

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE 18 APRIL 2012**

CABINET
3 April 2012

PRESENT - Councillor Dixon (in the Chair); Councillors Harker, C L B Hughes, McEwan, D A Lyonette and A J Scott. (6)

APOLOGIES – Councillors Copeland and Wallis. (2)

INVITEES – Councillors Curry, I Haszeldine and Mrs H Scott. (3)

ALSO IN ATTENDANCE – Councillors Carson, Francis, Johnson and Long. (4)

C142. DECLARATIONS OF INTEREST - There were no Declarations of Interest reported at the meeting.

C143. REPRESENTATIONS – In respect of Minute C147(2) below, representations were made by a member of public in attendance at the meeting.

C144. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of this Cabinet held on 22 February and 6 March 2012.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C145. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C146. ISSUES ARISING FROM SCRUTINY - There were no issues arising from Scrutiny.

C147. KEY DECISIONS (1) Implementation of the Council's Business Model - The Leader introduced the report of the Chief Officers Executive (previously circulated) updating Members on general progress in implementing the Council's Business Model in the context of an ever changing financial environment for the Council and requesting that consideration be given to a detailed update and recommendations on the Strategic Options for Place Project.

RESOLVED - (a) That the progress made in implementing the Council's Business Model, as detailed in the submitted report, be noted.

(b) That the significant on-going financial challenge faced by the Council, as detailed in the submitted report, be noted.

(c) That, in respect of the Strategic Options for Place Project :-

(i) the conclusions of the Strategic Options for Place project on who could deliver the Council's Place services, as detailed in the submitted report, be noted and accepted;

- (ii) that in the next two to three years officers focus on:
 - a) retaining in-house most Place services that are currently in-house but implement reforms of processes and structures to further optimise efficiency;
 - b) looking to develop collaboration opportunities with other organisations, particularly other Tees Valley councils, and putting together business cases for collaboration opportunities; and
 - c) developing a business case for a Darlington-focussed cultural services trust only if there is a change in the current Government position on the business rate implications for councils of new trusts.
- (iii) That officers be requested to report to Council on any structural changes arising from the in-house reforms which require approval of Council.

REASONS - (a) To update Members on progress in implementing the Business Model.

(b) To take forward the options for who delivers Place services which best achieves the Council's objectives in its Business Model.

(2) Refuse Collection - The Leader introduced the report of the Director of Place (previously circulated) requesting that consideration be given to collection arrangements for residual household waste and to the introduction of a wheeled bin service.

A representative from Darlington Association on Disability (DAD) addressed Cabinet in respect of the introduction of a wheeled bin service and made particular reference to a number of issues including the Equality Impact Assessments that had been undertaken to date; the problems that would be caused to disabled and visually impaired people, should residents not follow the recommendations contained within the submitted report; and the enforcement currently undertaken in respect of the current black bin bag collection service. The Director of Place and the Leader responded to those issues and concerns thereon.

Discussion ensued on the possible involvement of Scrutiny in the introduction of a wheeled bin service.

RESOLVED - (a) That wheeled bins be introduced across the Borough and an allocation of £314,000 per annum be made within the Medium Term Financial Plan.

(b) That a one-off allocation of £60,000 be included within the Medium Term Financial Plan for the 2012/13 financial year.

(c) That the policies contained within the submitted report at paragraph 47 be adopted for the implementation of wheeled bins.

(d) That the Director of Place be authorised to apply for funding from the Government's Weekly Collection Support Scheme.

(e) That a further report be brought back to Cabinet on the procurement of wheeled bins.

REASONS - (a) Release of funding into the Medium Term Financial Plan to enable wheeled bins to be implemented.

(b) One-off funding allocation to employ additional resources for the implementation period of wheeled bins.

(c) Need to implement agreed policies for the smooth operation of the wheeled bin service.

(d) To facilitate enhancements to the waste collection service.

(e) To enable Members to consider the procurement strategy for wheeled bins.

(3) (URGENT ITEN) Warm Up North - Memorandum of Understanding - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to formally agreeing partnership arrangements with regional Local Authority partners for the Warm Up North Programme and to releasing up to £5,000,000 of prudential borrowing over the period of 2013 to 2016 to fund the upfront costs of the programme.

RESOLVED - (a) That the formal signing of the Warm Up North Memorandum of Understanding, be approved.

(b) That in principle the release of £5M of prudential borrowing to fund energy efficiency improvements in residential homes and other public buildings in Darlington commencing in 2013/14 for a period of 3 years, subject to compliance with state aid requirements, be approved.

