

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE TUESDAY, 13TH MAY, 2008**

CABINET
29th April, 2008

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

INVITEES - Councillors Freitag and Mrs. Scott and Mr. A. Maconachie. (3)

APOLOGIES – Councillors Haszeldine and S. Jones. (2)

ALSO IN ATTENDANCE – Sarah Diggle, Audit Commission and Paul Harrison, Pricewaterhouse Coopers. (2)

C206. DECLARATION OF INTERESTS – In respect of Minute C219 below, Councillor Harker declared a personal but non-prejudicial interest.

C207. REPRESENTATIONS - A number of students and staff from Queen Elizabeth Sixth Form College and members of the public, in attendance at the meeting, asked questions on various issues including climate change; recycling; the Police; investment in local businesses; the number of empty shop units in the Town Centre; parking; the Education Village; travel subsidies for young people; and flooding.

C208. ANNUAL AUDIT AND INSPECTION LETTER - The Leader introduced the report of the Chief Executive (previously circulated) presenting the Annual Audit and Inspection Letter (also previously circulated).

Mr. Paul Harrison of Pricewaterhouse Coopers, the Council's Audit Manager, and Sarah Diggle, the Council's Relationship Manager from the Audit Commission, gave a presentation to Members on the Audit Commission's overall judgement of the Council, which was that it was improving well and that it had been classified at the maximum four star in its current level of performance under the Comprehensive Performance Assessment.

Concern was expressed at the meeting to the poor score for Culture, which was due to the refurbishment works to the Dolphin Centre and Arts Centre, and to the fact that allowances should have been made in this area for those works.

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

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

C209. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 18th March, 2008.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C210. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C211. ISSUES ARISING FROM SCRUTINY - PLANNING FUNCTION TASK AND FINISH REVIEW GROUP - The Cabinet Member with the Economy Portfolio introduced the report of the Assistant Chief Executive (Regeneration) (previously circulated) reporting the findings and recommendations of the Economy and Environment Scrutiny Committee's Planning Function Task and Finish Review Group.

The Chair of the Economy and Environment Scrutiny Committee stated that the review had been established following concerns in respect of performance of BVP109 and that the report was an interim report. Reference was made to the report (also previously circulated), of the Interim Manager in the Chief Executive's Department, which was endorsed by the Review Group. The three main issues identified by the Group were resources; lack of an electronic system to deal with planning applications; and delegation of decisions.

Discussion ensued on delegation levels and the benefits of introducing an electronic system to deal with the planning process.

RESOLVED - (a) That the thanks be extended to the Chair and Members of the Review Group for the work that been undertaken in respect of the Planning Function Review.

(b) That the implementation plan, as detailed at appendix 3 to the submitted report, be adopted, subject to the specific comments of the Assistant Chief Executive (Regeneration), as detailed in paragraph 15 of the submitted report.

(c) That the comments of the Assistant Chief Executive (Regeneration), as detailed in paragraph 15 of the submitted report, be noted.

REASON - To improve the performance of the planning service.

C212. KEY DECISIONS - (1) 14 to 19 Strategy - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of Children's Services (previously circulated) seeking endorsement for the Darlington 14 to 19 Strategy (also previously circulated) which had been recently approved by the Children's Trust.

Discussion ensued in relation to the inclusion of Special Educational Needs within the Strategy.

RESOLVED - That the Darlington 14 to 19 Strategy, as appended to the submitted report, be approved.

REASONS - (a) To produce a delivery plan for the new diplomas.

(b) To be prepared for the raising of the participation age from 2013.

(2) Corporate Plan 2008/12 - The Leader introduced the report of the Assistant Chief Executive (previously circulated) requesting that consideration be given to the Council's Corporate Plan for 2008/12 (also previously circulated).

RESOLVED - (a) That the Council's Corporate Plan for 2008/12, as appended to the submitted report, be approved.

(b) That a report be submitted to a future meeting of Cabinet setting out all performance targets for 2008/09 to 2011/12, together with out-turn performance data for 2007/08.

REASON - To ensure that the Council has a full service planning hierarchy linked to delivery of the new Sustainable Community Strategy for 2008/09.

(3) Town Centre Business Plan 2008/11 - The Cabinet Member with the Economy Portfolio introduced the report of the Assistant Chief Executive (Regeneration) (previously circulated) presenting the new Town Centre Business Plan 2008/11 (also previously circulated).

RESOLVED - That the actions, as detailed in the Town Centre Business Plan 2008/11, as appended to the submitted report, which were the responsibility of the Council, be approved, subject to funding being confirmed for those actions not relying solely on existing approved budgets.

REASON - To continue to foster an attractive and vibrant town centre, in line with the 'One Darlington : Perfectly Placed', and with the Council's Corporate Plan.

(4) (URGENT ITEM) Darlington Housing Strategy 2008/11 - 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 the Darlington Housing Strategy 2008/12 (also previously circulated).

RESOLVED – (a) That the Darlington Housing Strategy 2008/12, as appended to the submitted report, be approved.

