

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
THURSDAY 16 MARCH 2017**

CABINET
7 March 2017

PRESENT – Councillor Dixon (in the Chair); Councillors Copeland, Harker, C L B Hughes, McEwan, A J Scott and Wallis. (7)

INVITEES – Councillors Curry and Mrs H Scott. (2)

ALSO IN ATTENDANCE – Councillors Crichlow, Coultas, Kelley, Lawton and Tostevin. (5)

C126. DECLARATIONS OF INTEREST – In respect of Minute C131 below, Councillors Copeland, Dixon, Harker, C L B Hughes, McEwan, A J Scott and Wallis declared pecuniary interests, as they were sole trustees of the Crown Street Library, a role they discharge on behalf of the Council.

The Chief Executive reported at the meeting that as the declared pecuniary interest would mean that the whole of Cabinet would be unable to participate, that a dispensation, under Section 33(d) of the Localism Act 2011, had been granted to all Members of Cabinet, to allow them to participate fully at meetings of Cabinet, concerning the Crown Street Library.

C127. REPRESENTATIONS – In respect of Minute C131 below, representations were made by members of the public in attendance at the meeting.

C128. MINUTES - Submitted - The Minutes (previously circulated) of the meetings of this Cabinet held on 7 and 14 February 2017.

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

REASON – They represent an accurate record of the meeting.

C129. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration to this meeting.

C130. ISSUES ARISING FROM SCRUTINY - There were no issues arising from Scrutiny considered at this meeting.

C131. KEY DECISION – (1) The Library Service – Pursuant to Minute C102/Jan/17, the Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given to the decisions to be made in respect of the Library Service in Darlington; the Library Plan for 2017/21 (also previously circulated); and the capital allocation to be agreed for referral to Council.

It was reported that as part of the 2016/17 Medium Term Financial Plan (MTFP) a number of proposals were considered and agreed for consultation in respect of the Library Service, including the relocation of the Crown Street Library Service to the Dolphin Centre; the closing of the Cockerton Library; and the cessation of the Mobile Library Service.

The submitted report outlined the background to the proposals in respect of the Library Service; the financial position facing the Council; the statutory duty of the Council to provide free libraries; the findings from the assessment of local need that had been undertaken; the outcome of the consultation on the library proposals and the Medium Term Financial Plan; alternative proposals considered; and stated that Equality Impact Assessments had been undertaken.

Members of the public in attendance at the meeting, addressed Cabinet in respect of the proposal to move the Library Service to the Dolphin Centre.

Particular reference was made to the need to protect the heritage of the Darlington and to the importance that the Crown Street Library played in that heritage. The Library had been left to the town by the Pease family, to enable people to 'better' themselves, and it needed to be cherished and protected. The proposal to move the library service to the Dolphin Centre would not replicate the service and it would mean that not all the services would be available in the same place, as it is now, and it was felt that the move would mean that a statutory service was supporting a non-statutory service. It was felt that the library was well used and provided a valuable service.

References were also made to the proposals from Darlington for Culture, to save the library; the legal advice on the trusteeship; and to the lack of detail in the report, particularly in respect of the solution for the art gallery.

It was reported that the Friends of the Library had undertaken a survey, which had been completed by 744 people, the majority of which were satisfied, or very satisfied with the current library provision; over 8,000 people had signed a petition and 100 drawings had been produced by children requesting that the library remain in its current location; and that the facebook page to save the library had 1,500 followers.

Concern was expressed at the lack of support and effort to support the library to increase usage and to locate alternative means of income generation to keep it in its current location.

A number of questions were asked by members of public in attendance at the meeting in relation to the 'Futures Fund'; the revenue budget for the Dolphin Centre; the Darlington for Culture proposals to save the library; the future of the Crown Street building should the library service be relocated; the statistics included within the report; and what had been done to increase usage of the Library.

The Cabinet Member with the Leisure and Local Environment Portfolio set out the basis for the proposals, and in doing so highlighted a number of issues, including the severe financial pressures facing the Council; the decline in usage of the Library; the Equality Impact Assessments that had been undertaken; the consultation that had been undertaken; and responded to the questions that had been raised.

Members raised concerns in respect of the savings for 2016/17 and the potential impact on the Council's budget; the use of Bennett House; and the risks associated with the move to the Dolphin Centre. The Cabinet Member with the Leisure and Local Environment Portfolio responded thereon.

