

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 20TH FEBRUARY, 2006**

CABINET
7th February, 2006

PRESENT - Councillor Williams (in the Chair); Councillors Bristow, Dixon, D.A. Lyonette, McEwan, Thistlethwaite and Wallis. (7)

APOLOGIES - Councillors Harker and L. Vasey. (2)

C148. DECLARATIONS OF INTEREST – That in respect of Minute C152(1) below, Councillor Dixon declared a personal but non-prejudicial interest as his partner worked at SureStart.

C149. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 10th January, 2006.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C150. ANNUAL AUDIT INSPECTION LETTER 2004/05 - The Leader introduced the report of the Chief Executive (previously circulated) presenting the 2004/05 Audit and Inspection Letter (also previously circulated).

Mr. Paul Harrison of PriceWaterhouse Coopers, the Council's Audit Manager, and Sarah Diggle, the Council's Relation Manager from the Audit Commission, gave a presentation to Cabinet on the key messages from the inspection, including the overall assessment of the Council's performance; its accounts; financial position; other accounts and governance issues; and action needed to be taken by the Council.

RESOLVED - That the Audit and Inspection Letter 2004/05, as appended to the submitted report, be noted.

REASON - To enable the Council to receive the results of its external assessment.

C151. MATTERS REFERRED TO CABINET – There were no matters referred back for reconsideration.

C152. ISSUES ARISING FROM SCRUTINY – There were no issues arising from Scrutiny.

C153. KEY DECISIONS – (1) Children's Centres Round Two 2006/08 - Capital Funding
- The Cabinet Member with the Children's Services Portfolio introduced the report of the Director of Children's Services (previously circulated) outlining the status of Darlington's Round Two (2006/08) Children's Centres and requesting that £444,090 Children's Centres Round 2 (2006/08) capital funding and £60,000 Children's Centres Round 2 (2006/08) 'rural uplift' capital funding, be released.

RESOLVED - (a) That the Children's Centres Round Two (2006-08) capital allocations, as detailed in the submitted report, be approved.

(b) That £444,090 Children's Centres Round Two (2006-08) capital funding and £60,000 Children's Centres Round 2 (2006-08) 'rural up-lift' capital funding, be released

REASONS - (a) They meet the national and regional SureStart Units, Government Office North East Round Two Children's Centres requirements and comply with the guidance.

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

(2) (URGENT ITEM) Darlington's Draft Local Area Agreement - The Leader introduced the report of the Chief Executive (previously circulated) presenting a draft copy of the Local Area Agreement (LAA) (also previously circulated) in development for Darlington.

RESOLVED - (a) That the draft Local Area Agreement for Darlington, as appended to the submitted report, be approved for submission to Ministers.

(b) That the Assistant Chief Executive, in consultation with the Leader of the Council, be given delegated authority to oversee final amendments to the submission.

REASONS - (a) To meet an ODPM/GONE deadline of 10th February, 2006 for Ministerial consideration of submissions prior to approval.

(b) To ensure content is as accurate and up to date as possible through an inclusive process, with the active involvement of key partners.

(3) Shopmobility Service 2006/11 - Provision - 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 process for securing the supply of a Shopmobility Service for residents and visitors to Darlington town centre for the period 2006 to March 2011.

RESOLVED - (a) That the extension of the existing Service Level Agreement for the provision of a Shopmobility service with Darlington Association on Disability until 31st March, 2007, or earlier, at three months notice, be approved.

(b) That the contract for the provision of the Shopmobility Service for the remaining period up to 31st March, 2011, be subject to the tender process, as outlined in the submitted report.

REASONS - (a) To ensure continuity of service whilst tenders are sought for longer-term provision of the Shopmobility service.

(b) To continue to provide and improve where possible, on the level of service offered to users.

C154. AREA TOURISM PARTNERSHIP FOR THE TEES VALLEY - ARRANGEMENTS - The Cabinet Member with the Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) outlining new proposals for the formation of an Area Tourism Partnership (ATP) for the Tees

Valley as part of the new delivery mechanism for tourism activity within the region and seeking endorsement of the new structure.

RESOLVED - (a) That the arrangements for the formation of an Area Tourism Partnership for the Tees Valley, as detailed in the submitted report, be approved.

(b) That the proposals, as detailed in the submitted report, be endorsed and it be noted that ongoing Local Authority financial support would be the same as existing levels of support for Tees Valley tourism work, to be approved as part of the Medium Term Financial Plan.

REASONS - (a) To enable the Council to benefit from ONE NorthEast's revised structure for tourism support and promotion, by participating in sub-regional tourism activity through the Tees Valley Area Tourism Partnership.

