

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE MONDAY, 20TH JUNE, 2005**

CABINET
7th June, 2005

PRESENT - Councillor Williams (in the Chair); Councillors Dixon, Harker, D.A. Lyonette, McEwan and L. Vasey. (6)

APOLOGIES – Councillors Bristow, Thistlethwaite and Wallis. (3)

ALSO IN ATTENDANCE – Councillor Johnson, Richmond and Mrs. Scott. (3)

C2. DECLARATION OF INTERESTS – There were no declarations of interest reported to the meeting.

C3. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of Cabinet held on 10th and 19th May, 2005.

RESOLVED - That the Minutes be confirmed.

REASON - They represent an accurate record of the meeting.

C4. TIME OF MEETINGS FOR THE MUNICIPAL YEAR 2005/06 - RESOLVED - That for the remainder of the Municipal Year 2005/06, meetings of this Cabinet be held at 5.00 p.m. on the dates previously agreed in the Calendar.

REASON - To set times of the meetings for the remainder of the Municipal Year 2005/06.

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

C6. ISSUES ARISING FROM SCRUTINY – There were no issues referred from Scrutiny Committees to this meeting.

C7. KEY DECISIONS – (1) Hackney Carriage Fares – Variation - The Cabinet Member with the Consumer and Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) recommending that the tariff of hackney carriage fares be revised. A copy of a letter from the Taxi Trade requesting an increase in the hackney carriage fare tariff was appended to the submitted report.

RESOLVED – That the Hackney Carriage Fares Tariff be varied as follows:-

(a) Tariff 1 (06:00 to 23:00 hours) first 320 yards £2.00, for each additional 160 yards 12p and the charge for waiting time be increased from 12p for 36 seconds to 12p for 30 seconds.

(b) Tariff 2 (23:00 to 06:00hrs and the 24 hours of all public holidays other than those included in tariff 3) first 320 yards £2.50, for each additional 160 yards 15p and the charge for waiting time be increased from 15p for 45 seconds to 15p for 30seconds.

(c) Tariff 3 (18:00 hrs 24th December to 06:00 hrs 27th December and 18:00 hrs 31st December to 06:00 hrs 2nd January) first 320 yards £3.00, for each additional 160 yards 20p and the charge for waiting time be increased from 20p for 60 seconds to 20p for 30seconds

REASONS - (a) The hackney fare has not been increased since November 2000 and since that date the cost of fuel, insurance and associated costs have risen.

(b) The impact of an increase to the public has to be balanced with need for the taxi trade to be able to make a living and to continue to both purchase new vehicles and maintain the current fleet.

(2) Highway Maintenance Plan - The Director of Development and Environment submitted a report (previously circulated) advising Members of the current position in relation to the production of the Highway Maintenance Plan and seeking approval of the adoption of an Interim Plan (also previously circulated).

RESOLVED - (a) That the current position in relation to the production of the Highway Maintenance Plan, as detailed in the submitted report, be noted.

(b) That the adoption of the Interim Highway Maintenance Plan, as appended to the submitted report, be approved.

REASON - To facilitate the efficient and effective maintenance of the highway network

(3) Darlington Concessionary Fare Travel Schemes 2005/06 - The Director of Development and Environment submitted a report (previously circulated) requesting that consideration be given to a course of action for the provision of a Concessionary Fare Travel Scheme on local bus services and taxis during the 2005/06 financial year in the light of the announcement by Government of a new national scheme for elderly people (over 60 years of age) and people with disabilities, to be introduced in April 2006.

RESOLVED – (a) That no changes be made to the existing Concessionary Fare Travel Schemes for bus travel until after 31st March, 2006.

(b) That the existing taxi voucher scheme be amended from 1st October, 2005, to offer more functionality to users, as specified in the submitted report, and that the eligibility criteria for use of this scheme be amended, as set out in the submitted report.

