

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

**CABINET**  
7th March, 2006

**PRESENT** - Councillor Williams (in the Chair); Councillors Bristow, Dixon, Harker, D.A. Lyonette, Thistlethwaite, L. Vasey and Wallis. (8)

**APOLOGIES** - Councillor McEwan.

**ALSO IN ATTENDANCE** – Councillors Richmond and Mrs. Scott. (2)

**C168. DECLARATION OF INTERESTS** - There were no declarations of interest reported at the meeting.

**C169. MINUTES** - Submitted - The Minutes (previously circulated) of the meetings of Cabinet held on 1st and 7th February, 2006.

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

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

**C170. MATTERS REFERRED TO CABINET** – There were no matters referred back for reconsideration.

**C171. ISSUES ARISING FROM SCRUTINY** – There were no issues arising from Scrutiny.

**C172. KEY DECISIONS – (1) (URGENT ITEM) Taxi Licence Fees and Charges - Increases** - The Cabinet Member with the Consumer and Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to increasing the fees relating to the licensing of hackney carriages and private hire vehicles (also previously circulated), their drivers and operators. Letters of objections received from the trade were appended to the submitted report.

**RESOLVED** - (a) That the letters of objection, as appended to the submitted report, to the proposed increased in fees and associated charges be noted.

(b) That, subject to approval of the Revenue Medium Term Financial Plan at the special meeting of Council scheduled for Thursday, 9th March, 2006, the implementation of the fees and charges, as appended to the submitted report, take effect from 1st April, 2006.

**REASON** - To ensure there is sufficient budgetary provision to enable the Council to deliver the taxi licensing service.

**(2) Darlington's Second Local Transport Plan** - 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 final version of Darlington's Second Local Transport Plan, for covering transport investment for 2006 to 2011.

**RESOLVED** - That it be recommended to Council that the Second Local Transport Plan, as appended to the submitted report, be approved.

**REASON** - To submit the Second Local Transport Plan by 31st March, 2006, giving guidance to the Council's intentions for transport spending and actions between 2006/07 to 2010/11.

**C173. COMPLAINT MADE TO OMBUDSMAN - REVIEW** - Pursuant to Minute C128/Jan/06, 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 indicating any points of particular attention and/or referral to the Standards Committee since the last meeting of Cabinet held on 10th January, 2006.

**RESOLVED** - That the report be noted.

**REASONS** - (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.

**C174. CALENDAR OF COUNCIL AND COMMITTEE MEETINGS 2006/07** - 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 2006/07 Municipal Year (also previously circulated).

**RESOLVED** - That the calendar of Council and Committee Meetings for the 2006/07 Municipal Year, as appended to the submitted report, be approved and the proposed dates for meetings of Council be referred to the Annual Council meeting scheduled for 18th May, 2006, for approval.

**REASON** - To ensure that the calendar of meetings is approved for the forthcoming municipal year.

**C175. FORMER TENANTS ARREARS - WRITE-OFF** - The Cabinet Member with the Community and Public Protection Portfolio introduced the report of the Director of Community Services (previously circulated) updating Members on the current position on former tenant arrears and seeking approval for a total of £60,942.00 to be written off.

**RESOLVED** - That £60,942.00 of former tenants arrears be written-off, subject to steps for recovery being taken, wherever possible, as and when contact is made, or the former tenant needs to be re-housed.

**REASON** - Regular arrangements for writing off debts are in accordance with the Audit Commission best practice for good financial management.

**C176. SOUTH PARK CARPET BED** - The Cabinet Member with the Leisure Services Portfolio introduced the report of the Director of Community Services (previously circulated) requesting that consideration be given to applications for the design of the South Park carpet bed.

**RESOLVED** - That the application from the Duke of Edinburgh Award Development Officer, as detailed in the submitted report, to design the South Park carpet bed, be approved.

**REASON** - To enable the design and planting of the South Park carpet bed to proceed.

**C177. BRITISH AMERICAN TOBACCO (BAT) LEGACY** - The Cabinet Member with Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the release of £300,000 revenue expenditure from the British American Tobacco (BAT) Legacy Fund for Year Two and to the submission of an application to the European Social Fund, with the Council acting as the Accountable Body.

**RESOLVED** - (a) That the release of £300,000 from the British American Tobacco Legacy Fund for 2006/07, for the schemes as detailed in the submitted report, be approved.

(b) That the Council be authorised to submit a European Social Fund application to the Government Office North East and to serve as the Accountable Body for the application should it be approved.

**REASONS** - (a) To enable the British American Tobacco (BAT) Legacy Fund to be spent in accordance with the BAT Legacy Fund Panel decisions.

(b) To enable officers to maximise the impact of the BAT Legacy Fund to Darlington.

**C178. RISK MANAGEMENT** - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) updating Members on the approach to, and outcomes from, the Council's Risk Management processes.

**RESOLVED** - That the outcomes of the Council's Risk Management processes, as outlined in the submitted report, be noted.

**REASON** - It comprises part of the Council's Corporate Governance arrangements.

**C179. MEMBERSHIP CHANGES** - There were no membership changes reported at the meeting.

**C180. 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.

**C181. CENTRAL PARK - EUROPEAN REGIONAL DEVELOPMENT FUND APPLICATION (EXCLUSION PARAGRAPH NO. 3)** - The Cabinet Member with the Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking approval for the Council to apply for European Funding for the Central Park development and for it to act as the accountable body for the European Funds.

**RESOLVED** - (a) That two applications be submitted to the Government Office North East for European Funding for the Central Park development and the Council serve as the accountable body for the applications.

(b) That the Council reclaim the VAT upon relevant project expenditure over the period 2006/07 and 2007/08.

(c) That the Council pay the audit and technical assistance costs associated with the applications, to be agreed as allowable costs to the Central Park project and so included in the Joint Venture Agreement.

**REASONS** - (a) Additional external funding will reduce the amount required of the private sector, supporting commercial viability and improving the value of return to the Council and partners through the Joint Venture Agreement.

(b) The scheme is a flagship development for the Borough and will create up to 2000 jobs.

(c) To ensure that all funds are maximised for the project through the reclaim of eligible VAT.

**C182. SCHEDULE OF TRANSACTIONS (EXCLUSION NO. 3)** - The Cabinet Member with the Resource Management Portfolio introduced the report 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 contractually to a transaction.

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