(b) To ensure that Darlington maintains its position as a key player in the new sub-regional arrangements for the delivery of tourism activity in the Tees Valley.

C155. VIEW : SHAPING THE NORTH EAST - REGIONAL SPATIAL STRATEGY FOR THE NORTH EAST - EXAMINATION IN PUBLIC - The Cabinet Member with Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) informing Members of the arrangements for the forthcoming Regional Spatial Strategy Examination in Public (EiP) and seeking agreement on the Council's stated position on various matters relating to sites in Darlington raised by other consultees which may be discussed at the EiP.

RESOLVED - (a) That the arrangements for the Regional Spatial Strategy – Examination in Public, as detailed in the submitted report, be noted.

(b) That officers be authorised to submit representations based on the contents of the submitted report to the Examination in Public Panel, as part of the Council's Statement of Evidence.

REASONS - (a) To keep Members updated on the progress of the emerging Regional Spatial Strategy.

(b) To enable officers to present the Council's formal position on various matters affecting key strategic sites in the Borough.

C156. FIRTHMOOR AND DISTRICT COMMUNITY ASSOCIATION - PROPOSED NURSERY GARDEN - The Cabinet Member with the Resource Management Portfolio introduced the report and plan of the Director of Development and Environment (both previously circulated) seeking authority to grant a lease of an unused part of Firthmoor Primary School's playing field to the Firthmoor and District Community Association (FDCA) in order for them to create a garden for Maidendale Community Nursery which is situated at Maidendale House, the Community Centre, as shown on the plan appended to the submitted report.

RESOLVED - (a) That the lease of part of the Firthmoor School playing field to the Firthmoor and District Community Association, for the provision of a nursery garden/play area, as outlined in the submitted report, be authorised on the terms as detailed in the submitted report.

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

REASONS - (a) To allow the Community Nursery to have access to a suitable play area for children attending the Nursery.

(b) To provide a suitable play area for younger primary school children.

C157. POLITICALLY RESTRICTED POSTS - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) seeking agreement to the list of posts being defined as politically restricted (also previously circulated).

RESOLVED - (a) That the revised list of politically restricted posts, as detailed in Appendix 1 of the submitted report, be approved.

(b) That the action proposed in the submitted report, pending notification of any future changes in terms of politically restricted posts from the Office of the Deputy Prime Minister, be approved.

(c) That it be recommended to Council that the Borough Solicitor, as Monitoring Officer, be given delegated authority to issue 'certificates of opinion' on behalf of the Council.

(d) That all job descriptions and person specifications for politically restricted posts include a statement defining them as such.

(e) That the list of politically restricted posts be updated on an annual basis reflecting the criteria, as set out in the submitted report.

REASON - The Council has a duty to prepare and maintain a list of posts that should be defined as 'Politically Restricted' under Section 2 of the Local Government and Housing Act 1989 and to incorporate the restrictions into the terms and conditions of relevant employees.

C158. CAPITAL PROGRAMME - MONTHLY MONITORING REPORT - NOVEMBER 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 updated 2005/06 Capital Programme, as appended to the submitted report, be approved.

(b) That the additional capital grant of £0.016m, for the Firthmoor Doorstep Green scheme, be released.

(c) That the position relating to additional costs on the Contact Centre and Crown Street Library refurbishment, as detailed in the submitted report, be noted.

REASON - To allow the agreed Capital Programme to proceed.

C159. REVENUE BUDGET MANAGEMENT - MONTHLY MONITORING REPORT - NOVEMBER 2005 - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) presenting Directors' projections of income and expenditure for the year (also previously circulated) compared with approved budgets.

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

(b) 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.

C160. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C161. 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 and 9 of Part I of Schedule 12A to the Act.

C162. FORMER FIGHTING COCKS BRANCH LINE, MIDDLETON ST. GEORGE (EXCLUSION NOS. 7 AND 9) - The Cabinet Member with the Resource Management Portfolio introduced the report and plan of the Director of Development and Environment (both previously circulated) requesting that consideration be given to disposing of 2.94 acres of land adjacent to the former Fighting Cocks branch line at Middleton St. George, shown on the plan appended to the submitted report.

RESOLVED - (a) That the sales of land, as shown on the plan appended to the submitted report, on the terms, as outlined in the submitted report, be approved.

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

REASONS - (a) To comply with applicants request.

(b) To achieve a capital receipt for the Council

C163. 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 of 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 to a transaction.

**DECISIONS DATED -
FRIDAY, 10TH FEBRUARY, 2006**
