

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 21ST JUNE, 2004**

CABINET
8th June, 2004

PRESENT – Councillor Williams (in the Chair); Councillors Bristow, Harker, Lister, D.A. Lyonette, McEwan, L. Vasey and Wallis. (8)

APOLOGIES – Councillor Dixon.

ABSENT -

ALSO IN ATTENDANCE – Councillors Richmond and Mrs. Scott. (2)

C2. DECLARATION OF INTERESTS – In respect of Minute C7(4) below, Councillor Lister declared a personal and prejudicial interest as she lives in one of the streets affected by the introduction of on-street car parking charges, and left the meeting during consideration of that item only. In respect of Minute C8 below, Councillor McEwan declared a personal and prejudicial interest as his daughter is a member of the playgroup at Sadberge School, and left the meeting during consideration of that item only.

C3. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of Cabinet held on 27th April and 20th May, 2004.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C4. EXTERNAL AUDIT SERVICE PLAN 2003/04 – (1) Presentation – Mr. Mark Nicholson of PriceWaterhouseCoopers gave a presentation to the meeting on the Council's External Audit Service Plan 2003/04.

RESOLVED – That the thanks of Cabinet be extended to Mr. Mark Nicholson for his informative presentation.

REASON – To express the views of Cabinet.

(2) Report – The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) presenting the External Audit Plan 2003/04 as agreed with PriceWaterhouseCoopers (PWC), the Council's appointed External Auditors.

RESOLVED – That the External Audit Service Plan 2003/04, as appended to the submitted report, be noted.

REASON – It comprises part of the Council's corporate governance arrangements.

C5. MATTERS REFERRED TO CABINET – There were no matters referred back for reconsideration to the meeting.

C6. ISSUES ARISING FROM SCRUTINY – (1) Medium Density Fibre Board in Schools – Task and Finish Review Group – Final Report – The Cabinet Member with the Education Portfolio introduced the report of the Director of Education (previously circulated) reporting the Lifelong Learning Scrutiny Committee’s recommendations on the outcome of the Medium Density Fibre Board (MDF) in Schools Task and Finish Review Group. A copy of the final report of the Review Group, established to investigate the implications of the re-introduction of the use of MDF in schools, was appended to the submitted report.

The comments of the Director of Education, in respect of the reintroduction of MDF in schools, were detailed in the submitted report.

RESOLVED – (a) That the use of Medium Density Fibreboard (MDF) in schools be reinstated providing that :-

- (i) the relevant Consortium of Local Education Authorities for the Provisions of Science (CLEAPPS) risk assessment is implemented;
- (ii) schools wishing to re-introduce the use of Medium Density Fibreboard first demonstrate to the Health and Safety Unit’s satisfaction that adequate control measures are in place; and
- (iii) schools monitor the health of individuals and any concerns reported to be investigated and addressed appropriately.

(b) That the recommendations of the Lifelong Learning Scrutiny Committee’s Task and Finish Review Group, as detailed in the submitted report, be agreed.

(c) That the Lifelong Learning Scrutiny Committee be thanked for their work in undertaking the review.

REASONS – (a) Schools are required to ensure that safe practices are in place before using Medium Density Fibreboard.

(b) Schools will be able to use, at their discretion, a material commonly used in other schools in other LEA’s.

(2) Special Educational Needs Assessment of the Very Young – Task and Finish Review Group – Final Report – The Cabinet Member with the Education Portfolio introduced the report of the Director of Education (previously circulated) reporting the Lifelong Learning Scrutiny Committee’s recommendations on the outcome of the Special Educational Needs Assessment of the Very Young Task and Finish Review Group. A copy of the final report of the Review Group, established to consider the special educational needs service to ascertain whether very young children’s needs were identified and assessed early enough to give them the best chance in life and whether the best use was made of the resources available, was appended to the submitted report.

The comments of the Director of Education, in relation to the Review, were detailed in the submitted report.

