

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 20 NOVEMBER 2017**

CABINET

7 November 2017

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

INVITEES – Councillors Curry, I G Haszeldine and Mrs H Scott. (3)

ALSO IN ATTENDANCE – Councillor Crichlow.

APOLOGIES – Councillor McEwan.

C64. REPRESENTATIONS – No representations were made by Members or members of the public in attendance at the meeting.

C65. DECLARATIONS OF INTEREST – In respect of Minute C70 below, Councillor Harker declared a pecuniary interest as he is Chair of Governors at George Dent Nursery School, and left the meeting during consideration of that item only.

C66. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 10 October 2017.

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

REASON – They represent an accurate record of the meeting.

C67. MATTERS REFERRED TO CABINET - There were no matters referred back for re-consideration to this meeting.

C68. ISSUES ARISING FROM SCRUTINY - There were no issues arising from Scrutiny considered at this meeting.

C69. KEY DECISIONS - (1) Central Park Masterplan - The Leader introduced the report of the Director of Economic Growth (previously circulated) requesting that consideration be given to the refreshed Central Park Masterplan (also previously circulated), which provides the development framework for the scheme.

The submitted report stated that Central Park continued to be one of the priority economic growth projects for Darlington and the Tees Valley; in order to fulfil its full economic and commercial potential, the Council and the Homes and Communities Agency (HCA) had refreshed the masterplan to increase the space available for employment uses; and that the main change between the new masterplan and the existing masterplan, was the removal of land for housing at Central Park South in favour of creating additional development plots for commercial development.

Particular references were made at the meeting to vehicular access to and from the site and the provision of parking.

RESOLVED - That the refreshed Central Park Masterplan, as set out in Appendix 1 of the submitted report, be endorsed.

REASONS - (a) To maximise the economic growth potential of Central Park.

(b) In the interests of achieving efficient and effective use of land.

(2) Council Tax Support – Scheme Approval - 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 draft Council Tax Support (CTS) Scheme for 2018/19 (also previously circulated).

The submitted report stated that Councils were required to set a Council Tax Scheme each year; as part of the exercise Councils were required to consider whether any changes should be made to the existing scheme and where changes were made, consider what transitional protection, if any should apply to anyone affected by those changes; and that following a request from the Children’s Commissioner for England, it was proposed to provide 100 per cent discount for care leavers under the age of 25.

RESOLVED – That the draft Council Tax Support Scheme for 2018/19, as detailed at Appendix 1 of the submitted report, be approved, for submission to Council for consideration and adoption.

REASONS - (a) The Council is required to publish a local CTS scheme for 2018/19 by 31 January 2018.

(b) The CTS schemes since 2013/14 have all been implemented successfully without any major challenges.

(c) The financial position of the Council has not improved and therefore the continued application of a reduced entitlement for working aged people is still appropriate.

C70. (URGENT ITEM) THE FEDERATION OF DARLINGTON NURSERY SCHOOLS - INSTRUMENT OF GOVERNMENT - The Cabinet Member with the Children and Adult Services Portfolio introduced the report of the Director of Children and Adults Services (previously circulated) requesting that consideration be given to a new Instrument of Government for the Federation of Darlington Nursery Schools (also previously circulated) (currently Borough Road Nursery School and George Dent Nursery School) in accordance with the requirements set out in the School Governance (Constitution) (England) Regulations 2012.

The submitted report stated that local authorities were required to ‘make’ (confirm and seal) Instruments of Government for the Governing Bodies of Maintained Schools when they reconstitute; in April 2017 the Government changed the way early years education was funded; and that as the only two Local Authority maintained nursery schools in Darlington, the Governors of each school and the Local Authority believed it was important for both schools to work closely together to ensure the continuation of high quality education for nursery children.

RESOLVED – That, following the consultation to federate the two maintained Nursery Schools, the Assistant Director Law and Governance be authorised to compete and formalise the new Instrument of Government for the Federation of Darlington Nursery Schools (currently Borough Road Nursery School and George Dent Nursery School).

REASONS - (a) This will enable the new Instrument of Government to be sealed and issued to the relevant Governing Body forthwith.

(b) The Council has a duty to keep instruments of government up to date and to ensure that they comply with relevant law and guidance.

C71. CORPORATE PLAN AND PERFORMANCE FRAMEWORK - The Leader introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to the new Corporate Plan and supporting Performance Framework (both also previously circulated).

The submitted report stated that the Corporate Plan was an overarching high level strategy for the Council detailing how it contributed towards the outcomes set out in the wider Sustainable Community Strategy ‘One Darlington Perfectly Placed’; it aimed to provide a clear and accessible summary of the Council’s organisational objectives; it had been developed in alignment with the four year Medium Term Financial Plan; and that it was underpinned by the corporate policy framework and service level plans.

Discussion ensued on Community Safety and in particular the perceived increase in anti-social behaviour.

