

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 18 APRIL 2016**

CABINET
5 April 2016

PRESENT – Councillor Dixon (in the Chair); Councillors Copeland, Harker and A J Scott. (4)

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

ALSO IN ATTENDANCE – Councillors Crichlow, L Haszeldine and Johnson.(3)

APOLOGIES – Councillors C L B Hughes, McEwan and Wallis. (3)

C136. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

C137. REPRESENTATIONS – There were no representations made at the meeting from Members or members of the public in attendance.

C138. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 8 March 2016.

RESOLVED - That the Minutes be confirmed.

REASON – They represent an accurate record of the meeting.

C139. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C140. ISSUES ARISING FROM SCRUTINY - There were no issues arising from Scrutiny considered at this meeting.

C141. KEY DECISIONS - (1) Planning Position Whilst Preparing The New Local Plan - The Leader introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to formally withdrawing the draft Making and Growing Places Development Plan Document (MGP DPD), to enable work to start on a comprehensive new Local Plan and to approving the Interim Planning Position Station (also previously circulated).

The submitted report outlined the current policy position for the Council in terms of determining planning applications and regulating development; provided details on which adopted policies remained relevant to the decision making process and also set out in what circumstances National Planning Policy was likely take precedent; set out the local planning considerations that should be taken into account should National Policy apply; and provided a number of topic based position statements that utilised existing up to date evidence based documents used to prepare the Making and Growing Places Development Plan Document (MGP) and other council documents

which remained consistent with the National Planning Policy Framework (NPPF) and as such, they should carry some weight in the decision making process whilst a new local plan is being prepared.

Discussion ensued on the timetable for having an approved plan in place and the implications should that timetable not be met; the Housing Needs Assessment; employment trends; and on the Healthy New Towns initiative.

RESOLVED - (a) That the Making and Growing Places Development Plan Document, be withdrawn.

(b) That the Interim Planning Position Statement, as appended to the submitted report, be approved.

REASONS - (a) To facilitate the preparation of new planning policy in line with revised interpretation of the National Planning Policy Framework (NPPF).

(b) To provide greater clarity to applicants and decision makers whilst the new local plan is being prepared as to the relevant planning policy and evidential studies affecting development in Darlington.

(2) New Local Plan : Process, Timescales and Strategic Issues and Options - The Leader introduced the report of the Director of Economic Growth (previously circulated) detailing the process and timescales for producing the new Local Plan, including the Local Development Scheme and draft Statement of Community Involvement (both also previously circulated); highlighting the associated challenges and risks; and requesting that consideration be given to the draft Strategic Issues and Options (also previously circulated), as the basis of consultation and community engagement.

RESOLVED - (a) That the updated Local Development Scheme 2016/19, attached at Appendix 1 to the submitted report, be agreed, to take effect from 13 May 2016.

(b) That the Draft Statement of Community Involvement (SCI), attached at Appendix 2 to the submitted report, be approved as a basis for consultation with delegated authority given to officers to pursue the matters referred to in the Document, including the formulation of Engagement Plans and filtering of key issue representations for Member consideration, and that the Director of Economic Growth, in agreement with the Cabinet Member with the Economy and Regeneration Portfolio, be authorised to make amendments to the SCI following the consultation, prior to adoption.

(c) That the Strategic Issues and Options Paper, attached at Appendix 4 to the submitted report, be approved, as a basis for consultation.

REASONS - (a) The Council is required to have an up to date Local Development Scheme (Planning and Compulsory Purchase Act 2004, as amended by Section 111, Localism Act 2011).

(b) The Council is required to have an up to date Statement of Community Involvement (Planning and Compulsory Purchase Act 2004, Section 15, as amended by Section 111, Localism Act 2011).

(c) Regulation 18 (The Town and Country Planning (Local Planning) (England) Regulations 2012) requires the Council to outline the strategic Issues and options to be covered within the Local Plan, and make them available to key stakeholders for comment.

(3) 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 Annual Procurement Plan (also previously circulated) and to the assessment of contracts as either strategic or non-strategic; updating Members on the outcomes of procurement(s) previously designated as Strategic; updating Members on the decisions taken by the Procurement Board to waive the Contract Procedure Rules; and providing a general update on the function and activity of the Corporate Procurement Unit.

RESOLVED - (a) That the assessment of strategic and non-strategic contracts as presented in Appendix 1 of the submitted report, be approved, and 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 reported back to Cabinet.

(b) That, in respect of Procurement Board waiver decisions and general update, the contents of the submitted report, be noted.

REASONS - (a) In respect of strategic/non-strategic contracts, the recommendations are supported by the following reasons: -

- (i) the Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic and non-strategic;
- (ii) 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 by the following reasons: -

- (i) in order to comply with the Contract Procedure Rules;

- (ii) to provide Cabinet with information about the decisions 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.