RESOLVED – (a) That a twice yearly return be made to the Lifelong Learning Scrutiny Committee on Special Educational Needs activity.

(b) That a progress report on the Behaviour Support Team be submitted to a future meeting of the Lifelong Learning Scrutiny Committee.

(c) That further reports be submitted to the Lifelong Learning Scrutiny Committee on the provision of a data base of local and national societies and support for parents.

(d) That the Lifelong Learning Scrutiny Committee be thanked for their work in undertaking the review.

REASON – It will enable Members of the Scrutiny Committee to better monitor the level of support given to Special Educational Needs pupils.

(3) Educational Attainment of ‘Looked After’ Children – Task and Finish Review Group – Final Report – The Cabinet Member with the Education Portfolio introduced the report of the Director of Education (previously circulated) reporting the Lifelong Learning Scrutiny Committee’s recommendations on the outcome of the Educational Attainment of ‘Looked After’ Children Task and Finish Review Group. A copy of the final report of the Review Group established to consider the Education Attainment of ‘Looked After’ Children was appended to the submitted report.

The comments of the Director of Education, relating to the Review, were detailed in the submitted report.

RESOLVED – (a) That the recommendations of the Lifelong Learning Scrutiny Committee, as detailed in the submitted report, be adopted.

(b) That the Lifelong Learning Scrutiny Committee be thanked for their work in undertaking the review.

REASON – It will enable the authority to help discharge its responsibilities for ‘looked after’ children.

(4) Consultation Methods - Task and Finish Review Group – The Leader introduced the report of the Director of Corporate Services (previously circulated) reporting the Resources Scrutiny Committee’s recommendation in relation to both internal and external consultation methods used by this authority. A copy of the final report of the Review Group was appended to the submitted report.

The comments of the Director of Corporate Services, in relation to the review, were detailed in the submitted report.

RESOLVED – (a) That the membership of this Council’s consultation forums be revisited to try and recruit new Members.

(b) That the Officers advise Ward Councillors when a consultation exercise is being undertaken in their Wards and give them information on when and how they intend to undertake the consultation.

- (c) That a training session on the roles of Members/Officers on the internal consultation processes be held.
- (d) That Members be consulted at an early stage on major issues which affect the Borough.
- (e) That a standard paragraph entitled 'Outcome of Consultation' on Cabinet and Council reports be supported.

REASONS - (a) To recruit new external members on this Council's consultation forums.

- (b) To comply with this Council's Constitution.
- (c) To ensure all Members/Officers are aware of the internal consultation processes.
- (d) To promote good corporate governance practice.

(5) Sickness Absence - Task and Finish Review Group – The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) reporting the Resources Scrutiny Committee's recommendation in relation to sickness absence levels within the authority.

The comments of the Director of Corporate Services, in relation to the review, were detailed in the submitted report.

RESOLVED – (a) That the continued work of the Resources Scrutiny Committee in the area of sickness absence, be supported.

- (b) That the Scrutiny Committee and the Human Resources Team be thanked for their work in relation to the monitoring of sickness absence levels within the Authority.

REASON – To enable the continued review and challenge of sickness absence management within the authority.

C7. KEY DECISIONS – (1) Admission of Pupils to Primary and Secondary Education in Darlington for the Academic Year 2005/06 – The Cabinet Member with the Education Portfolio introduced the report of the Director of Education (previously circulated) seeking approval for the admission arrangements for pupils to primary and secondary education in Darlington for the academic year 2005/06. The admission arrangements for the Darlington schools for 2005/06, which took account of the recommendations made in the revision to the Code of Practice on School Admissions and the Education Act 2002, were appended to the submitted report.

RESOLVED – That the admission arrangements of pupils to primary and secondary education in Darlington for the academic year 2005/06, as appended to the submitted report, be approved.