(c) That further work be undertaken to prepare proposals for the Ring-a-Ride service from 2006 onwards.

(d) That the Director of Development and Environment be authorised to make any necessary administrative arrangements to implement the Concessionary Fare Travel Schemes.

(c) That the additional cost, above the approved budget for Concessionary Fares, be approved and the Medium Term Financial Plan be amended accordingly by allocating £77,000 additional resources for 2005/6.

REASONS - (a) To avoid confusion and difficulty to pass-holders, bus operators and the Council should the Bus Concessionary Fare Scheme be changed in October 2005 and again in April 2006.

- (b) To ensure that bus patronage and accessibility for bus passengers are retained until the new national scheme is introduced.
- (c) To improve the operation of the taxi voucher scheme for the benefit of users.
- (d) To consider options for Ring-a-Ride users' travel needs.
- (e) To provide funding for continuing the Urban and Borough Bus Passes until the new national scheme is implemented.

C8. DARLINGTON SURE START PLAN 2004/06 AND END OF YEAR REVIEW

2004/05 - The Cabinet Member with the Children's Services Portfolio introduced the report of the Director of Children's Services (previously circulated) informing Members of the progress made towards achieving the targets contained in the Darlington Sure Start Plan 2004/06; ongoing work to implement Round 1 of the Children's Centres in Darlington by March 2006; and the key requirements of 'Choice for parents, the best start for children: a ten year strategy for childcare' and its implications for this Authority.

RESOLVED - (a) That the progress made towards achieving the targets contained within the Darlington Sure Start Plan 2004/06, as detailed in the submitted report, be noted.

(b) That the requirements for the Authority, 'Choice for parents, the best start for children: a ten year strategy for childcare' and the proposal to commission a comprehensive market analysis and consultation process, be noted.

REASONS - (a) To progress Children's Centres planning.

(b) To evaluate proposed developments required by the ten year strategy for childcare to proceed.

C9. COMPLAINTS MADE TO OMBUDSMAN - REVIEW – Pursuant to Minute C227/Mar/05, 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 to indicate any points of particular attention and/or referral to the Standards Committee since the meeting of Cabinet held on 15th March, 2005.

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.

C.10. REPRESENTATION ON OTHER BODIES 2005/06 - 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 2005/06 Municipal Year, the appointments of which were the responsibility of Cabinet.

RESOLVED - That the following be appointed (or nominated) to represent this Council on the other bodies specified for the Municipal Year 2005/06;

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 (The Mayor, Councillor S. Robson)	
Connexions Tees Valley Board	Cabinet Member with Children's Services Portfolio (Councillor McEwan)	
County Durham Waste Management Partnership Steering Group	Cabinet Member with Consumer and Environmental Services Portfolio (Councillor Harker)	
Dales Area Environment Group	Cabinet Member with Consumer and Environmental Services Portfolio (Councillor Harker)	
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 Tees Valley International Airport Limited	Councillor Williams (Director) with Councillor D. A. Lyonette as substitute Council Director	

Name of Body or Organisation	Labour Group Nomination(s)	Conservative Group and Liberal Democrat Nomination(s)
Durham Tees Valley International Airport Consultative Committee	Cabinet Member with Regeneration and Planning Portfolio (Councillor D. A. Lyonette)	
Durham Valuation Tribunal	Councillors Flower and Wilson and Mr. R. G. Bennett and Miss C. Galloway. (Two vacancies for non-elected members)	
Early Years and Childcare Partnership	Cabinet Member with Children's Services Portfolio (Councillor McEwan) and Chair of Lifelong Learning Scrutiny Committee (Councillor Hughes)	Councillor Mrs. Scott
Family Help Organisation	The Mayor, Councillors S. Robson and Wilson	Councillor Armstrong
Firthmoor Community Centre Management Committee	Councillors Dixon and L. Vasey (Ward Members)	
Local Access Forum	Chair of Environment Scrutiny Committee (Councillor S. Robson)	
National Society for Clean Air (Northern Division)	Councillor J. Lyonette	Councillor Ruck
North East Consortium for Asylum Seeker Support Services (NECASS)	Cabinet Member with Community and Public Protection Portfolio (Councillor Dixon) (Councillor Dr. 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 Purchasing Organisation (NEPO)	Cabinet Member with Resource Management Portfolio (Councillor Bristow) and Chair of Resources Scrutiny Committee (Councillor Haszeldine)	Councillor Richmond
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)	