(b) That the relevant Scrutiny Committee be requested to review and monitor the implementation of the Strategy.

REASONS - (a) To enable Darlington to deliver its strategy and vision for 2008/11 while remaining aligned with the sub-regional and Regional Housing Strategies to maximise inward investment and realise economies of scale across local authority/sub-regional boundaries.

(b) To ensure that there is a common understanding of housing markets and how they influence, relate to each other and how gaps in housing and/or supported housing provision can best be addressed.

(5) Private Sector Financial Assistance Policy - The Cabinet Member with the Neighbourhood Services and Community Safety Portfolio introduced the report of the Director of Community Services (previously circulated) seeking retrospective approval to utilising Single Housing Investment Programme (SHIP) funding, for grants in place of loans, in accordance with private sector housing financial assistance policy.

RESOLVED - That retrospective approval for committing Single Housing Investment Programme (SHIP) funding, for grants in place of loans, in accordance with the Financial Assistance Policy, be approved.

REASONS – (a) To ensure the Regional Housing Board do not reclaim any funding allocations from Darlington in respect of SHIP2 and that 100% expenditure is achieved.

(b) To ensure that changes in local housing market conditions and levels of demand for private sector financial assistance can be accommodated in a more targeted manner.

C213. OUTCOME OF COMPLAINTS MADE TO OMBUDSMAN - REVIEW - Pursuant to Minute C193/Mar/08, 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 ordinary meeting of Cabinet held on 18th March, 2008.

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.

C214. CALENDAR OF COUNCIL AND COMMITTEE MEETINGS 2008/09 - The Leader introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to a calendar of Council and Committee meetings for the 2008/09 Municipal Year (also previously circulated).

RESOLVED - That the Calendar of Council and Committee Meetings for the 2008/09 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 15th May, 2008, for approval.

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

C215. PROCUREMENT - INTERIM ARRANGEMENTS - The Cabinet Member with the Resources Portfolio introduced the report of the Assistant Chief Executive (previously circulated) requesting that consideration be given to interim arrangements for procurement, following the implementation of the Contract Procedure Rules agreed by Council (Minute 77(4)/Feb/08 refers).

RESOLVED - (a) That the contract awards decisions for the North Road Primary School be made by Cabinet.

(b) That the procurement plan for the construction of the depot be brought to Cabinet for approval in advance of the tenders being issued and the contract award decision being made by Cabinet.

(c) That the contract award decision for the remainder of the contracts, as detailed in Appendix A to the submitted report, be delegated to the relevant officers as detailed in the Contract Procedure Rules.

REASONS - (a) The contract is high value, a one off procurement and of significant public interest.

(b) The contract is very high value and a one off procurement.

(c) The implementation of the new Contract Procedure Rules requires interim arrangements to be put in place for the delegation of routine decisions to officers, prior to the approval of the first annual Procurement Plan. These contracts are not considered to be so significant in terms of the value, the nature of the contract or the public interest to be classed as strategic, requiring a Cabinet decision to award the contract.

C216. PRIVATE SECTOR HOUSING RENEWAL STRATEGY - 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 the adoption of the new Private Sector Housing Renewal Strategy 2008/11 (also previously circulated).

RESOLVED – (a) That the relevant Scrutiny Committee be requested to review and monitor the implementation of the Strategy.

(b) That the implementation of the new Private Sector Renewal Strategy, as appended to the submitted report, be approved.

REASONS - (a) The new Private Renewal Strategy represents a proactive response to non decent private sector homes in Darlington.

(b) The new Private Sector Renewal Strategy recognises the local, sub-regional and regional opportunities available to maximise inward investment into Darlington.

(c) The new Private Sector Renewal Strategy is based upon robust evidence of local private sector housing conditions and provides a sound basis for targeting vulnerable households.

C217. MEMBERSHIP CHANGES - No membership changes to other bodies to which Cabinet appoints, were report at the meeting.

C218. 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.

C219. (URGENT ITEM) SUPPORTED BUS SERVICE CONTRACT (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Transport Portfolio introduced the report of the Assistant Chief Executive (Regeneration) (previously circulated) to brief Members on the new bus network for Darlington proposed by Arriva North East for introduction later this year and to approve the procuring of a supported bus network within the current budget.

The Assistant Chief Executive (Regeneration) circulated plans at the meeting outlining the proposed bus routes.

RESOLVED - (a) That the proposals by Arriva North East for a new commercially operated bus network for Darlington, as detailed in the submitted report, be noted.

(b) That the procuring of the supported bus network, as detailed in Appendix 2 to the submitted report and within the Budget, also as detailed within Appendix 2 to the submitted report, be approved.

(c) That a further report be submitted to a future meeting of Cabinet detailing the proposals for the demand responsive transport services.

REASONS - (a) To provide a coherent and stable bus network for the benefit of local people over the next few years.

(b) To respond to decisions by Arriva North East concerning commercially operated services in the Borough.

C220. SCHEDULE OF TRANSACTIONS (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Resources Portfolio introduced the report and schedule of the Director of Corporate Services (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 -
2ND MAY, 2008**