REASONS - (a) To allow the authority to publish and disseminate its admissions information brochures to interested parties, which will facilitate the efficient administration of schools admissions for the academic year 2005/06.

- (b) To allow for the publication of the required notices for those schools' proposals which are outside the net capacity tolerance level.

(2) Anti-Social Behaviour Act 2003 – Pupil Attendance Related Provision – The Cabinet Member with the Education Portfolio introduced the report of the Director of Education (previously circulated) requesting that consideration be given to new measures available to Local Education Authorities to address poor school attendance. A draft Local Code of Conduct in respect of the issuing of penalty notices to address the issue of unauthorised absences, was appended to the submitted.

RESOLVED – (a) That the report be noted.

(b) That a further report be submitted to a future meeting of Cabinet following consultation with the schools.

REASON – To enable further consultation on detail to be undertaken.

(3) School Holiday and Term Dates 2005/06 – The Cabinet Member with the Education Portfolio introduced the report of the Director of Education (previously circulated) requesting that consideration be given to school holiday dates and associated professional and development arrangements for the academic year 2005/06, commencing in September 2005. A calendar of the proposed dates was appended to the submitted report.

RESOLVED – That the proposed holiday and terms dates and associated professional and development arrangements, as detailed in the appendix to the submitted report, be agreed.

REASON – To agree the school holiday and term dates for 2005/06 to assist schools in planning processes.

(4) Town Centre Parking – The Cabinet Member with the Highways and Transport Portfolio introduced the report of the Director of Development and Environment (previously circulated) informing Members of the consultation process undertaken regarding the introduction of charges for on-street parking in the Town Centre and requesting that a decision be made either to uphold or set aside the objections made.

The comments from the joint meetings of the Darlington Transport Forum and Town Centre Forum and the Lifelong Learning and Resources Scrutiny Committees, which considered the proposals, were detailed in the submitted report.

RESOLVED – (a) That charging for on-street parking in the following streets be approved :-

Beaumont Street, South Arden Street, Grange Road, Northumberland Street, Larchfield Street, Powlett Street, Primrose Street, East Raby Street, Raby Street, West Powlett Street, Duke Street, Barnard Street, Barnard East Back Street, Winston Street, Napier Street, King Street, Kendrew Street, Gladstone Street, North Lodge Terrace, Park Place, Swan Street, Hargreave Terrace, Victoria Road, Victoria Embankment.

(b) That charges be set initially at the standard rate for short stay car parks (40p per 30 minute interval), with the maximum length of stay and hours of operation to be the same as those existing for the current free limited parking in these streets.

(c) That the merits of introducing a badge scheme be considered as part of the forthcoming review of Residents' Parking Zones.

(d) That the effects of charging be monitored and reported to Members as appropriate, but not less than annually for two years.

REASON - To achieve greater consistency in respect of parking charges and parking enforcement within and close to the town centre.

(5) Darlington Economic Regeneration Strategy – The Cabinet Member with the Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) informing Members of the process followed to develop an Economic Regeneration Strategy for Darlington to cover the period 2004/05 to 2008/09 and requesting that consideration be given to the final draft document (also previously circulated).

RESOLVED – That it be recommended to Council that the Economic Regeneration Strategy ‘Gateway to Economic Quality’, as appended to the submitted report, be approved.

REASON – (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.

(6) Consultancy Support – The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Development and Environment (previously circulated) outlining proposals in which his department proposed to improve the efficiency in the use of external support in order to provide the best service for delivering the Council’s capital and other building works programme.

RESOLVED – That the Development and Environment Department’s plans to rationalise its consultancy support by entering into a framework partnership agreement(s), be approved.

REASON – On the basis that the proposal not only represents a rationalisation and improvement of existing arrangements but moves them in line with best practice.

C8. SADBERGE PRIMARY SCHOOL – FUTURE OF – VARIATION TO PREVIOUSLY ANNOUNCED CLOSURE DATE – The Cabinet Member with the Education Portfolio introduced the report of the Director of Education (previously circulated) informing Members of the intention to request that the School Organisation Committee vary the proposed date of closure of the Sadberge Primary School from June 2005 to 31st August, 2004.