RESOLVED - (a) That, subject to (b) below:-

- (i) the Assessment of Local Need, as appended at Appendix 1 to the submitted report, be approved;
- (ii) the Library Plan for 2017/21, as appended at Appendix 2 to the submitted report, be approved and referred to Council for approval;
- (iii) the Central Library Service be relocated from Crown Street to the Dolphin Centre, as detailed in the submitted report;
- (iv) subject to Council confirming the allocation of £1.7m to relocate the Central Library Service to the Dolphin Centre, the release of those funds, be approved;
- (v) the procurement of the scheme be delivered, in accordance with the Contract Procedure Rules, by the Council's Building Services Division, and that the procurement be designated as non-strategic;
- (vi) Cockerton Library becomes a community run library supported by the Library Service, as detailed in the submitted report, and (subject to due diligence):
 - (A) a lease be granted to the Cockerton Library Cooperative;
 - (B) funding of £75,000 be allocated to support the Cockerton Library Cooperative in total over 5 years; and
 - (C) the sum of £10,000 be allocated for repairs to the windows at Cockerton Library;
- (vii) the Mobile Library Service be discontinued; and
- (viii) the Director of Neighbourhood Services and Resources, in consultation with the Cabinet Member with the Leisure and Local Environment Portfolio, be given delegated authority to implement the decisions, as set out above.

(b) That the matters agreed at (a) above, be not implemented until Council:-

- (i) has had the opportunity to consider and debate the library proposals;
- (ii) approve the Library Plan for 2017/21; and
- (iii) confirms the allocation of a capital sum of £1.7million to relocate the Central Library to the Dolphin Centre.

REASONS - (a) To enable the Council to achieve the savings identified in the Medium Term Financial Plan.

(b) To meet the statutory obligation to provide for library services’.

(c) For the Library Plan to be updated to give future direction and to enable the library service to be positioned as an efficiently run and modern service which is responsive to the changing nature of library use.

(d) To enable Council to consider the proposals for the library service.

(NOTE – All Cabinet Members voted in favour of the recommendations detailed above).

(2) Local Transport Plan - The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Economic Growth (previously circulated) providing Members with an update on developments in transport, including the delivery of Darlington’s Local Transport Plan (LTP), and requesting that consideration be given to the release of funding for local and regional transport priorities and to consult on an updated transport strategy for Darlington.

The submitted report stated that the Tees Valley Combined Authority (TVCA) was now operational with a Transport Committee leading on Strategic Transport Priorities for the Tees Valley; a new framework for strategic transport in the Tees Valley had been produced and consulted upon, which set out the key strategic transport priorities for the Tees Valley, including Darlington Station and improved connectivity from the A1 to Teesport; and that further consultation would be undertaken on the Tees Valley Strategic Transport Plan and other ‘daughter’ documents.

It was reported that individual local authorities would still continue to produce LTP’s, which would form the delivery plans for the strategic plan and local priorities and that consultation would be undertaken on the LTP as well as on the Local Plan, with key links between land use planning and transport being identified in both plans and that Darlington and the Tees Valley had secured significant additional funding over and the LTP to facilitate growth and improve transport.

In presenting the report, the Cabinet Member with the Leisure and Local Environment Portfolio commended the officers for their hard work in bidding for the extra funding, as detailed in the submitted report.

RESOLVED - (a) That the progress in delivering the Local Transport Plan, as detailed in the submitted report, be noted, £0.886m Integrated Transport Block and £1.545m Highway Maintenance funding, be released, to deliver the 2017/18 Local Transport Plan Programme, as shown in Appendix E of the submitted report.

(b) That the £133,000 Pot Hole Fund, awarded by the Department for Transport (DfT), and the £145,000 performance reward grant, associated with Highway Asset Management via the DfT Maintenance Incentive Fund, be released.

(c) That the submission of an application form and subsequent due diligence forms to the Tees Valley Combined Authority for the next tranche of Local Growth Fund Sustainable Access to Employment programme funding, for Parkgate pedestrian and

cycle bridge to link Darlington Station and Central Park more directly, be agreed, and if successful to release the £1m funding.

(d) That the Director of Economic Growth, in consultation with the Cabinet Member with the Leisure and Local Environment, be authorised to agree priorities with the Tees Valley Combined Authority for spend and release the National Productivity Investment Fund monies following agreement with Tees Valley Combined Authority.

(e) That the Director of Economic Growth, in consultation with the Cabinet Member with the Leisure and Local Environment Portfolio, be authorised to agree on bidding for external funding available through the following funds and if successful, to the release of the funding secured:

- (i) Challenge Fund Tranche 2;
- (ii) Highways England Pinch Point; and
- (iii) County Durham and Darlington Road Safety Partnership.

(f) That the success of the Tees Valley Combined Authority bid to the Access Fund and the opportunities this brings to Darlington, as detailed in the submitted report, be noted.

