

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 29TH NOVEMBER, 2004**

CABINET
16th November, 2004

PRESENT - Councillor Williams (in the Chair); Councillors Bristow, Dixon, Harker, Lister, D.A. Lyonette, McEwan, L. Vasey and Wallis.

ALSO IN ATTENDANCE – Councillors Johnson, D. Jones and Richmond. (3)

C127. DECLARATION OF INTERESTS – Councillor L. Vasey declared a personal and prejudicial interest in respect of Minute C131(1) below, as her son attended Longfield School, and left the meeting during consideration of that item only.

C128. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 19th October, 2004.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C129 MATTERS REFERRED TO CABINET – There were no matters referred back for reconsideration.

C130. ISSUES ARISING FROM SCRUTINY – There were no issues referred from Scrutiny Committees to this meeting.

C131. KEY DECISIONS – (1) **Extended Schools – Big Lottery Fund** - The Cabinet Member with the Children’s Services Portfolio introduced the report of the Director of Education (previously circulated) providing Members with background information in respect of the ‘Big Lottery Funding’ available to this Council and seeking endorsement of the proposals to nominate Longfield School and Sports College to access it.

RESOLVED - That a full application be made to the Big Lottery Fund, nominating Longfield School and Sports College and its cluster schools.

REASON - To permit an application for funding and secure an additional resources of £90,000 for Longfield School and Sports College and its ‘feeder schools’.

(2) **Attendance Policy and Strategy** - The Cabinet Member with the Children’s Services Portfolio introduced the report of the Director of Education (previously circulated) requesting that consideration be given to the introduction of a new Attendance Policy, Strategy and Guidelines (also previously circulated). The new Policy and Strategy included the response to the new powers available to local authorities to issue penalty notices to parents for non-attendance of children at school.

RESOLVED - That it be recommended to Council that:-

(a) the new Attendance Policy and Strategy, as appended to the submitted report, be approved; and

(b) the Education Welfare Service be authorised to issue Penalty Notices within the constraints of the Local Code, shown in Appendix 7 of the Attendance Policy and Guidelines, as appended to the submitted report.

REASONS - (a) To ensure that the Authority has an up-to-date Attendance Strategy.

(b) To enable new powers of issuing penalty notices to be adopted.

(3) (ITEM CALLED-IN) Darlington Town Centre ‘Pedestrian Heart’ - The Leader introduced the report and plans of the Director of Development and Environment (previously circulated) providing Members with a detailed description and analysis of the design for the ‘Pedestrian Heart’ of Darlington Town Centre; detailed analysis of feedback on preliminary consultation and scheme amendments as a result of those consultations; and requesting that consideration be given to progressing the scheme to detailed design and to planning and related applications.

The Leader made reference to two issues at the meeting, namely the High Row railings and to cycling, and stated that the issue of cycling within the Town Centre would be reviewed after six months of the scheme being implemented.

RESOLVED - (a) That the design of the Darlington Town Centre ‘Pedestrian Heart’ scheme, as detailed in the submitted report and accompanying plans, proceed to Conservation Area Consent, Listed Building Consent and Planning Applications.

(b) That the responses to issues raised by consultees, as detailed in the submitted report, be agreed.

(c) That it be noted that the transport issues will be considered by Cabinet at a later date, in the light of any objections to the Traffic Regulation Orders.

(d) That the Director of Development and Environment be authorised to agree any minor amendments to the design and materials which may result from further detailed design work, from consideration of applications or from discussions with potential contractors, in consultation with the Leader, and Cabinet Members for Regeneration and Planning and Highways and Transport.

REASONS - (a) To enhance the economy, environment and ease of use of the town centre.

(b) To allow full use to be made of external funding as soon as it becomes available.

(4) Local Neighbourhood Renewal Strategy - The Cabinet Member with the Consumer and Environmental Services Portfolio introduced the report of the Director of Community Services (previously circulated) presenting a draft of the Local Neighbourhood Renewal Strategy and Action Plan (both also previously circulated).

The Cabinet Member with the Consumer and Environmental Services Portfolio stated at the meeting that some of the ward boundaries, as detailed in the Strategy appended to the submitted

report, were incorrect and would be amended prior to the document being submitted to Council for formal approval, but the statistics underpinning the directives were correct.

RESOLVED - That the Local Neighbourhood Renewal Strategy, as appended to the submitted report, be endorsed subject to the amendments to the ward boundaries being made, and forwarded to Council for approval.

REASON - The aim of the Strategy and Action Plan is to address the spiral of decline in the eleven wards identified in the Strategy as having high levels of significant deprivation.

C132. OMBUDSMAN COMPLAINTS - REVIEW - Pursuant to Minute C110/Oct/04, the Leader introduced the report of the Director of Corporate Services (previously circulated) providing Members with an update of the outcome of cases which had been considered by the Local Ombudsman and indicating any points of particular attention and/or referral to the Standards Committee since the meeting of Cabinet held on 19th October, 2004.