The Director of Education reported verbally at the meeting that the member of staff referred to in the report had now transferred to Middleton St. George School; the Governing Body had been consulted on the change to the proposed date of closure and that they had deferred a decision; 95 per cent of the pupils from Sadberge School had now been placed at alternative schools; and that the remaining pupils would be placed in alternative schools by the end of term.

RESOLVED – The School Organisation Committee’s decision to amend the date of closure of Sadberge School from June 2005 to 31st August, 2004, subject to receiving support from Sadberge Governing Body, be noted.

REASONS – (a) The delay in building programme means that moving pupils during school term would undermine the smooth transition of pupils from Sadberge CE (Controlled) Primary School, and the forming of a new school community.

(b) The falling pupil numbers, anticipated budget deficit and potential loss of a key member of staff will undermine the ability of the school to continue to deliver the present high quality of education to the pupils remaining in school from September 2004, as well as placing remaining staff and management under significant additional pressure.

C9. EASTBOURNE NURSERY SCHOOL – CLOSURE AND DODMIRE INFANTS SCHOOL – CHANGE OF CHARACTER – The Cabinet Member with the Education Portfolio introduced the report of the Director of Education (previously circulated) outlining progress to date on the proposals for the closure of Eastbourne Nursery School and change of character of Dodmire Infants School to include a nursery unit.

RESOLVED – That the outcome of the statutory proposals in relation to Eastbourne Nursery and Dodmire Infants Schools, be noted.

REASON – The statutory process has been completed and no objections were received. This report is to update Members on the outcome.

C10. ADULT LEARNING INSPECTION – The Cabinet Member with the Education Portfolio introduced the report of the Director of Education (previously circulated) outlining the recent inspection of Adult and Community Learning by the Adult Learning Inspectorate. A copy of the full report of the Adult Learning Inspectorate was appended to the submitted report.

RESOLVED – That the submitted report be noted.

REASON – Cabinet needs to be informed of the outcome of the Adult Learning Inspectorate inspection of Adult and Community Learning which took place in February 2004.

C11. 14 TO 19 EDUCATION IN DARLINGTON – The Cabinet Member with the Education Portfolio introduced the report of the Director of Education (previously circulated) requesting that consideration be given to the establishment of a federation to be known as the Darlington 14 to 19 Trust to co-ordinate the development and management of the provision of 14 to 19 year old education in the Borough.

RESOLVED – (a) That the establishment of the Darlington 14 – 19 Trust, as detailed in the submitted report, be endorsed.

(b) That the Director of Education be authorised to facilitate the establishment of the Darlington 14 – 19 Trust.

REASON - The Darlington 14 – 19 Trust affords an opportunity for collaborative work to deliver better educational opportunities and outcomes for young people in the Borough.

C12. REPRESENTATION ON OTHER BODIES 2004/05 – The Leader introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the Council's representation on other bodies for the 2004/05 Municipal Year, the appointments of which are the responsibility of Cabinet.

RESOLVED – (a) That the following be appointed (or nominated) to represent this Council on other bodies specified for the municipal year 2004/05 :-

