

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 3 JULY 2017**

CABINET
20 June 2017

PRESENT – Councillor Dixon (in the Chair); Councillors Harker, C L B Hughes, McEwan, S Richmond, A J Scott and Wallis. (6)

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

ALSO IN ATTENDANCE – Councillor Wallis. (1)

C1. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

C2. TIMES OF MEETINGS – RESOLVED – That meetings of this Cabinet be held at 5.00pm for the remainder of the 2017/18 Municipal Year.

C3. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 2 May 2017.

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

REASON – They represent an accurate record of the meeting.

C4. MATTERS REFERRED TO CABINET - There were no matters referred back for re-consideration to this meeting.

C5. ISSUES ARISING FROM SCRUTINY - There were no issues arising from Scrutiny considered at this meeting.

C6. KEY DECISION - ADDITIONAL ITEMS TO THE ANNUAL 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 to including additional items on the Annual Procurement Plan, approved at Minute C144(2)/Apr/17.

The submitted report stated that a number of further procurements had been identified since the Annual Procurement Plan had been approved; outlined the assessment process for contracts to identify whether they were strategic or non-strategic; stated that one contract had been designated as strategic and eight contracts designated as non-strategic; and outlined the procurement advice in respect of those non-strategic contracts.

A Member requested further information on the temporary homeless accommodation contract, and it was reported that as the contract was non-strategic it would not come back to Cabinet, any further information should be requested through the relevant Scrutiny Committee.

RESOLVED - That the assessment of strategic and non-strategic contracts as presented in Appendix 1 of the submitted report, be approved, and it be agreed that:

- (a) further reports/updates on the procurement process for those contracts designated as strategic (including decisions made by the Procurement Board) be brought to Cabinet;
- (b) the contract award decisions for the contracts designated as non-strategic be delegated to the appropriate Director as listed in the plan at Appendix 1 of the submitted report; and
- (c) the contract award decisions for the contracts designated as strategic, as listed in the plan at Appendix 1 of the submitted report, be delegated to the Procurement Board to approve and report back to Cabinet.

REASONS - In respect of strategic/non-strategic contracts, the recommendations are supported by the following reasons:

- (a) the Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic and non-strategic;
- (b) contracts designated strategic are of high value and high significance in respect of the impact on residents, Health and Safety and public safety; and
- (c) the contracts designated non-strategic are of a lower value and lower significance in respect of the impact on residents and public safety.

C7. REPRESENTATION ON OTHER BODIES 2017/18 - The Leader introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given to this Council's representation on other bodies for the 2017/18 Municipal Year, to which Cabinet appoints.

RESOLVED - That the appointments to the other bodies, as detailed below, for the 2017/18 Municipal Year, be approved:-

Name of Body or Organisation	Nomination(s)
Association of Rail North Partnership Authorities	Leader of the Council (Councillor Dixon)
Rail North Ltd.	Leader of the Council (Councillor Dixon)
Transport for the North	Leader of the Council (Councillor Dixon)
North East Rail Management Unit	Leader of the Council (Councillor Dixon)
Charitable Organisations for the Blind (COB)	Councillor Newall

Name of Body or Organisation	Nomination(s)
County Durham and Darlington Foundation Trust – Board of Governors	Councillor A J Scott (Councillor S Richmond as named substitute)
Creative Darlington	Councillor Wallis (Cabinet Member with Leisure and Local Environment Portfolio) and Councillor Carson (Chair of Place Scrutiny Committee) as named substitute
Darlington and District Youth and Community Association (2002)	Councillor Baldwin and Councillor Curry
Darlington Cares	Councillor McEwan (Cabinet Member with Economy and Regeneration Portfolio)
Darlington Partnership Board	Leader of the Council (Councillor Dixon), Cabinet Member with Housing, Health and Partnerships Portfolio (Councillor A J Scott), Cabinet Member with Children and Young People Portfolio (Councillor C L B Hughes) and Councillor Mrs Scott (Leader of the Opposition)
Darlington Railway Museum Trust	Cabinet Member with Leisure and Local Environment Portfolio (Councillor Wallis)
Durham County Pension Fund Committee	Cabinet Member with Efficiency and Resources Portfolio (Councillor Harker) and Chair of Efficiency and Resources Scrutiny Committee (Councillor I G Haszeldine)
Durham Tees Valley Airport Limited - Board	Councillor Dixon (Director) (Councillor Wallis as substitute Council Director)
Durham Tees Valley Airport Limited - Consultative Committee	Cabinet Member with Leisure and Local Environment Portfolio (Councillor Wallis)
Family Help Organisation	Councillors Curry, Kane and Newall
Family Placement Panel	Councillor Crumbie
Maidendale Nature and Fishing Reserve (Associate Member)	Councillor Dixon (Ward Member)
North East Regional Employers Organisation	Cabinet Member with Efficiency and Resources Portfolio (Councillor Harker), Chair of Efficiency and Resources Scrutiny Committee (Councillor I G Haszeldine) and Vice Chair of Efficiency and Resources Scrutiny Committee (Councillor Crumbie)

