

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY 20 DECEMBER 2010**

CABINET
7 December 2010

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

INVITEES – Councillor Mrs Scott.

ALSO IN ATTENDANCE – Councillors Francis, Johnson and Richmond. (3)

C99. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

C100. REPRESENTATIONS – There were no representations made at the meeting, from Members or members of the public in attendance.

C101. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on Tuesday 2 November 2010.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C102. ISSUES ARISING FROM SCRUTINY – There were no issues arising from Scrutiny.

C103. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C104. KEY DECISIONS – There were no key decisions made at the meeting.

C105. SCHEME OF DELEGATION - The Leader introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the revised scheme of delegation (also previously circulated).

RESOLVED – That the new scheme of delegation, as detailed at appendix 1 to the submitted report, be approved.

REASON - (a) To enable officers to carry out the functions of the Council, as they do now, under the new structure.

(b) To update and refresh the format of the scheme to provide greater transparency and resilience.

C106. VAT INCREASES - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to a schedule of charges (also previously circulated) for a number of service areas within the Council following the government announcement of a VAT increase in January 2011.

RESOLVED – (a) That the schedule of charges, as detailed in Appendix 1 to the submitted report, be approved and implemented by 4 January 2011.

(b) That charges for Car Parks not be increased but they be considered as part of future charging decisions in the 2011/12 Medium Term Financial Plan.

REASON – (a) To enable the Council to recover the VAT increase announced by the Government.

(b) To avoid administration and reprinting costs that would outweigh the additional income received.

C107. REGULATION OF INVESTIGATORY POWERS - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Corporate Services (previously circulated) updating Members on the Regulation of Investigatory Powers Act 2000 and developments that have taken place since the last report to Cabinet in July 2010.

RESOLVED - (a) That the developments that have taken place since July 2010, as detailed in the submitted report, be noted.

(b) That quarterly reports on the use of Regulation of Investigation Powers, be considered by Cabinet.

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

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

C108. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C109. 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 1, 2 and 3 of Part I of Schedule 12A to the Act.

C110. NOS. 11/12 AND 13 HORSEMARKET AND OFFICES ABOVE (EXCLUSION PARAGRAPH NOS. 1 AND 2) – The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the current status of the properties and seeking authority to conclude commercial leases with the new occupiers of the whole or parts of the premises.

RESOLVED - (a) That the current status of the properties, as detailed in the submitted report, be recognised and they be offered to the market on a leasehold basis.

(b) That the Director of Corporate Services be authorised to conclude the letting of the properties in line with the terms, as detailed in the submitted report.

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

REASONS - (a) To remove from the Council potential maintenance and security liabilities.

(b) To achieve rental income.

C111. TEES GRANGE FARMHOUSE, CONISCLIFFE MEWS, DARLINGTON (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Community Services (previously circulated) requesting that consideration be given to declaring Tees Grange Farmhouse, as shown on the plan appended to the submitted report, surplus to requirements and seeking authority to dispose of it by the most appropriate means, including by auction.

RESOLVED - (a) That the property, as shown on the plan appended to the submitted report, be declared surplus to the Council's requirements and it be disposed of by the most appropriate means.

(b) That the Director of Corporate Services be authorised to conclude the sale of the property in line with the method and terms, as outlined in the submitted report.

(c) That the Borough Solicitor be authorised to complete the appropriate documentation to conclude the disposals accordingly.

REASONS - (a) To remove from the Council a potential liability.

(b) To achieve a capital receipt within the timescale as outlined in the submitted report.

**DECISIONS DATED -
FRIDAY 10 DECEMBER 2010**