RESOLVED - (a) That the draft Corporate Plan 2017/21, as detailed at Appendix 1 to the submitted report, be approved for submission to Council for final approval.

(b) That the draft Corporate Plan Performance Management Framework, as detailed at Appendix 2 to the submitted report, be approved for submission to Council for final approval.

REASONS - (a) To approve plans for a new corporate planning and associated performance management framework for the Council.

(b) To meet the procedural requirements, as set out in the Council’s constitution, for changes to the policy framework.

C72. EQUALITY POLICY AND OBJECTIVE(S) CONSULTATION - The Leader introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to commencing consultation on the draft Equality Policy and Objective (also previously circulated).

The submitted report stated that although it was not statutory for the Council to have an Equality Policy it was considered best practice and demonstrated the Council’s commitment to meeting the Public Sector Equality Duty and that following a period of pre-consultation engagement the draft policy, as appended to the submitted report, had been developed.

RESOLVED - That the content of the draft Equality Policy and Objective 2017/21, as detailed at Appendix B of the submitted report, be agreed for consultation.

REASONS - (a) The Council needs to meet the PSED, as set out within the Equality Act 2010.

(b) Publishing an equality policy containing the Council's equality objective(s) is the most efficient and effective way of complying with the PSED.

C73. DARLINGTON TOWN CENTRE FOOTFALL STRATEGY - The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given to the Town Centre Footfall Strategy.

The submitted report stated Town Centres across the Council were adapting to changing trading conditions; significant investment had been made in Darlington's Town Centre in recent years to improve what was on offer for visitors; and that the latest strategy had been developed in consultation with town centre business. It was reported that the key elements of the strategy were boosting the reputation of Darlington as a Market Town; improving the attractiveness of the Town Centre; and removing barriers.

Particular references were made to the challenges facing town centres; the need to get positive messages out to the public about Darlington Town Centre; the importance of promoting Darlington as a Market Town; and the impact on the Town Centre as a result of the loss of the Business Improvement District (BID) status.

RESOLVED - (a) That the Town Centre Footfall Strategy, as detailed in the submitted report, be approved.

(b) That updates on the progress of the strategy, be considered at future meetings of Cabinet.

REASONS - (a) To ensure the Council has a focused plan to support the town centre.

(b) To monitor performance of the town centre.

C74. PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING QUARTER TWO 2017/2018 - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Neighbourhood Services and Resources and the Director of Economic Growth (previously circulated) providing a summary of the latest Capital resource and commitment position, to inform monitoring of the affordability and funding of the Council's Capital Programme; an update on the current status of all construction projects currently being undertaken by the Council; and requesting that consideration be given to a number of changes to the programme.

The submitted report stated that the projected outturn of the current Capital Programme was £135.586M against an approved programme of £135.582M; the investment was delivering a wide range of improvements to the Council's assets and services; the Council had a substantial annual construction programme of work; and the projects

were managed either by the Council's in-house management team, a Framework Partner or by Consultants sourced via an open/OJEU tender process.

RESOLVED - (a) That the status position on construction projects, as detailed in the submitted report, be noted.

(b) That the projected capital expenditure and resources, as detailed in the submitted report, be noted.

(c) That the adjustments to resources, as detailed in paragraph 20 of the submitted report, be approved.

REASONS - (a) To inform Cabinet of the current status of construction projects.

(b) To make Cabinet aware of the latest financial position of the Council.

(c) To maintain effective management of resources.

C75. REVENUE BUDGET MONITORING 2017/18 – QUARTER 2 - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) providing an up-to-date forecast of the 2017/18 revenue budget outturn, as part of the Council's continuous financial management process.

The submitted stated that latest projections showed an overall improvement against the Medium Term Financial Plan (MTFP) of £3.792M; further savings had been achieved in financing costs; the Council-wide budget was forecast to be underspent by £0.26M; and that the departmental position had improved by £0.451M.

RESOLVED - (a) That the forecast revenue outturn for 2017/18, as detailed in the submitted report, be noted.

(b) That the proposed carry forward of resources, as referred to in paragraphs 15 and 16 of the submitted report, be noted and approved.

(c) That the creation of the earmarked reserves, as requested in paragraphs 17 and 18 of the submitted report, be noted and approved.

(d) That further regular reports be made to monitor progress and take prompt action if necessary.

REASONS - (a) To continue effective management of resources.

(b) To continue to deliver services to agreed levels.

C76. MEMBERSHIP CHANGES – RESOLVED – That Councillor McEwan, the Cabinet Member with the Economy and Regeneration Portfolio, be nominated to represent the Council on Durham Tees Valley Airport, and Councillor Carson, as Chair of the Place Scrutiny Committee, be the named substitute.

C77. 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 3 of Part I of Schedule 12A to the Act.

C78. 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) and seeking approval of the terms negotiated.

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

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

**DECISIONS DATED –
FRIDAY 10 NOVEMBER 2017**