

**DECISIONS SHOULD NOT BE IMPLEMENTED  
BEFORE**

**CABINET**  
8 February 2011

**PRESENT** - Councillor Williams (in the Chair); Councillors Copeland, Harker, Hughes, McEwan, D A Lyonette, A J Scott and Wallis. (8)

**INVITEES** - Councillors Haszeldine.

**ALSO IN ATTENDANCE** – Councillor Francis.

**APOLOGIES** – Councillors Dixon, Mrs. Scott and Swainston and Mr A MacConachie. (4)

**C128. DECLARATION OF INTERESTS** - There were no declarations of interest reported at the meeting.

**C129. REPRESENTATIONS** – There were no representations made from Members or members of the public at the meeting.

**C130. MINUTES** - Submitted - The Minutes (previously circulated) of the meetings of this Cabinet held on 11 and 18 January 2011.

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

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

**C131. KEY DECISIONS - DRAFT THIRD LOCAL TRANSPORT PLAN** - The Cabinet Member with the Transport Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to the final version of Darlington's Third Local Transport Plan (also previously circulated), containing transport policies for the period 2011 to 2026.

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

**REASON** - There is a need to have a Transport Plan in place by April 2011, in line with Section 109(2) of the Transport Act 2000, as amended by the Local Transport Plan 2008.

**C132. (URGENT ITEM) LONGFIELD SCHOOL - SPORTS PROJECT** - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to the release of capital funds awarded from the Football Foundation for the Longfield School Sports Project.

**RESOLVED** - That capital funding of £52,679 be released for the Longfield School Sports Project.

**REASONS** - (a) Detailed planning to target need has been undertaken which ensures effective use of investment.

(b) The grant is for the purposes of improving sports facilities in the school to aid in the schools delivery of its Sports Diploma. It is not available for alternative use.

**C133. REVENUE BUDGET MONITORING 2010/11 - QUARTER THREE** - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources (previously circulated) providing an up to date forecast of the 2010/11 revenue budget out-turn as part of the Council's continuous financial management processes.

**RESOLVED** - (a) That the forecast revenue out-turn for 2010/11, and actions being taken to manage the Councils finances and services, as detailed in the submitted report, be noted.

(b) That the proposed carry forward of Departmental resources to 2011/12, as detailed in the submitted report, be noted.

(c) That further regular reports be made to Cabinet to monitor progress and take prompt action if necessary.

**REASONS** - (a) To continue effective management of resources.

(b) To continue to deliver services to agreed levels.

**C134. PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING - QUARTER THREE 2010/11** - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources and the Director of Place (previously circulated) providing a summary of the latest capital resource and commitment position in order to inform monitoring of the affordability and funding of the Council's capital programme; an update on the current status of all construction projects currently being undertaken by the Council; and requesting that consideration be given to a number of changes to that programme.

**RESOLVED** - (a) That the status position on construction projects, as detailed in the appendix to the submitted report, be noted.

(b) That the projected capital expenditure and resources, as detailed in the submitted report, be noted.

(c) That the adjustments to resources, as detailed in paragraph 19 of the submitted report, be approved.

(d) That the resource virements, as indicated in paragraph 20 of the submitted report, be approved.

**REASONS** - (a) To inform Cabinet of the current status of construction projects.

(b) To make Cabinet aware of the latest financial position of the Council.

(c) To maintain effective management of resources.

**C135. MEMBERSHIP CHANGES** - There were no membership changes reported at the meeting.

**C136. 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 3 and 5 of Part I of Schedule 12A to the Act.

**C137. KEY DECISION - CENTRAL PARK - HAUGHTON ROAD FOOT/CYCLE BRIDGE (EXCLUSION PARAGRAPH NOS. 3 AND 5)** - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Place (previously circulated) updating Members on the risks involved with the contract in respect of the Central Park Haughton Road Foot/Cycle Bridge and requesting that consideration be given to incur legal and technical expertise costs in respect of that contract.

**RESOLVED** - (a) That the recommended approach, in relation to the Central Park Haughton Road Foot/Cycle Bridge contract, as detailed in the submitted report, be agreed.

(b) That the Assistant Director (Resources) be authorised to incur necessary legal costs and necessary costs for technical expertise in pursuance of the approach, as set out in the submitted report.

(c) That a sum of £200,000 be set aside to fund such necessary costs.

(d) That £500,000 capital risk provision be set aside.

**REASONS** - (a) To minimise the financial risks to the Council and its partners.

(b) To allow the Council to support its position in relation to the contract.

(c) To manage the Council's financial resources prudently.

**C138. SCHEDULE OF TRANSACTIONS (EXCLUSION PARAGRAPH NO. 3)** - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Resources (previously circulated) requesting that consideration be given to the schedule of transactions (also previously circulated) 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 the Council before binding itself contractually to a transaction.

**DECISIONS DATED -**