RESOLVED - That the report be noted.

REASONS - (a) It is important that Members are aware of the outcome of complaints made to the Local Ombudsman in respect of the Council's activities.

(b) The contents of the report do not suggest that further action is required.

C133. AIR MONITORING EQUIPMENT - SUPPORTED CAPITAL EXPENDITURE (REVENUE) - The Cabinet Member with the Consumer and Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking approval to the release of funding for the purchase of air monitoring equipment to support the 'Town on the Move' project.

RESOLVED - That supported capital (revenue) funding of £33,000 be released to purchase air monitoring equipment.

REASON - The additional equipment will support the 'Town on the Move' project and traffic management.

C134. COMMUNITY LEISURE CHEST - The Cabinet Member with the Leisure Services Portfolio introduced the report of the Director of Community Services (previously circulated) outlining a request for grant aid from the Community Leisure Chest.

RESOLVED - (a) Faye Broadbent (Cockerton Taekwondo Club) - That a grant of £200 be made.

(b) Christopher Clinton (Cockerton Taekwondo Club) - That a grant of £200 be made.

REASON - To enable officers to inform the organisation of their success or failure following their application for Community Leisure Chest grant aid.

C135. FAVERDALE EAST BUSINESS PARK - The Cabinet Member with Regeneration and Planning Portfolio introduced the report and plan of the Director of Development and Environment (both previously circulated) providing details of the Faverdale East Business Park scheme and the reasons for carrying out further infrastructure works.

RESOLVED - That the report be noted.

REASON - (a) To enable the Faverdale East Business Park scheme to proceed with Phase One SO4 construction and environmental landscaping works, therefore expending £645,000 of 2005/06 funding.

(b) To enable the Council to maximise the amount of external funding available to the Borough by saving monies through the procurement of Hall Construction Limited and BGP to complete SO4 associated works.

(c) To encourage inward investment by new companies in the Borough.

C136. COMMERCIAL STREET SITE - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the process for selecting a developer for the Council's land at Commercial Street and Kendrew Street.

RESOLVED - (a) That the two-stage selection process, as detailed in the submitted report, be adopted.

(b) That the Director of Development and Environment, in consultation with the Cabinet Members with the Resource Management and Regeneration and Planning Portfolios be authorised to select a shortlist of developers to proceed to the second stage of the process.

REASONS - (a) To achieve the development set out in the Council's strategies.

(b) To benefit the economic well-being of the Borough.

(c) To achieve best consideration in any future disposal of the Council's land.

C137. DRAFT CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES - CONSULTATION - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) inviting the Council to respond to a consultation paper entitled 'A Model Code of Conduct for Local Government Employees', which sought views and proposals for a Code of Conduct which would apply to employees in local government.

RESOLVED - That the responses to the specific questions posed by the Office of the Deputy Prime Minister, as detailed in the submitted report, be forward to them by way of the Council's formal response to the Consultation Paper entitled 'A Model Code of Conduct for Local Government Employees'.

REASON - The Council would wish to comment to the Office of the Deputy Prime Minister on the consultation paper and influence the final version of the Code.

C138. ORGANISATIONAL DEVELOPMENT STRATEGY/EMPLOYERS SURVEY - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) informing Cabinet of the progress in respect of the Organisational Development Strategy 'Striving for Excellence' and the results and analysis of the 2004 Employees Survey.

RESOLVED - (a) That the progress in respect of the Organisational Development Strategy 'Striving for Excellence', as detailed in the submitted report, be noted.

(b) That the priorities for the year ahead, as detailed in the submitted report, be noted and the revised framework documents, as appended to the submitted report, be endorsed.

(c) That the outcome of the analysis of the employee survey, as detailed in the submitted report, be noted.

(d) That the proposal to publicise the results of the employee survey to all employees via public folders and that Directors agree to publicise the departmental results in a consistent manner, be noted

(e) That it be noted that each department agreed to review their departmental action plans.

REASON - Continued commitment to developing the organisation.

C139. PRUDENTIAL INDICATORS UPDATE AND TREASURY MANAGEMENT HALF-YEAR REVIEW - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) providing an update of the Prudential Indicators and a half-yearly review of the Council's treasury management borrowing and investment activities.

RESOLVED - (a) That the revised prudential indicators and limits, as detailed within Tables 1 to 10 of the submitted report, be approved.

(b) That the Treasury Management half yearly review, as detailed in the submitted report, be noted.

(c) That the submitted report be forwarded to Council, in order for the updated prudential indicators to be approved.

REASONS - (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities.

(b) To inform Members of the performance of the Treasury Management function.

(c) To comply with the requirements of the Local Government Act 2003.

