

COUNCIL
22nd July, 2004

PRESENT – The Mayor; Councillors Armstrong, Baldwin, Bristow, Mrs. Brown, Burt, Copeland, Dixon, Flowers, Foster, Harker, Mrs. Hart, Hartley, Haszeldine, Heaney, Holmes, Hughes, Hutchinson, Johnson, B. Jones, Mrs. Jones, S.J. Jones, Lewis, Lister, D.A. Lyonette, J.M. Lyonette, Maddison, Maybrey, McEwan, Newall, Nutt, Reynolds, Richmond, Roberts, Ruck, Stamford-Bewlay, Stenson, Mrs. Swift, Thistlethwaite, Vasey-Smith, G.B. Walker, Wallis, Williams and Wilson. (44)

APOLOGIES – Councillors Lee, Long, F.S. Robson, S. Robson, A.J. Scott, Mrs. H. Scott, J.C. Vasey and L. Vasey. (8)

25. DECLARATION OF INTERESTS – Councillor Ruck declared a personal and non-prejudicial interest in Minute 31(2) below. Councillors Dixon, Harker, McEwan, Nutt and Wallis each declared personal and non-prejudicial interests in Minute 32 below. Councillor Williams declared a personal and prejudicial interest in Minutes 31(1) and 32 below, and left the room during the consideration of those items.

26. MINUTES - Submitted - The Minutes (previously circulated and amended set for 27th May, 2004 circulated at the meeting) of the meetings of this Council held on 20th, 27th May, and 22nd June, 2004.

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

27. QUEENS BIRTHDAY HONOURS AND AWARDS 2004 – The Mayor reported that Mr. D. Bannatyne of Bannatyne Fitness and Leisure received an O.B.E. in the Queens Birthday Honours List; that Mr. W. J. Cooke ex Chairman of Firthmoor Partnership received an M.B.E; and Chief Constable P. Garvin received the Queen’s Police Medal. The Mayor reported that he had written to Mr. Bannatyne, Mr. Cooke and Chief Constable Garvin conveying to them the congratulations of the Members and Officers of this Council.

28. EX-COUNCILLOR MRS. SUE WALKER – The Mayor referred to the resignation of Mrs. Sue Walker as Councillor for North Road Ward on 4th June, 2004 and requested that the thanks of the Council be conveyed to her for the valuable service she had rendered to the Borough during her term of office.

29. ORDER OF SEALING DOCUMENTS – Presented – The Register showing the documents which have been sealed since the last meeting of Council.

RESOLVED – That the Register of Documents which had been sealed since the last meeting of the Council be signed by the Mayor.

30. INSPECTION OF CARE SERVICES FOR DISABLED ADULTS – Ms. Gail Hopper, Lead Inspector, Social Services Inspectorate, gave a presentation to Members on the outcome of an Inspection (previously circulated) of this Council’s Care Services for Disabled Adults. In addition, the Director of Social Services submitted a report (also previously circulated) outlining the background, findings and recommendations of the Inspectorate and detailing an Action Plan to address those recommendations.

RESOLVED – (a) That the thanks of this Council be extended to Ms. Hopper for her interesting presentation.

(b) That the findings and recommendations of the Inspection Report and the Action Plan be noted.

31. CABINET RECOMMENDATIONS AND REPORTS – (1) Overview Reports of Cabinet Members – The Leader and Cabinet Members each gave a report (previously circulated) on the main areas of work undertaken under their relevant portfolio during the previous cycle of meetings.

Discussion ensued on the content of the reports and the Cabinet Members answered questions thereon.

RESOLVED – That the reports be received.

(2) Darlington Economic Regeneration Strategy – The Director of Development and Environment submitted a report (previously circulated) requesting approval of a draft Economic Regeneration Strategy for Darlington (also previously circulated) to cover the period 2004/05 to 2008/09.

The submitted report outlined how the Strategy had been developed and stated it outlined the actions required to meet the Economy aim of the Darlington Community Strategy.

RESOLVED – That the Darlington Economic Regeneration Strategy ‘Gateway to Economic Quality’ be approved.

REASONS – (a) To provide direction to economic regeneration activities undertaken by the Council.

(b) To enable the Council to fulfil its role in delivering the Community Strategy.

(3) Revision of the North East and West Cemeteries and Darlington Crematorium Regulations – The Director of Development and Environment submitted a report (previously circulated) requesting approval of revised regulations made to govern the use of the Borough’s Cemeteries and Crematorium (also previously circulated).

The submitted report referred to the ability of the Council to make regulations governing the operation and use of any Cemetery or Crematorium provided by the Council. The current regulations, which were made in 1975, needed to be updated to reflect social and technical changes which have occurred; take account of guidance issued by the Institute of Burials and Cremations and the Association of Burial Authorities; and also to accommodate a request from the Monumental Masons and Funeral Directors for changes to the size of memorials.

RESOLVED - (a) That the Cemeteries and Crematorium Regulations be made in the form attached to the submitted report, the Common Seal of the Council be affixed thereto and that they come into effect on 1st August, 2004.

(b) That from 1st August, 2004 the North, West and East Cemetery Regulations and Crematorium Regulations made on 13th October, 1975 be revoked.

REASONS – (a) The need to revised the Regulations to reflect current social and technical conditions.

(b) To increase public choice.

(3) Improvements to Honeypot Lane Caravan Site – The Director of Development and Environment submitted a report (previously circulated) requesting the waiving of this Council’s Contract Procedure Rules to enable the current contractor who had carried out improvements to the Honeypot Lane Caravan Site during 2003/04 to carry out additional works in 2004/05, following the approval by the Office of the Deputy Prime Minister of additional funding of £312,210.86.