Name of Body or Organisation	Labour Group Nomination(s)	Conservative Group and Liberal Democrat Nomination(s)
Alternative Centre for Education (ACE) Advisory and Steering Group	Vice-Chair of Lifelong Learning Scrutiny Committee (Councillor A. J. Scott)	
Arts Council England North East	Cabinet Member with Leisure Services Portfolio (Councillor L. Vasey) and Chair of Environment Scrutiny Committee (Councillor S. Robson)	
Connexions Tees Valley Board	Cabinet Member with Education Portfolio (Councillor Harker)	
County Durham Waste Management Partnership Steering Group	Cabinet Member with Community Protection Portfolio (Councillor McEwan)	
Dales Area Environment Group	Cabinet Member with Community Protection Portfolio (Councillor McEwan)	
Darlington and District Youth and Community Association (2002)	Councillor Baldwin	Councillor Mrs. Jones
Darlington Business Venture Limited	Cabinet Member with Regeneration and Planning Portfolio (Councillor D.A. Lyonette)	Councillor Mrs. Brown
Darlington Domestic Violence Forum	Councillor Mrs. Swift	
Darlington Partnership Board	Leader of the Council (Councillor Williams) and Cabinet Member with Regeneration and Planning Portfolio (Councillor D. A. Lyonette)	Councillor Richmond
Darlington Railway Museum Trust	Cabinet Member with Leisure Services Portfolio (Councillor L. Vasey)	
Disability Sport England – Northern Region	Councillor Nutt	Councillor Armstrong
Durham County Pension Fund Committee	Cabinet Member with Resource Management Portfolio (Councillor Bristow) and Chair of Resources Scrutiny Committee (Councillor Haszeldine)	
Durham Valuation Tribunal	No appointments to be made until 31st March, 2006	

Name of Body or Organisation	Labour Group Nomination(s)	Conservative Group and Liberal Democrat Nomination(s)
Early Years and Childcare Partnership	Cabinet Member with Education Portfolio (Councillor Harker) and Chair of Lifelong Learning Scrutiny Committee (Councillor Hughes)	Councillor Mrs. Scott
Family Help Organisation	Councillors S. Robson and Wilson	Councillor Armstrong
Firthmoor Community Centre Management Committee	Councillors Dixon and L. Vasey (Ward Members)	
Local Access Forum	Chair of Rights of Way Panel (Councillor S. Robson)	
National Council for Housing and Planning	Cabinet Member with Housing Portfolio (Councillor Dixon) and Chair of Social Affairs and Health Scrutiny Committee (Councillor Mrs. Swift)	
National Council for Housing and Planning - Regional Executive Committee	Cabinet Member with Housing Portfolio (Councillor Dixon) and Chair of Social Affairs and Health Scrutiny Committee (Councillor Mrs. Swift)	
National Society for Clean Air (Northern Division)	Councillor J. Lyonette	Councillor Ruck
North East Consortium for Asylum Seeker Support Services (NECASS)	Cabinet Member with Housing Portfolio (Councillor Dixon) (Councillor Reynolds as named substitute)	
North East Highways Training Centre – Management Committee	Cabinet Member with Highways and Transport Portfolio (Councillor Wallis)	
North East Museum, Libraries and Archives Council		
Board	Cabinet Member with Leisure Services Portfolio (Councillor L. Vasey) (Appointed via the Tees Valley)	
Company	Officer appointment	
North East Regional Employers Organisation	Cabinet Member with Resource Management Portfolio (Councillor Bristow), Chair of Resources Scrutiny Committee (Councillor Haszeldine) and Vice-Chair of Resources Scrutiny Committee (Councillor G. B. Walker)	
North East Regional	Chair of Lifelong Learning Scrutiny	