(c) That the governance arrangements in place to ensure the effective and successful delivery of the programme, as detailed in the submitted report, be noted.

REASONS - (a) Warm Up North provides a cost effective and efficient framework with which to deliver energy efficiency improvements in Darlington through the Green Deal.

(b) Current grant funded assistance for energy efficiency measures in residential properties will discontinue in December 2012.

(c) Warm Up North provides the framework to deliver energy efficiency improvements to non-traditional residential properties across all housing sectors and ensure decency standards are met.

(d) Warm Up North will contribute to the Council's Carbon Management Plan, reducing carbon emissions, and, tackling inequalities through reducing fuel poverty.

(e) The Prudential Borrowing will be recovered through household or business electricity bills over a period of 25 years through an Energy Company Obligation (ECO).

(4) Local Area Agreement Performance Reward Grant - The Leader introduced the report of the Chief Executive (previously circulated) outlining to Members how the Council intends to make use of the Local Area Agreement (LAA) Performance Reward Grant (PRG).

Reference was made at the meeting to the funding for Closed Circuit Television Cameras and to powers of the Police and Crime Commissioner in relation to the Darlington Drug and Alcohol Action Team. The Leader responded thereon.

RESOLVED - That the allocations, as detailed in paragraphs 26 to 44 of the submitted report, be approved and the approval of the detailed spending plans be delegated to the Chief Executive.

REASONS - (a) To ensure alignment of Performance Reward Grant spend with existing Council and Partnership priorities.

(b) To enhance partnership activity and reduce demand in public services.

(5) Procurement Plan - Update - 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 Procurement Plan (also previously circulated).

Discussion ensued on two of the contracts, namely the design of a new Town Centre Arts Venue and bed and breakfast providers for homeless services.

RESOLVED - The assessment of non-strategic contracts as detailed in Appendix 1 of the submitted report, be approved and the contract award decision for those contracts designated as non-strategic be delegated to the appropriate Director as detailed in the Procurement Plan, as detailed at Appendix 1 to the submitted report.

REASONS - (a) The Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic and non-strategic.

(b) The contracts designated non-strategic are of a lower value and lower significance in respect of the impact on residents and public safety.

C148. CALENDAR OF COUNCIL AND COMMITTEE MEETINGS 2012/13 - The Leader introduced the report of the Director of Resources (previously circulated) requesting that consideration be given to the Calendar of Council and Committee Meetings for the 2012/13 Municipal Year (also previously circulated).

RESOLVED - That the Calendar of Council and Committee Meetings 2012/13, as detailed in Appendix 1 of the submitted report, be approved and the proposed dates for the meetings of Council be referred to the Annual Council meeting scheduled to be held on Thursday 17 May 2012.

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

C149. GROWING PLACES FUND - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Place (previously circulated) requesting that consideration be given to the proposed shortlist of six Growing Places Fund Projects; agreement, following the due diligence exercise, of the final list of projects considered by the Tees Valley Unlimited Leadership Board on 28 March 2012 and recommended to Stockton Borough Council, as the accountable body to implement the decision; and to the release of £1.2m of Growing Places Funding to support to delivery of Central Park.

RESOLVED - (a) That the projects recommended for further consideration at this stage, as detailed in the submitted report, be approved.

(b) That, following the due diligence exercise, the final list of projects considered by the Tees Valley Unlimited Leadership Board on 28 March 2012 and recommended to Stockton Borough Council, as the Accountable Body, to implement the decision, be agreed.

(c) That £1,200,000 of Growing Places Funding for Central Park, be released.

(d) That the Director of Place be authorised to put in place legal agreement between the Council and Stockton Borough Council as accountable body.

(e) That the Director of Place be authorised to negotiate the terms of the loan and corresponding underwriting agreement with CKY, Central Park's Developer.

(f) That the Assistant Director of Resources be authorised to complete the relevant documentation.

REASONS - (a) To enhance the environmental, social and economic well-being of the Borough.

(b) To support the development on Central Park, one of Darlington's key regeneration schemes.

C150. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C151. 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 item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 3 of Part I of Schedule 12A to the Act.

C152. SCHEDULE OF TRANSACTIONS (EXCLUSION PARAGRAPH NO. 3) - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report and schedule of the Director of Resources (both previously circulated) requesting that consideration be given to the schedule of transactions and to seek 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 Cabinet before binding itself contractually to a transaction.

**DECISIONS DATED -
TUESDAY 10 APRIL 2012**