The submitted report stated that the Council in 2003/04 had selected a Contractor to carry out the works following tender and that Contractor was currently on-site completing the works. Reference was also made to the advantages in seeking to negotiate this additional work with this contractor.

RESOLVED – That approval be given to the waiving of Contract Procedure Rules in this instance.

REASON – (a) To secure improvements to the site.

(b) To secure value for money and minimise delays in construction.

(4) Annual Investment Strategy 2004/05 – The Director of Corporate Services submitted a report (previously circulated) requesting a review and approval of the Annual Investment Strategy Section of the Treasury Management Strategy for 2004/05.

The submitted report referred to the statutory requirement for the Council to approve an Annual Investment Strategy; new Guidance which allowed an increased number of investment vehicles and permits local authorities to invest for periods greater than 364 days; and the categorisation of investments between specified and non-specified investments.

RESOLVED – That the Annual Investment Strategy 2004/05 be approved.

REASONS – (a) In order to comply with the CIPFA Treasury Management in the Public Services: Code of Practice.

(b) To approve a framework for Officers to work within when making investment decisions.

(5) Cabinet Urgent Decisions – The Mayor reported that no urgent decisions had been taken by Cabinet since the last ordinary meeting of this Council held on 27th May, 2004.

32. SCRUTINY COMMITTEE REPORTS – Overview Reports – The five Scrutiny Committee Chairs each gave a report (previously circulated) on the main areas of work undertaken by their relevant Scrutiny Committee during the last cycle of Committee meetings.

Discussion ensued on the content of the reports and the Scrutiny Chairs answered questions thereon.

RESOLVED – That the reports be received.

33. STATEMENT OF ACCOUNTS 2003/04 – The Director of Corporate Services submitted a report (previously circulated) requesting approval of the Council’s Statement of Accounts for 2003/04 (also previously circulated) and the establishment of an Investment Reserve that included Teesside International Airport (£1.767m) and Premier Waste Management Limited (£0.220m).

The submitted report outlined the requirement for local authorities to approve their 2003/04 Statement of Accounts by 31st August, 2004 and also the need to establish a specific reserve.

RESOLVED – (a) That the establishment of an Investment Reserve that includes Teesside International Airport (£1.767m) and Premier Waste Management Limited (£0.220m) be approved.

(b) That the draft Statement of accounts for 2003/04 be approved.

REASONS – (a) To meet statutory requirements for formal approval by Council of the draft Statement of Accounts.

(b) To establish reserves in the interests of sound financial management and in compliance with legal requirements.

34. HOUSING OPTIONS APPRAISAL – The Director of Community Services submitted a report (previously circulated) detailing the Housing Options Appraisal Process and requesting consideration be given to the future management of housing stock following a full options appraisal.

The submitted report outlined the background to the process of option appraisal; and the four options prescribed by the Government, which were available to Councils in considering how their housing stock should be managed, together with the financial implications of each option. Reference was also made to the development, following consultation with tenants, of a draft Darlington Standard housing investment profile.

RESOLVED – (a) That the adoption of the Darlington Standard for future investment in the housing stock, subject to further consultation with tenants, be approved.

(b) That Stock Retention with Prudential Borrowing to a maximum of £20 million, be approved.

(c) That a tenants body be established and revised governance arrangements negotiated with respect to future management of the Council’s housing stock.

REASONS - (a) To conclude the Housing Options Appraisal.

(b) To seek ‘sign-off’ of the process by the Office of the Deputy Prime Minister.

35. MEMBERSHIP CHANGES – Consideration was given to the membership of the Committees, Subsidiary Bodies and Other Bodies for the Municipal Year 2004/05.

RESOLVED – That Councillor Wilson be deleted as this Council’s Representative on the Darlington and District Town Twinning Association, Management Committee and Councillor Nutt be his replacement on that body.

36. POLICE AUTHORITY QUESTIONS – There were no questions to the nominated member of the Police Authority in accordance with Section 20 of the Police Act 1996.

37. 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 7, 8 and 9 of Part I of Schedule 12A to the Act.

38. HLF SOUTH PARK RESTORATION PROJECT – PHASE II WORKS - (EXCLUSION PARAGRAPH NOS. 8 AND 9) – The Director of Community Services submitted a report (previously circulated) requesting approval of additional funding to enable the contract for Phase II of the South Park Restoration work to be awarded.

RESOLVED – (a) That the additional funding of £292,986 for Phase II of the HLF South Park Restoration Project be approved.

(b) That the contract for Phase II be awarded to John Hellens Contracts Ltd. In the sum of £2,682,420.00.

REASON – To enable Phase II of the HLF South Park Restoration Project to proceed at an early date.

39. FAVERDALE EAST BUSINESS PARK – PHASE II – (EXCLUSION PARAGRAPH NOS. 7 AND 9) The Director of Development and Environment submitted a report (previously circulated) on the initial findings of the archaeological survey work that has been undertaken on land at Faverdale intended for a distribution centre and requesting approval to implement a full archaeological excavation of part of the site.

RESOLVED - (a) That the appointment of Pre-Construct Archaeology Limited at the cost detailed in the submitted report, be approved.

(b) That Contract Procedure Rules be waived to enable the archaeological survey work to be completed at the earliest opportunity.

(c) That approval be given to the release of funding as detailed in the submitted report.

REASON – To enable the pre-development site investigations to be concluded at the earliest opportunity so that the development can proceed.

THE COMMON SEAL of THE)
COUNCIL OF THE BOROUGH)
OF DARLINGTON was hereunto affixed)

this Thirtieth day of October)
two thousand and four in the presence of :-)

Mayor

Borough Solicitor