Name of Body or Organisation	Labour Group Nomination(s)	Conservative Group and Liberal Democrat Nomination(s)
North East Regional Employers Organisation - Steering Board	Chair of Lifelong Learning Scrutiny Committee (Councillor Hughes)	
North East Sports Council	Councillor J. Lyonette (Councillor Baldwin Observer status)	
North East Trading Standards Association (NETSA)	Cabinet Member with Consumer and Environmental Services Portfolio (Councillor Harker)	
Northern Housing Consortium	Cabinet Member with Community and Public Protection Portfolio (Councillor Dixon)	
Northern Council of Education Authorities	Cabinet Member with Children's Services Portfolio (Councillor McEwan) 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)	
Strategic Transport for Health Management Group	Cabinet Member with Highways and Transport Portfolio (Councillor Wallis) and Cabinet Member with Adult Services Portfolio (Councillor Thistlethwaite)	
The Tees Forest	Councillors Hartley and G.B. Walker	Councillor Mrs. Brown
Tees Valley Environmental Protection Group	Cabinet Member with Consumer and Environmental Services Portfolio (Councillor Harker), Vice-Chair of Public Protection and Community Partnerships Scrutiny Committee (Councillor Lister) and Councillor Maddison	

Name of Body or Organisation	Labour Group Nomination(s)	Conservative Group and Liberal Democrat Nomination(s)
Tees Valley Joint Strategy Committee	Leader of the Council (Councillor Williams), (Deputy Leader of the Council (Councillor Dixon) as named substitute), Cabinet Member with Highways and Transport Portfolio (Councillor Wallis) (Chair of Environment Scrutiny Committee (The Mayor, 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)	Councillor Richmond (Councillor Johnson 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)	
Tidy North Regional Consultative Committee	Cabinet Member with Consumer and Environmental Services Portfolio (Councillor Harker)	

REASON – To comply with the nominations received from the Political Groups.

C11. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - REVIEW OF INCREASE IN FEES - The Cabinet Member with the Consumer and Environment Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) requesting that consideration be given to reviewing the increase in fees relating to hackney carriage and private hire licensing following the receipt of a number of objections from members of the taxi trade. A copy of the letters of objection sent to the Council and Mr. Alan Milburn, M.P., were appended to the submitted report.

RESOLVED – That the fees be increased, as outlined in the report to Cabinet dated 3rd February, 2005.

REASON – (a) Private hire and hackney carriage licensing is self-financing and must cover the cost of the provision of the service.

(b) The cost of the increase will have an impact on the private hire and hackney carriage trade.

(c) If the fees were not increased to cover the cost of the service any shortfall would have to be paid for from central funds.

C12. FOOD STANDARDS AGENCY AUDIT - The Cabinet Member with the Consumer and Environmental Services Portfolio introduced the report of the Director of Development and Environment (previously circulated) informing Members that the Food Standards Agency (FSA) Enforcement Division had carried out an audit in 2004 and to report the results of their findings and the agreed improvement plan.

RESOLVED - (a) That the Director of Development and Environment take the necessary steps to implement the service improvements identified in the action plan, as appended to the submitted report.

(b) That the Public Protection and Community Partnerships Scrutiny Committee monitor the implementation of the Action Plan

REASON - To deliver an effective food law enforcement service that meets the requirements of the Food Standards Agency.