Name of Body or Organisation	Nomination(s)
Executive Committee	Cabinet Member with Efficiency and Resources Portfolio (Councillor Harker)
North East Strategic Migration Partnership	Leader of the Council (Councillor Dixon) and Cabinet Member with the Children and Young People Portfolio (Councillor C L B Hughes) (when dealing with unaccompanied children)
Northern Housing Consortium	Cabinet Member with Housing, Health and Partnerships Portfolio (Councillor A J Scott)
Northumbrian Regional Flood and Coastal Committee	Councillor Carson (Councillor McEwan as named substitute)
RELATE North East	Councillor Regan and Councillor Cartwright
Shadow South Tees Development Corporation	Councillor Dixon (Leader of the Council)
Tees Valley Local Access Forum	Councillor Carson (Chair of Place Scrutiny Committee)
Tidy North Regional Consultative Committee	Cabinet Member with Leisure and Local Environment Portfolio (Councillor Wallis)

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

C8. PROPOSED WRITE-OFF OF IRRECOVERABLE DEBTS - 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 to the writing-off of sundry debtor invoices with individual values greater than £500, that were considered to be irrecoverable.

The submitted report stated that amount being written off amounted to 0.33 per cent of the debt collectable and that no further practical or economical steps could be taken to cover the sums.

RESOLVED - That Sundry Debtor invoices over £500, amounting to £102,727 for 2016/17 be written-off, subject to further action if and when contacts are made.

REASONS - (a) It is considered all practical steps have been made to recover the debts.

(b) To enable the Council's accounts to be maintained in accordance with the Financial Procedure Rules.

C9. MEMBERSHIP CHANGES – There were no membership changes reported at the meeting.

C10 – RELEASE OF CAPITAL FUNDING – ECONOMIC GROWTH – With the prior approval of the Leader to the matter being treated as urgent, the Cabinet Member with the Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the release of Capital allocations, approved in the Medium Term Financial Plan (MTFP) Capital Programme (Minute C148/Apr/17 refers).

Discussion ensued on the location of the roads to be adopted and repaired and it was requested that Ward Members be notified to enable them to notify residents in their wards accordingly.

RESOLVED - That subject to Council on the 20 July 2017, approval be given to:-

- (a) the release of £0.5m approved capital allocation for a programme of maintenance on the unclassified road network to be spent in line with the agreed programme of works, funded through MTFP, Capital Programme and Revenue Contribution to Capital Outlay (RCCO);
- (b) the release of £0.094m approved capital allocation to undertake a series of bridge inspections and testing to establish the extent of the programme funded through MTFP, Capital Programme and RCCO's;
- (c) the release of £0.235m to replace the boilers in the Town Hall funded from the Capital Programme;
- (d) the release of £0.250m to commence work on non-adopted Council roads to bring those roads up to an adoptable standard and reduce the risk of potential liability funded through MTFP, Capital Programme and RCCO's;
- (e) the release of £1.424m approved capital allocation from the Economic Growth Investment Fund for 2017/18 for a programme of projects, as outlined in the submitted report, and £796k from the 2018/19 allocation for infrastructure works on Ingenium Park;
- (f) the release of £0.220m capital funding for the delivery of Morton Palms Car Park funded through RCCOs; and
- (g) the release of £0.300m approved advanced design fees allocation from the 2015/16 Capital MTFP and the 2017/18 Capital MTFP.

REASONS - (a) To safeguard the condition of the Council's assets, meet statutory and legal obligations, and manage risk in terms of business continuity.

(b) To assist in the enablement of investments required in order to deliver Darlington's ambitions for sustainable economic growth.

(c) To ensure decisions can be made on a timely basis.

C11. 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 paragraph 4 of Part I of Schedule 12A to the Act.

C12. DARLINGTON MARKETS – APPOINTMENT OF A PREFERRED PARTNER – FINANCING OF CAPITAL EXPENDITURE (EXCLUSION PARAGRAPH NO 4) - 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 to a request from the preferred partner for the Darlington Markets for the Council to finance the capital expenditure by way of a loan from the Council.

The submitted report outlined the background to the request; financial implications, risks; and legal advice given.

RESOLVED - (a) That a loan to MAM Ltd, on the terms as set out in the submitted report, be approved.

(b) That the Director of Neighbourhood Services and Resources be authorised to finalise the loan agreement.

(c) That the Assistant Director Law and Governance be authorised to complete the necessary legal documents.

REASONS - (a) To facilitate improvements to the Covered Market.

(b) To enable the loan to be completed.

**DECISIONS DATED –
FRIDAY 23 JUNE 2017**