Name of Body or Organisation	Labour Group Nomination(s)	Conservative Group and Liberal Democrat Nomination(s)
Employers Organisation - Steering Board	Committee (Councillor Hughes)	
North East Regional Environment Protection Advisory Committee	Councillor Harker (Appointed through ANEC)	
North East Sports Council	Councillor J. Lyonette (Councillor Baldwin Observer status)	
North East Trading Standards Association (NETSA)	Cabinet Member with Community Protection Portfolio (Councillor McEwan)	
Northern Housing Consortium	Cabinet Member with Housing Portfolio (Councillor Dixon)	
Northern Council of Education Authorities	Cabinet Member with Education Portfolio (Councillor Harker) and Chair of Lifelong Learning Scrutiny Committee (Councillor Hughes)	Councillor Burt
North of England Open Air Museum – Joint Committee	Cabinet Member with Leisure Services Portfolio (Councillor L. Vasey)	
Northumbrian Regional Flood Defence Committee	Councillor Copeland	
RELATE North East	Councillor Vasey-Smith	Councillor Armstrong
Shopmobility Steering Group	Cabinet Member with Highways and Transport Portfolio (Councillor Wallis) and Cabinet Member with Regeneration and Planning Portfolio (Councillor D. A. Lyonette)	
Skerne Park Youth and Community Centre - Management Committee	Councillors Hughes and J. Lyonette (Ward Members)	
The Tees Forest	Councillors Hartley and G.B. Walker	Councillor Mrs. Brown
Tees Valley Environmental Protection Group	Cabinet Member with Community Protection Portfolio (Councillor McEwan), Vice-Chair of Public Protection and Community Partnerships Scrutiny Committee (Councillor Thistlethwaite) and Councillor G.B. Walker	
Tees Valley Joint Strategy Committee	Leader of the Council (Councillor Williams), (Deputy Leader of the Council (Councillor	Councillor Richmond (Councillor Johnson

Name of Body or Organisation	Labour Group Nomination(s)	Conservative Group and Liberal Democrat Nomination(s)
	Dixon) as named substitute), Cabinet Member with Highways and Transport Portfolio (Councillor Wallis) (Chair of Environment Scrutiny Committee (Councillor S. Robson) as named substitute) and Cabinet Member with Regeneration and Planning Portfolio (Councillor Lyonette) (Member of Environment Scrutiny Committee (Councillor Hartley) as named substitute)	as named substitute) and Councillor Mrs. Scott (Councillor Ruck as named substitute)
Tees Valley Joint Strategy Committee Rail Group	Councillors Hartley and Hutchinson	Councillor Richmond
Tees Valley Local Government Association	Leader of the Council (Councillor Williams) and Deputy Leader (Councillor Dixon)	
Tees Valley Partnership	Leader of the Council (Councillor Williams)	
Tees Valley Rivers and Fisheries Association	Member of Environment Scrutiny Committee (Councillor Heaney)	
Teesside International Airport Limited	Councillor Williams (Director) with Councillor D. A. Lyonette as substitute Council Director	
Teesside International Airport Consultative Committee	Cabinet Member with Regeneration and Planning Portfolio (Councillor D. A. Lyonette)	
Tidy North Regional Consultative Committee	Cabinet Member with Community Protection Portfolio (Councillor McEwan)	

(b) That the acceptance of the two seats on the Darlington Corporation Board by Councillors Lister and Long, be confirmed.

REASON – To comply with nominations received from the political groups.

C13. COMPLAINTS MADE TO OMBUDSMAN – REVIEW – Pursuant to Minute C244/Apr/04, the Leader introduced the report of the Director of Corporate Services (previously circulated) providing an update of cases which had been considered by the Local Ombudsman, and indicating any points of particular interest and/or referral to the Standards Committee since the meeting of Cabinet held on 27th April, 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.

C14. CLOSED CIRCUIT TELEVISION – ANNUAL INSPECTORS REPORT – The Cabinet Member with the Community Protection Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the first annual report from the Independent Inspectors of Closed Circuit Television (CCTV) and to the formalising of the existing pilot arrangements making the independent inspection an integral part of the overall service provision.

RESOLVED – (a) That report by the Independent Inspectors, as appended to the submitted report, be accepted.

(b) That the pilot exercise be accepted as being successful and the Independent Inspection Team become a permanent feature of the Closed Circuit Television evaluation.

REASONS – (a) The report overall is positive and supportive of the CCTV service and in that context will achieve its aim of providing further reassurance to the public which in turn allows stronger bonds to be made with the public in general.

