

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 19 OCTOBER 2015**

CABINET
6 October 2015

PRESENT – Councillor Dixon (in the Chair); Councillors Copeland, Harker, C L B Hughes, McEwan, A J Scott and Wallis. (7)

INVITEES – Councillors Curry and Mrs H Scott. (2)

C54. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

C55. REPRESENTATIONS – No representations were made at the meeting by Members or members of the public in attendance at the meeting.

C56. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 8 September 2015.

RESOLVED - That the Minutes be confirmed as a correct record.

REASON - They represent an accurate record of the meeting.

C57. MATTERS REFERRED TO CABINET - There were no matters referred back to this meeting for reconsideration.

C58. ISSUES ARISING FROM SCRUTINY – There were no issues arising from Scrutiny considered at this meeting.

C59. KEY DECISIONS - (1) Durham Tees Valley Airport - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth (previously circulated) updating Cabinet regarding progress in relation to the proposals contained in the Master Plan for Durham Tees Valley Airport (DTVA) and requesting that further consideration be given to proposals from DTVA/Peel Group (Peel) concerning the airport company, that has implications for the Council.

Particular references were made to the Section 106 Agreement and to the on-going discussions with representatives from DTVA and the Peel Group in relation to certain aspects of the proposal.

RESOLVED - (a) That the proposal, as detailed in the submitted report, be agreed in principle, subject to the conditions and other matters identified in Appendix 2 of the submitted report.

(b) That, the Chief Executive, in consultation with the Leader of the Council, be authorised to finalise and agree specific details of the proposals.

REASON - To ensure that Members are kept apprised of developments regarding the implementation of the Master Plan for DTVA and to enable Cabinet to consider the implications of further proposal from DTVA/Peel.

(2) Procurement Plan and Procurement Board Update - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given to the updated Annual Procurement Plan (also previously circulated); to the assessment of those contracts that are considered to be strategic; and updating Members on the decisions taken by the Procurement Board to waive the Contract Procedure Rules.

RESOLVED - (a) That the assessment of strategic and non-strategic contracts as detailed in Appendix 1 of the submitted report, be approved, and it be agreed that:

- (i) further reports on the procurement process for those contracts designated as strategic (including decisions made by the Procurement Board) be brought to Cabinet;
- (ii) the contract award decisions for the contracts designated as non-strategic be delegated to the appropriate Director, as listed in the plan at Appendix 1 to the submitted report; and
- (iii) the contract award decisions for the contracts designated as strategic, as listed in the plan at Appendix 1 to the submitted report, be delegated to the Procurement Board to approve and report back to Cabinet.

(b) That, the Procurement Board waiver decisions as detailed in Appendix 3 to the submitted report, be noted.

REASONS – (a) In respect of strategic contracts, the recommendations are supported as :-

- (i) the Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic and non-strategic;
- (ii) the contracts designated strategic are of high value and high significance in respect of the impact on residents, Health and Safety and public safety; and
- (iii) the contracts designated non-strategic are of a lower value and lower significance in respect of the impact on residents and public safety.

(b) In respect of Procurement Board waiver decisions, the recommendations are supported so as :-

- (i) to comply with the Contract Procedure Rules;
- (ii) to provide Cabinet with information about the decisions that have been made by the Procurement Board; and

- (iii) to supplement the reports that are taken to Cabinet about proposed spend over £100,000, that are set out in the Annual Procurement Plan and the in year update to that report.

C60. IN-YEAR REDUCTIONS TO PUBLIC HEALTH GRANT 2015/16 - The Cabinet Member with the Health and Partnerships Portfolio introduced the report of the Director of Commissioning (previously circulated) informing Cabinet of the potential impact of the in-year cut to the Public Health Grant, announced by the Chancellor of the Exchequer in June 2015, and confirmed in the July Budget.

Discussion ensued in relation to the impact of the cuts.

RESOLVED - (a) That the in-year cut to the Public Health Grant, as confirmed in the July Budget and as detailed in the submitted report, be noted.

(b) That the Director of Public Health continue to review the options to manage the impact of the cut, in consultation with the respective Portfolio Holder and bring a further report to Cabinet as official confirmation is received as to how the cut would be applied and whether it is recurrent.

REASON - To allow Members to receive information about an impact on the Council's Public Health responsibilities and duties.

C61. TOWN CENTRE PARKING – MULTI STOREY CAR PARK - The Cabinet Member with Leisure and Local Environment Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the operation of the new Town Centre Multi-Storey Car Park, including the naming of the car park, charging policy for blue badge holders, motorcycles and electric vehicles; and plans to continue to ensure that visitors are aware of parking options within the Town Centre, in particular during the run up to Christmas.

