable the Ring-a-Ride service to continue to provide wheelchair accessible transport in the Borough.

(b) To explore the potential for delivering a better service to the public, whilst maximising the use of the Council's transport resources.

(5) Hundens Lane Allotment Relocation - The Cabinet Member with the Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking authority to relocate the Hundens Lane allotment tenants with horses to an alternative site off Westmoor Road, Darlington, as shown on the plan appended to the submitted report.

RESOLVED - That, subject to a satisfactory access, the relocation of those tenants currently owning and keeping horses at Hundens Lane Allotments to a designated site off Westmoor Road, as shown on the plan appended to the submitted report, be approved.

REASON - To enable the relocation to commence from Hundens Lane to the designated site off Westmoor Road.

C105. COMPLAINTS MADE TO OMBUDSMAN - REVIEW - Pursuant to Minute C90/Nov/05, the Leader introduced the report of the Director of Corporate Services (previously circulated) providing Members with an update of the outcome of cases which had been considered by the Local Ombudsman and to indicate any points of particular attention and/or referral to the Standards Committee since the last meeting of Cabinet held on 1st November, 2005.

RESOLVED - That the report be noted.

REASON - (a) It is important that Members are aware of the outcome of complaints made to the Local Ombudsman in respect of the Council's activities.

(b) The contents of the report do not suggest that further action is required.

C106. PUBLIC PROTECTION FORUM - Submitted - The Minutes (previously circulated) of the meeting of Public Protection Forum held on 13th October, 2005.

RESOLVED - That the Minutes be received.

REASON - They represent an accurate record of the meeting.

C107. FIRTHMOOR COMMUNITY ASSOCIATION - REFUNDING SINGLE REGENERATION BUDGET MONIES - The Cabinet Member with the Community and Public Protection Portfolio introduced the report of the Director of Community Services (previously circulated) requesting that consideration be given to refunding single regeneration budget monies of £56,268 to Firthmoor Community Association to enable them to utilise those funds for the provision of a multi-use games area.

RESOLVED - That the release of £56,268 to Firthmoor Community Association in advance of the sale of the land, as detailed in the submitted report, be approved.

REASON - To enable the multi-use games area to proceed.

C108. DARLINGTON EASTERN TRANSPORT CORRIDOR - STATE OF READINESS FUNDING - The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the release of funding to enable the Darlington Eastern Transport Corridor Scheme to be completed to the required state of readiness for a start of construction on site in Spring 2006.

RESOLVED - (a) That the allocation of £160,000 be approved, to enable the Darlington Eastern Transport Corridor Scheme to be completed to the required State of Readiness, to enable construction to commence on site in Spring 2006, should Government funding be committed in December 2005.

(b) That the report be forwarded to Council for the formal release of the funding.

REASONS - (a) That in considering the allocation of funding, Government require that the scheme is in the required State of Readiness so there is a certainty that any allocated funding will be utilised.

(b) To enable Council to formally release this funding as the amount required to be released exceeds Cabinet's delegated limits.

C109. DARLINGTON/STOCKTON PARTNERSHIP FOR SUPPORT SERVICES - LEADING EDGE PROGRAMME - GERSHON EFFICIENCY SAVINGS - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) updating Members on the work undertaken to date on a potential partnership between this Council and Stockton Borough Council and requesting that consideration be given to moving the proposal forward to a detailed design stage. A summary of the Proof of Concept report produced by Deloitte MCS Limited was appended to the submitted report.

RESOLVED - (a) That the principle of a Darlington/Stockton partnership for Support Services be approved.

(b) That officers complete a detailed design for the Partnership and report back to a future meeting of Cabinet on the outcome of that work.

REASONS - (a) To enable further work to be undertaken to identify in detail the opportunities available from a partnership.

(b) To enable Cabinet to make final decisions on whether a partnership should be established.

C110. PRUDENTIAL INDICATORS UPDATE AND TREASURY MANAGEMENT HALF-YEAR REVIEW - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) providing Members with an update of the Prudential Indicators and the half-yearly review of the Council's Treasury Management borrowing and investment activities.

RESOLVED - (a) That the revised prudential indicators and limits, as detailed in Tables 1 and 10 within the submitted report, be approved.

(b) That the Treasury Management half yearly review, as detailed in the submitted report, be noted.

(c) That the report be forwarded to Council to approve the prudential indicators.

REASONS - (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities.

(b) To inform Members of the performance of the Treasury Management function.

(c) To comply with the requirements of the Local Government Act 2003

C111. REVENUE AND CAPITAL MEDIUM TERM FINANCIAL PLANS, REVENUE BUDGET AND COUNCIL TAX 2006/07 - TIMETABLE - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to a timetable to review the Council's Medium Term Financial Plans and production of the Council's 2006/07 Revenue Budget, Council Tax and Housing Revenue Account.

RESOLVED - That the proposed timetables for the Revenue and Capital Medium Term Financial Plans 2006/07 to 2009/10, Revenue Budget, Council Tax and Housing Revenue Account, as detailed in the submitted report, be agreed.

REASON - To comply with statutory and local requirements and established good practice.