(b) The concerns raised by the Inspectors provide a valuable insight in respect of the perception the public have of the service. Whilst the issues they have raised are being addressed and do not in themselves represent a serious problem for the overall operation, they are none the less very valuable as barometers of public opinion and fine tuners of service provision.

(c) Establishment of the Independent Inspection Team as a permanent feature of CCTV evaluation will further enhance the status of the service and allow it to meet accepted national and external accreditation standards.

C15. PRIVATE SECTOR FUNDING – The Director of Community Services submitted a report (previously circulated) requesting that consideration be given to resources previously identified as part of the bid for Single Housing Investment Pot (SHIP) Funding being re-allocated as additional funding towards Disabled Facilities Grants and Renovation Grants.

RESOLVED – That the budgets for Disabled Facilities Grants and Renovation Grants be increased from £270,000 to £484,000 and £607,000 to £807,000, respectively.

REASONS – (a) To maximise the resources available as part of the Housing Investment Programme.

(b) To assist in meeting the high demand for Disabled Facilities Grants and Renovation Grants.

C16. COUNCIL CAPITAL PROGRAMME – RELEASE OF FUNDS – The Director of Community Services submitted a report (previously circulated) seeking approval for the release of grant funding for the Mobile Board, Biking and Blading Unit known as ‘The Truck’.

RESOLVED – That capital funding for ‘The Truck’ project of £70,000, be released.

REASON – To enable the project to be implemented as soon as possible.

C17. COMMUNITY LEISURE CHEST – The Cabinet Member with the Leisure Services Portfolio introduced the report of the Director of Community Services (previously circulated)

requesting that consideration be given to a request for grant aid from the Community Leisure Chest.

RESOLVED – That £200 be awarded from the Community Leisure Chest to the Darlington Clarinet Ensemble.

REASON – To enable officers to inform the organisation of their success or failure following their application for Community Leisure Chest Grant Aid.

C18. SINGLE REGENERATION BUDGET 2004/05 – 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 release of capital funds secured from the Single Regeneration Budget (SRB) for 2004/05, other external contributions and the Council's contribution to those projects.

RESOLVED – That the funding for 2004/05, as detailed in the submitted report, be released subject to final external funding approvals being given by the funding bodies.

REASONS – (a) To enable the projects to proceed.

(b) To enable the Council to maximise the amount of external funding available to the Borough.

C19. 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 three applications for financial assistance received from three charitable and non-profit making organisations.

RESOLVED – (a) Childline – Yorkshire and North East – That a grant of £1,984 be made.

(b) Sir E.D. Walker Homes (Goodwill Club), Coniscliffe Road, Darlington - That a grant of £150 be made.

(c) The Wednesday Over 60's Club based at Wesley Court Community Centre, Darlington - That a grant of £200 be made.

REASON – The applications are worthy of support.

C20. 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 a number of applications received in respect of discretionary rate relief from various charitable and non-profit making organisations for the financial year 2004/05.

RESOLVED – (a) That the organisations, as listed in schedule 1 appended to the submitted report, be granted 20 per cent discretionary rate relief for 2004/05 and 2005/06.

(b) That the organisations, as listed in schedule 2 appended to the submitted report, be granted 50 per cent discretionary rate relief for 2004/05 and 2005/06.

REASON – The applications met the criteria for support.

C21. AUDIT SERVICES ANNUAL REPORT 2003/04 – The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) providing Members with the Audit Services’ Annual Report 2003/04 (also previously circulated) in accordance with the Audit Services role and terms of reference.

RESOLVED – That the Audit Services’ Annual Report for 2003/04, as appended to the submitted report, be noted.

REASON – They comprise part of the Council’s Corporate Governance arrangements.

C22. IRRECOVERABLE NON-DOMESTIC RATES AND COUNCIL TAX – PROPOSED WRITE-OFFS - The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Corporate Services (previously circulated) seeking approval for the write-off of arrears of non-domestic rates and council tax which were considered to be irrecoverable.