C140. REVENUE BUDGET MANAGEMENT - MONTHLY MONITORING REPORT - SEPTEMBER 2004 - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) presenting Director's projections of income and expenditure for the year compared with approved budgets for consideration with the Council's overall revenue budget position for 2004/05.

RESOLVED - (a) That the 2004/05 revenue budget projections, as appended to the submitted report, be noted.

(b) That further budget monitoring reports be presented regularly to Cabinet.

REASON - To ensure that robust revenue budget management procedures are maintained.

C141. CAPITAL PROGRAMME MONTHLY MONITORING REPORT - SEPTEMBER 2004 - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) presenting an update of the Capital Programme and looking at spending and resource levels.

RESOLVED - (a) That £0.086m of developer contribution, in relation to the enhancement of equipped play areas within Middleton St George, be formally released.

(b) That additional resources of £0.062m in relation to Various Land Sale Costs, be formally released.

(c) That £0.013m of Adult and Community Learning Funding, be formally released.

(d) That £0.025m revenue contribution in relation to improving Town Hall Security, be formally released.

(e) That the progress of the Capital Programme, as detailed in the submitted report, be noted and the updated 2004/05 Capital Programme be approved.

REASONS - (a) To allow work on enhancement of equipped play areas within Middleton St George to proceed.

(b) To allow the Asset Disposal Programme to proceed.

(c) To allow work utilising the Adult and Community Learning Funding to commence.

(d) To allow improvements to Town Hall Security to proceed.

(e) To approve the updated 2004/05 Capital Programme.

C142. FINANCIAL ASSISTANCE 2004/05 - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to applications in respect of financial assistance received from seven individuals.

RESOLVED - (a) Denise Baker, Swimmer - That a grant of £500 be made.

(b) St. James the Great, Albert Hill, Darlington - Choir Trip and Pilgrimage to Prague at East 2005 in respect of six young students (Sally Wheelhouse, Edward Dobson, Louise Dobson, Sophie Dobson, Natalie Grieves and Tom Featherstone) - That a grant of £800 in total be made.

REASON - The applications met the criteria for support.

C143. DISCRETIONARY RATE RELIEF 2004/05 - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to an application from a charitable and non-profit making organisation.

RESOLVED - That the First Stop Shop be granted 20 per cent discretionary rate relief in 2004/05 and 2005/06 in respect of their first floor premises located at the Old Museum, Tubwell Row, Darlington.

REASON - To continue existing policy.

C144. MEMBERSHIP CHANGES - No membership changes were reported at the meeting.

C145.. 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 1, 7 and 9 of Part I of Schedule 12A to the Act.

C146. APPROVED SOCIAL WORKER STATUS - AUTHORISATION (EXCLUSION NO. 1) - The Cabinet Member with the Adult Services Portfolio introduced the report of the Director of Social Services (previously circulated) requesting that consideration be given to the suitability of two staff members to undertake the role of Approved Social Worker and for authorisation for those staff members to undertake the duties of an Approved Social Worker.

RESOLVED - (a) That Josephine Rigby be authorised to carry out the duties of an Approved Social Worker for a five year period from 3rd December, 2004 to 3rd December, 2009.

(b) That Lewis Jackson be authorised to carry out the duties of an Approved Social Worker for a five year period from 16th November, 2004 to 15th November, 2009.

REASON - To maintain sufficient Approved Social Workers for the purpose of discharging the functions conferred on the Social Services Department by the Mental Health Act 1993.

C147. FAVERDALE EAST BUSINESS PARK (EXCLUSION NOS. 7 AND 9) - Pursuant to Minute C135 above, the Cabinet Member with the Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to the waiving of the Contracts Procedure Rules in relation to the extension of contracts in order to achieve significant savings to the public sector and extending the market agreement with Donaldsons to act for the Council to attract occupiers to the Faverdale East Business Park site.

RESOLVED - That Council be requested to:-

(a) approve expenditure of £645,000, including £40,000 from the Council's Capital Programme, for the Faverdale East Business Park Phase 1 (SO4 & completion works) scheme;

(b) waive Contract Procedure Rules and to approve the procurement of Hall Construction Limited and BGP to complete all works associated with the construction of SO4; and

(c) waive Contract Procedure Rules and to approve the procurement of Donaldsons, until December 2005, to enable the Phase One marketing of the Faverdale East Business Park site.

REASONS - (a) To enable the Faverdale East Business Park scheme to proceed with Phase One SO4 construction and environmental landscaping works, therefore expending £645,000 of 2005/06 funding.

(b) To enable the Council to maximise the amount of external funding available to the Borough by saving monies through the procurement of Hall Construction Limited and BGP to complete SO4 associated works.

(c) To encourage inward investment by new companies in the Borough.

**DECISIONS DATED -
FRIDAY, 19TH NOVEMBER, 2004**