C142. (URGENT ITEM) YOUTH EMPLOYMENT INITIATIVE (YEI) - The Leader introduced the report of the Director of Children and Adults Services and the Director of Economic Growth (previously circulated) informing Members of the successful bid for Youth Employment Initiative (YEI) Funding and requesting that consideration be given to proceeding to contract and to setting aside the required match funding.

RESOLVED - (a) That officers be authorised to proceed to Youth Employment Initiative Project to contract, through Hartlepool Borough Council, following final checks by legal and finance.

(b) That officers be authorised to set aside £80,000 of match funding for use against the project.

REASONS - (a) The local authority has a statutory duty to promote effective participation in education and training for young people and reduce NEETs, this project will support these duties.

(b) The JSA claimant rate for 18-24 years olds is more than double the national average, this project will support young people into employment.

(c) For every pound of match funding the project contributes it brings in three pounds of YEI/ESF funding to the Tees Valley.

C143. FOUNDATION FOR JOBS - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth (previously circulated) updating Cabinet on Foundation for Jobs (FFJ) and requesting that consideration be given to releasing the external funding secured to deliver the FFJ programme.

RESOLVED - (a) That the update on the delivery of the Foundations for Jobs Programme, as detailed in the submitted report, be noted. **Error! Bookmark not defined.**

(b) That the funding, as detailed in the submitted report, be released to deliver the Foundation for Jobs programme in 2016/17.

REASONS – To enable the continued delivery of the Foundation for Jobs Programme.

C144. ENFORCEMENT POLICY FOR REGULATORY SERVICES - The Leader introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the adoption of an Enforcement Policy (also previously circulated), to be used by properly authorised officers working in the Regulatory Services Division to enforce legislation on behalf of the Council.

RESOLVED - That the Enforcement Policy for Regulatory Services, as appended to the submitted report, be approved.

REASONS - (a) It will promote consistent enforcement practices by providing a framework to guide the enforcement actions of the Councils authorised enforcement officers.

(b) It will allow the policy to be shared with the community it serves.

C145. RED HALL REGENERATION - PROPOSED MASTER PLAN AND NEIGHBOURHOOD RENEWAL STRATEGY - The Leader introduced the report of the Director of Director of Economic Growth and the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given to adopting the Red Hall Neighbourhood Renewal Strategy and Master Plan (also previously circulated); allocating £280,000 from the Housing Revenue Account (HRA) for the works to create a park, play parks, village green within Red Hall plus the acquisition of the head leasehold interest in a current commercial property on Red Hall; front funding the development of a car park for the community centre and school from the general fund initially and then to be repaid from contributions from S106 or development receipts; agreeing the design and execution of the park proposals and to progress land disposals in liaison with the relevant portfolio holders; marketing and disposal of the sites identified for new mixed commercial and housing developments; and acquiring the head leasehold interest in the existing Red Hall shop in liaison with the relevant portfolio holders.

Discussion ensued on the importance of communication with the residents of Red Hall through the various stages of the projet; on the relocation of the play area; and on the Health, New Towns initiative.

RESOLVED - (a) That the Master Plan, attached at Appendix 2 to the submitted report, and Neighbourhood Renewal Strategy, attached at Appendix 3 to the submitted report, be adopted as the framework for neighbourhood regeneration at Red Hall.

(b) That a budget of £280,000 be allocated from the Housing Revenue Account (HRA) for the works to create the park, play park and village green within Red Hall plus the acquisition of the head leasehold interest in the existing Red Hall Shop and that officers continue to negotiate potential S106 contributions from future housing developments towards the provision of affordable homes that would replenish the HRA account.

(c) That the car park for the community centre and school be front funded from the general fund, circa £175,000 to be paid back from contributions from S106 or when receipts from development are received.

(d) That the Director of Neighbourhood Services and Resources be given delegated powers to agree the design and execution of the park proposals following community participation in both the design and maintenance proposals.

(e) That the Community and Officers continue to seek external resources for other elements of the projects identified and that those projects be executed subject to available funding.

(f) That the marketing and disposal of the sites identified for new mixed commercial and housing developments, as detailed in the submitted report, be agreed.

(g) That the Director of Economic Growth be given delegated powers to progress land disposals in liaison with the relevant portfolio holders.

(h) That the Director of Economic Growth be given delegated powers to negotiate the purchase of the head leasehold of the existing retail unit at Red Hall in accordance with the terms set out in the Part III report, attached at Appendix 1 to the submitted report.

REASONS - (a) To support, enable and guide the social and physical regeneration of Red Hall and the wider Eastern Growth Zone.

(b) To tackle multiple deprivation in line with 'One Darlington: Perfectly Placed'.

C146. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

**DECISIONS DATED –
FRIDAY 8 APRIL 2016**