C13. PUBLIC PROTECTION FORUM - Submitted - The Minutes (previously circulated) of the meeting of the Public Protection Forum held on 14th April, 2005.

The Cabinet Member with the Consumer and Environmental Services Portfolio stated that the date on the Minutes should read 14th April, 2005.

RESOLVED - That the Minutes, with the amendment of the date from 13th January, 2005 to 14th April, 2005, be received.

REASON - They represent an accurate record of the meeting.

C14. DARLINGTON TRANSPORT FORUM - Submitted - The Minutes (previously circulated) of the meeting of the Darlington Transport Forum held on 18th April, 2005.

RESOLVED - That the Minutes be received.

REASON - They represent an accurate record of the meeting.

C15. DARLINGTON TOWN CENTRE PEDESTRIAN HEART SHOP FRONT GRANT SCHEME - The Cabinet Member with the Regeneration and Planning Portfolio introduced the report of the Director of Development and Environment (previously circulated) seeking approval to implement a grant scheme to help improve the appearance of shop fronts within the town centre with the aim of encouraging further investment and regeneration as part of the wider Darlington Pedestrian Heart scheme.

RESOLVED - That the setting up of the Darlington Town Centre Shop Front Grant scheme, as detailed in the submitted report, be approved.

REASON - To help encourage further investment and regeneration in Darlington town centre as part of the Darlington Pedestrian Heart scheme.

C16. AUDIT SERVICES' ANNUAL REPORT 2004/05 - The Director of Corporate Services submitted a report (previously circulated) providing Members with the Audit Services' Annual Report for 2004/05 (also previously circulated) in accordance with the Audit Services' role and terms of reference.

RESOLVED - That the Audit Services' Annual Report 2004/05, as appended to the submitted report, be noted.

REASON - It comprises part of the Council's Corporate Governance arrangements.

C17. WRITE-OFF OF IRRECOVERABLE NON-DOMESTIC RATES AND COUNCIL TAX - The Director of Corporate Services submitted a report (previously circulated) seeking approval to write-off arrears of non-domestic rates and Council Tax which were considered to be irrecoverable.

RESOLVED - That non-domestic rate arrears of £100,234.07 and Council Tax arrears of £36,162.52 be written-off subject to the implementation of further action, if and when future contact is made.

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

C18. CAPITAL PROGRAMME 2005/06 IMPLEMENTING ELECTRONIC GOVERNMENT - The Director of Corporate Services submitted a report (previously circulated) seeking approval for the release of Capital Grant Funds awarded to the Council for producing a suitable Implementing Electronic Government 2004 (IEG4) statement.

RESOLVED - (a) That the £150,000 Implementing Electronic Government 2004 (IEG4) Capital Grant be released for the following purposes :-

- (i) assist with the Implementation of the e-procurement strategy £50,000;
- (ii) Customer Relationship Management system enhancements £21,000;
- (iii) further website development £20,000; and
- (iv) achievement of the government's priority services £59,000.

(b) That Council be requested to waive the Contract Procedure Rules to allow any further website development work identified, with regard to achieving the government's priority services, to be negotiated with the Council's current website development partner Waterstons.

(c) That provision be made for an additional £10,000 revenue budget for recurring ICT costs related to the implementation of e-government.

REASONS - (a) It supports the Council's Electronic Government Strategy and IEG statements.

(b) It will allow the Council to deliver the priority services as identified by the government.

C19. MEMBERSHIP CHANGES - There were no membership changes reported at the meeting.

C20. 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 item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraphs 7, 8 and 9 of Part I of Schedule 12A to the Act.

C21. SCHEDULE OF TRANSACTIONS (EXCLUSION NOS. 7, 8 AND 9) - The Director of Development and Environment submitted a report and schedule (both previously circulated) requesting that consideration be given to the schedule of transactions and seeking approval of the terms negotiated.

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

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

**DECISIONS DATED -
FRIDAY, 10TH JUNE, 2005**