C112. REVENUE BUDGET MANAGEMENT - MONTHLY MONITORING REPORT - SEPTEMBER 2005 - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) presenting Director's projections of income and expenditure for the year (also previously circulated) compared with the approved budgets for consideration of the Council's overall revenue budget position for 2005/06.

RESOLVED - (a) That the 2005/06 revenue budget projections, as appended to the submitted report, be noted.

(b) That the mid-year Annual Efficiency Statement monitoring report to ODPM, as appended to the submitted report, be noted.

(c) That further budget management and Annual Efficiency Saving monitoring reports be presented regularly to Cabinet.

REASON - To ensure that robust revenue budget management procedures are maintained and efficiency gains are monitored regularly.

C113. CAPITAL PROGRAMME - MONTHLY MONITORING REPORT - SEPTEMBER 2005 - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) presenting an update of the capital programme (also previously circulated) and looking at spending and resource levels.

RESOLVED - (a) That the 2005/06 updated Capital Programme, as detailed in the submitted report, be approved.

(b) That land sale costs of £0.051m be released in relation to Morton Park.

(c) That Sus-Trans Capital Grant of £0.035m be released.

(d) That Railway Heritage Capital Grant of £0.100m be released.

(e) That Single Regeneration Budget of £0.009m be released in relation to the Learning Intranet project.

(f) That English Nature Capital Grant of £0.007m be released in relation to the Local Nature Reserve Project.

(g) That land sale costs of £0.015m be released in relation to various disposals.

REASON - To allow Members to note the progress of the agreed Capital Programme and to allow the Morton Park, Education Village Cycle Route, Railway Museum development, Learning Intranet, Local Nature Reserves and various land sales, schemes to proceed.

C114. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C115. 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 paragraphs 7, 8, 9 and 14 of Part I of Schedule 12A to the Act.

C116. LOCAL BUS SERVICES - FINANCIAL SUPPORT (EXCLUSION NOS. 7 AND 9) - The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to a course of action for the continued provision of supported local bus services within Darlington from 1st January, 2006 within the resources available to the Council.

RESOLVED - (a) That the withdrawal of Service 19 be approved with effect from 29th January, 2006.

(b) That the award of a Monday to Saturday daytime de-minimis contract to replace Service 19 for The Broadway, Faverdale and Willow Road with effect from 29th January, 2006, be agreed.

(c) That the extension of the remaining former Green Bus contracts to 1st July, 2006 and a review of the supported bus service network for implementation on 2nd July 2006, be approved.

(d) That the allocation of additional resources of £55,000 for supported bus services for 2006-07 only, be approved.

REASONS - (a) To continue to provide bus services to otherwise unserved parts of the Borough.

(b) To ensure that supported bus services meet policy objectives within the finance available.

C117. CLOSED CIRCUIT TELEVISION AND AUTOMATIC NUMBER PLATE RECOGNITION (EXCLUSION NO. 14) - The Cabinet Member with the Community and Public Protection Portfolio introduced the report of the Director of Community Services (previously circulated) to inform Members on the progress of the installation of an automatic number plate recognition system within the Borough; to update Members on a number of amendments to the scheme; and seeking retrospective approval to support the amended scheme and provide financial assistance towards it in partnership with Durham Constabulary.

RESOLVED - (a) That the Council support the revised scheme, subject to any planning or other consents required.

(b) That the Council's Revenue Medium Term Financial Plan be amended to reflect the reduced annual revenue costs of £10,000.

(c) That the thanks of Cabinet be conveyed to Mr. G. Putt, Mr. P. Bowerbank and Mr R. Jones, for their work in progressing this scheme.

REASON - It is well evidenced within other Police Force areas that ANPR has contributed towards reducing crime.

C118. DOLPHIN CENTRE REFURBISHMENT (EXCLUSION NOS. 7 AND 9) - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking authority to accept a surrender of the lease of No. 23 Horsemarket and to terminate or negotiate a surrender of the lease for No. 16 Horsemarket, in order to allow the proposed Dolphin Centre refurbishment to proceed.

RESOLVED - (a) That the Council accepts the surrender of the lease of No. 23 Horsemarket on the terms as outlined in the submitted report.

(b) That the Director of Development and Environment and the Borough Solicitor be authorised, in consultation with the Cabinet Member with the Resource Management Portfolio, to take appropriate action to terminate the lease of No. 16 Horsemarket, to negotiate compensation and to secure possession of the premises, as outlined in the submitted report.

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

(d) That the terms negotiated be reported to a future meeting of Cabinet for information.

REASONS - (a) To ensure that possession of Nos. 16 and 23 Horsemarket can be obtained.

(b) To allow the Dolphin Centre refurbishment to proceed on schedule.

C119. SCHEDULE OF TRANSACTIONS (EXCLUSION NOS. 7, 8 AND 9) - The Cabinet Member with the Resource Management Portfolio introduced the report and schedule of the Director of Development and Environment (both previously circulated) requesting that consideration be given to the schedule of transactions and seeking approval for 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 Council before binding itself contractually to a transaction.

**DECISIONS DATED -
FRIDAY, 2ND DECEMBER, 2005**