The Chair read out a statement from the Chair of Darlington Association on Disability on charging blue badge holders for parking in the MSCP.

RESOLVED – (a) That with the exception of Shopmobility customers, Blue Badge holders pay the same tariff for parking in the Multi-Storey Car Park as other drivers.

(b) That Shopmobility be authorised to issue a free single use validated parking ticket for each customer.

(c) That the cost of parking for motorcycles and electric vehicles be the same as that for other vehicles.

(d) That long stay contract parking spaces be made available to Town Centre Businesses, with the decision on the maximum number of contract spaces delegated to the Cabinet Portfolio Holder for Leisure and Local Environment and the Director of the Economic Growth Group.

(e) That the 'Feethams Car Park' be the name given to the new Multi-Storey Car Park.

(f) That a 'Free after 3.00 pm' parking offer be implemented on the four Thursday's prior to Christmas 2015, namely 26 November and 3, 10 and 17 December, in the Council's off-street car parks.

(g) That a Sub Committee of Cabinet, comprising of the Portfolio Holder for Leisure and Local Environment and two other Cabinet Members, be delegated with the power to deal with, and determine any objections to traffic regulation orders, for the MSCP.

REASONS - (a) It would be difficult to stop the misuse of MSCP parking permits issued to all blue badge holders. Potentially leading to widespread use of the MSCP for 'free' parking by motorists who have access to the pass, but who are not eligible for a blue badge.

(b) Industry advice on an automatic number plate recognition system at the MSCP barriers is that accuracy would be a significant problem. Another consideration is that as a local Authority operating under the Traffic Management Act legislation the Council would not be able to enforce parking infringements after the event as the legislation does not allow the use of ANPR camera evidence in an Off Street location.

(c) There is nearby alternative free parking available for blue badge holders.

(d) The MSCP will provide the option of secure undercover Motorcycle parking spaces. Free motorcycle parking is available elsewhere in the Town Centre.

(e) To maximise potential use of the MSCP during the week (Monday – Friday).

(f) The MSCP is located close to the new Feethams Cinema and Leisure complex, a significant 'point of reference' at the south western edge of the Town Centre.

(g) To support late night shopping in the Town Centre.

(h) To enable decisions to be taken on any objections to the advertised Traffic Regulation Orders for the new MSCP.

C62. TRANSFER OF COLLIERY SUBSIDENCE ARCHIVE - The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given to the permanent transfer of the John Mallon North Eastern Railway Colliery Subsidence Archive, to another accredited museum or archive.

RESOLVED - That the North Eastern Railway Colliery Subsidence section of the John Mallon Collection be permanently transferred to an accredited museum or archive that holds a mining collection with the proviso that Darlington Borough Council (Head of Steam Museum) or the North Eastern Railway Association (NERA) would be able to loan the items in the future if required.

REASONS - (a) The North Eastern Railway Colliery Subsidence section of the John Mallon Collection does not fit in with the museum's current Collections Development Strategy (2012/17).

(b) The North Eastern Railway Colliery Subsidence section of the John Mallon Collection has yet to be accessioned into the museum's collection.

(c) By permanently transferring the archive it will free up much needed space within the Head of Steam Museum's collection stores, therefore improving the overall storage of the remaining collection.

(d) The Museums Association's Code of Ethics states that 'responsible, curatorially-motivated disposal takes place as part of a museum's long-term collections policy, in order to increase public benefit derived from museum collections (Section 6)'.

C63. POTENTIAL DEVELOPMENT SITES AT FEETHAMS AND BEAUMONT STREET - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to declaring areas of Council owned land at Feethams and Beaumont Street (as shown on the plan appended to the submitted report) surplus to requirements and seeking approval to market and subsequently dispose of the sites for development.

RESOLVED - (a) That Sites 1, 2 and 3, as shown on the plan appended to the submitted report, be declared surplus to requirements.

(b) That the Director of Economic Growth, in consultation with the Efficiency and Resources Portfolio Holder, be authorised to market the sites at the appropriate time and subsequently dispose of them for development.

REASON - To bring Council owned land forward at the appropriate time for potential development and to generate a capital receipt.

C64. MEMBERSHIP CHANGES – RESOLVED – (a) That Councillor Kane be nominated to represent the Council on Family Help in place of Councillor Copeland.

(b) That Councillor Carson be nominated to represent the Council on the Northumbrian Regional Flood and Coastal Committee, in place of Councillor McEwan and that Councillor McEwan be the named substitute for Councillor Carson on the committee.

RESOLVED – To enable the Council to be represented on both bodies

**DECISIONS DATED –
FRIDAY 9 OCTOBER 2015**