RESOLVED – That the non-domestic rates arrears of £102,850.60 and council tax arrears of £31,810.90 be written off, subject to the implementation of further action if and when future contacts are made.

REASON – To enable the Council’s accounts to be maintained in accordance with the Financial Procedure Rules.

C23. MEMBERSHIP CHANGES – There were no membership changes to other bodies to which Cabinet appoints reported at the meeting.

C24. 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.

C25. MIDDLETON ST. GEORGE PRIMARY SCHOOL (EXCLUSION NOS. 7 AND 9) – The Cabinet Member with the Resource Management Portfolio introduced the report of the Director of Education and the Director of Development and Environment (previously circulated) seeking approval to the disposal of 0.809 hectares (2 acres) of land at Middleton St. George Primary School to the Anglican Diocese of Durham, as shown on the plan appended to the submitted report, and to the Council making a 20 per cent contribution to the project costs.

RESOLVED – (a) That the disposal of the site, as shown on the plan appended to the submitted report, to the Diocese of Durham be approved and this Council make a 20% contribution to the total project costs.

(b) That the disposal/demolition costs of Sadberge Primary school of £0.030m be approved should residential planning consent on the site not be awarded.

(c) That the Director of Development and Environment be authorised, in consultation with the Cabinet Member with the Resource Management Portfolio, to approve the site valuation to be made by the District Valuer’s Office.

(d) That the Borough Solicitor be authorised to complete the necessary disposal documentation.

REASON - The agreement to the sale of land to the Diocese and the use of part of the sale proceeds to meet the statutory 20% contribution are essential to continue the procurement programme to provide a new Voluntary Aided School for Rural East Darlington

C26. COMMERCIAL STREET (EXCLUSION PARAGRAPH NOS. 7 AND 9) – Pursuant to Minute C297/Apr/03, 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 re-confirmation of the previous decision of Cabinet regarding the proposed Commercial Street development in light of further work undertaken on the development agreement and changes to the boundary of the site, as shown on the plan appended to the submitted report, and advising Members of the powers to be used by the Council in connection with the proposed development.

RESOLVED – (a) That the proposed changes to the Commercial Street scheme be noted and the Development Agreement with St Martin’s Property Company, be re-confirmed, on the basis outlined in the submitted report.

(b) That those statutory powers, as outlined in the submitted, report as powers to be used by the Council in endeavouring to achieve the proposed development at Commercial Street for the well-being of the town centre, be approved.

REASONS – (a) To re-confirm a previous Cabinet approval following a change to the overall proposed scheme.

(b) To seek formal recognition and approval of the statutory powers to be used by the Council in connection with the proposed development.

C27. SCHEDULE OF TRANSACTIONS (EXCLUSION NOS. 7, 8 AND 9) - The Cabinet Member with the Resource Management Portfolio introduced the report and schedule of the Director of Development and Environment (both previously circulated) requesting that consideration be given to the schedule and seeking approval of the terms negotiated.

RESOLVED – That the schedule, as appended to the submitted report, and the transactions completed on the terms and conditions detailed therein, be approved.

REASON – The terms negotiated require approval by Council before binding itself contractually to a transaction.

C28. TEESSIDE INTERNATIONAL AIRPORT LIMITED – BANK SECURITY (EXCLUSION NO. 7) – With the prior approval of the Leader to the matter being treated as urgent to enable a decision to be made at the earliest possible date, 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 a request from the Peel Group, under Clause 17 of the Shareholders Agreement, that requires consent from the other shareholders for the granting of security over shares owned by the Peel Group, to allow a legal charge to be taken by Barclays Bank PLC.

RESOLVED – That the request from the Peel Group to allow a legal charge to be taken by Barclays Bank PLC over their shares in Teesside International Airport Limited, be agreed.

REASON – To allow Peel Holdings to restructure their business arrangements.

**DECISIONS DATED -
FRIDAY, 11TH JUNE, 2004**