(g) That the initial results of the consultation for the Tees Valley Combined Authority's strategic transport framework 'Connecting the Tees Valley', as detailed in the submitted report, be noted, and the Draft Strategic Transport Plan be reviewed when it is issued for further consultation.

(h) That the draft framework for Darlington's revised Local Transport Plan, as detailed in the submitted report, be noted, as the basis for public consultation.

(i) That the delivery of transport schemes in 2016/17, including the current Challenge Fund programme, as detailed in the submitted report, be noted.

(j) That the performance data in relation to road safety, highway maintenance, network management and public satisfaction, as detailed in the submitted report, be noted.

REASONS - (a) To continue to deliver Darlington's transport strategy and deliver against the objectives set out in the Third Local Transport Plan.

(b) To maximise the opportunities to maintain the highway network for the benefit of all road users.

(c) To maximise the potential for investment in Darlington and to underpin our strategies for economic growth, specifically supporting through the Local Growth Fund improved accessibility to Bank Top Station and Central Park, and creating a gateway into Darlington via Parkgate.

(d) To meet the criteria of the new National Productivity Investment Fund through maintenance of the highway asset and supporting the local economy.

(e) To maximise the Council's opportunity to bid for and deliver externally funded transport schemes.

(f) To continue the implementation of the travel behaviour programme across the Tees Valley and to introduce a travel to school programme.

(g) To ensure that the strategic transport plans for the Tees Valley meet the economic aspirations of the Tees Valley Combined Authority and seek to maximise the benefits for Darlington residents, visitors and businesses.

(h) To enable local people, businesses and organisations to shape the Local Transport Plan for Darlington.

(i) To evaluate the delivery of schemes.

(j) To evaluate the progress of transport investment against performance.

C132. RELEASE OF CAPITAL ALLOCATION IN THE MEDIUM TERM FINANCIAL PLAN - PLANNED MAINTENANCE - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the release of funding allocated in the Capital Medium Term Financial Plan 2016/17 to 2019/20 to undertake Planned Maintenance works.

RESOLVED - That the £250,000 allocated in the Capital Medium Term Financial Plan for Planned Maintenance, be released.

REASON - To safeguard the condition of the Council's land and buildings and to meet statutory and legal obligations.

C133. CALENDAR OF COUNCIL AND COMMITTEE MEETINGS 2017/18 - The Leader introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given the Calendar of Council and Committee Meetings for the 2017/18 Municipal Year (also previously circulated).

RESOLVED - That the Calendar of Council and Committee Meetings 2017/18, as appended to the submitted report, be approved, and the proposed dates for the meetings of Council be referred to the Annual Council meeting scheduled to be held on Thursday 18 May 2017, for approval.

REASONS - To ensure that the calendar of meetings is approved for the forthcoming municipal year.

C134. ADDITIONAL ITEMS TO THE PROCUREMENT PLAN - 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 including additional items in the Procurement Plan, to enable the procurement process to commence.

RESOLVED - (a) That the items, as detailed at Appendix 1 of the submitted report, be added to the Procurement Plan.

(b) That the procurements be deemed as non-strategic, in accordance with the assessment matrix, as detailed at Appendix 2 of the submitted report.

(c) That the award of the contract be delegated to the Director of Neighbourhood Services and Resources in line with the Contract Procedure Rules.

REASONS - (a) To ensure the items to be added to the Procurement Plan are able to progress and move forward.

(b) In compliance with the Councils Contract Procedure Rules.

C135. PROPOSED WAITING RESTRICTIONS HIRST GROVE - OBJECTION - The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Economic Growth (previously circulated) advising Members of an objection received to a proposal to introduce waiting restrictions at the junction of Hirst Grove with Harris Street and requesting that consideration be given to a decision on whether to proceed with the proposal.

RESOLVED - That the objection to the proposed waiting restrictions, as detailed in the submitted report, be set aside and officers be authorised to proceed with the proposal to introduce double yellow lines around the junction as advertised.

REASONS - To prevent obstructive parking at the junction of Hirst Grove and Harris Street.

C136. MEMBERSHIP CHANGES – No membership changes were reported at the meeting.

C137. 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 paragraph 3 of Part I of Schedule 12A to the Act.

C138. SCHEDULE OF TRANSACTIONS (EXCLUSION PARAGRAPH NO 3) - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the Schedule of Transactions (also previously circulated) on the terms and conditions as detailed therein.

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

REASON - Terms negotiated require approval by Cabinet before binding itself contractually to a transaction.

**DECISIONS DATED –
WEDNESDAY 8 MARCH 2017**