

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE  
MONDAY 18 DECEMBER 2017**

**CABINET**

5 December 2017

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

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

**C79. REPRESENTATIONS** – No representations were made by Members or members of the public in attendance at the meeting.

**C80. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**C81. MINUTES** - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 7 November 2017.

**RESOLVED** - That with the deletion of the Cabinet Member with the Children and Adults Portfolio and the insertion of the Cabinet Member with the Children and Young People Portfolio, in the first line of Minute C70, the Minutes be confirmed as a correct record.

**REASON** – They represent an accurate record of the meeting.

**C82. MATTERS REFERRED TO CABINET** - There were no matters referred back for re-consideration to this meeting.

**C83. ISSUES ARISING FROM SCRUTINY** - There were no issues arising from Scrutiny considered at this meeting.

**C84. KEY DECISIONS - (1) Regional Adoption Agency** - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of Children and Adults Services (previously circulated) requesting that consideration be given to the Full Business Case (also previously circulated) establishing a shared Adoption Service for the Tees Valley and to granting delegated powers to Stockton Borough Council, who will host the Service on behalf of the five Local Authorities involved.

The submitted report stated that in June 2015, the Department for Education (DfE) published 'Regionalising Adoption' and asked all adoption agencies in England to consider how to work more closely together on a regional basis; the Education and Adoption Act 2016, advised authorities and voluntary adoption agencies to join together to form Regional Adoption Agencies (RAA), with an expectation that by 2020 all local authorities must be part of a RAA; an expression of interest had been submitted by the Tees Valley local authorities, including Darlington, for an adoption reform grant to scope

the development of a Tees Valley Adoption Service; and that an Outline Business Case had been developed in early 2017.

Reference was made to the Full Business Case and in particular the governance arrangements for the RAA; service design and staffing; finance; and the next steps.

Discussion ensued on the implications of the proposed development of a RAA on local children.

**RESOLVED** - (a) That the Adoption Tees Valley Full Business Case, as appended to the submitted report, be approved.

(b) That £80,000 be set aside to cover the potential budget gap in the first year, dependent on support costs and interagency fees.

(c) That this Council's duties, as set out in the draft section 101 agreement at Appendix 2 to the submitted report, be delegated to Stockton Borough Council.

(d) That the Director of Children's and Adult Services, in consultation with the Director of Neighbourhood Services and Resources, Assistant Director, Law and Governance and Cabinet Member with the Children and Young People Portfolio, be authorised to agree the final details of the draft section 101 agreement, subject to there being no substantial changes to the Full Business Case and draft section 101 agreement, as it appears in Appendix 2 to the submitted report.

(e) That, subject to the execution of the section 101 agreement once it has been finalised in accordance with the authorisation in 6(d) above, this Council agrees that Stockton Borough Council will exercise delegated functions on its behalf with regard to the recruitment and assessment of adopters, adoption panels, family finding and adoption support.

**REASON** - To progress the creation of a Tees Valley Regional Adoption Agency - Adoption Tees Valley.

**(2) Special Educational Needs and/or Disability Strategy 2017/20** - The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of Children and Adults Services (previously circulated) requesting that consideration be given to the draft Special Educational Needs and/or Disability Strategy (SEND) 2017/20 (also previously circulated).

The submitted report stated that although that although the SEND Strategy was not a statutory requirement, the production of a Strategy as a strategic plan for delivering improved outcomes for children and young people who had special educational needs and/or disabilities was considered to be best practice and expected as part of the SEND Inspection regime; the current draft strategy provided an overview of the Council's approach to improving outcomes for children with Special Educational Needs and/or Disabilities; that further data analysis was currently being undertaken by health parties to inform the needs analysis aspects of the Strategy; once finalised the strategy would be a jointly developed and owned document by partners from education, health and social care, as well as parents and carers; and it supported the One Darlington

Perfectly Placed Sustainable Community Strategy priority of giving the best start in life for every child.

**RESOLVED** - That the draft Special Educational Needs and/or Disability Strategy 2017/20, as appended to the submitted report, be endorsed.

**REASON** – To enable Cabinet to consider the draft SEND Strategy, prior to it being approved by the Health and Well Being Board.

**(3) Adult Social Care Eligibility Criteria** – Pursuant to Minute C18(2), the Cabinet Member with Adult Social Care Portfolio introduced the report of the Director of Children and Adults Services (previously circulated) requesting that consideration be given to a proposed change to the Adult Social Care Eligibility Criteria.

The submitted report stated that the Care Act 2014 had required all Local Authorities to review and amend their eligibility criteria for adult social care; following that review this Council adopted a new eligibility criteria and increased it beyond the minimum threshold to include ‘managing medication’; it was now proposed to remove ‘managing medication’ to bring it in line with the National Eligibility Criteria and with other Local Authorities in the region; that potentially 42 individuals had been identified, who would be impacted by the proposal; the Council had undergone a full public consultation on the proposed change with service users and members of the public over a twelve week period; and that an Equality Impact Assessment had been completed in order for the Council to make a fair and informed decision on the proposal.

**RESOLVED** - (a) That the change to the adult social care eligibility criteria be agreed as set out in submitted report, namely, the removal of ‘Managing Medication’ as an outcome as set out in its current policy for eligibility criteria.

(b) That the updated Adult Social Care Eligibility Policy, as appended to the submitted report at Appendix C, be agreed and adopted.

**(4) (URGENT ITEM) Land at Neasham Road – Darlington Arena** – With the prior approval of the Leader to the matter being treated as urgent to enable a decision to be made at the earliest opportunity, the Cabinet Member with Economic Growth Portfolio introduced the report of the Director of Economic Growth (previously circulated) advising Members of proposals to secure the future of the Darlington Arena as a multi-purpose sports village; updating Members on actions undertaken by Officers to date; and requesting that consideration be given to an approach to take the project forward.

The submitted report stated that Darlington Mowden Park (DMP), the owners of the arena recently approached the Council with a request to work collaboratively on a proposal for the arena and land owned by DMT and the Council (as shown on the plan appended to the submitted report) to create Darlington Sports Village; outlined the background to the proposals and stated that to facilitate early engagement with potential investors Officers had issued a letter of comfort to DMP; and the financial and legal implications of the proposal.

**RESOLVED** - (a) That the position be noted.

(b) That the intention to work with Darlington Mowden Park and the private investor(s) to carry out initial development of the business plan for the Darlington Sports Village, be endorsed.

(c) That the principles and future financial commitments, as articulated in Appendix 2 to the submitted report, be agreed.

(d) That, subject to viability, the business plan for the Darlington Sports Village be brought to Cabinet to consider further approvals needed.

**REASONS** - (a) To pursue the creation of sustainable community sports facilities in Darlington.

(b) To seek to achieve significant economic regeneration including employment opportunities.

(c) To give guarantee and security of access to adjacent Council land in the future.

**C85. REVIEW OF OUTCOME OF COMPLAINTS MADE TO OMBUDSMAN** – The Leader introduced the report of the Director of Neighbourhood Services and Resources and the Director of Children and Adults Services (previously circulated) providing Members with an update of the outcome of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman (HO) since the preparation of the previous report to Cabinet on 11 July 2017.

**RESOLVED** - That the content of the report be noted.

**REASONS** - (a) It is important that Members are aware of the outcome of complaints made to the LGSCO and the HO in respect of the Council's activities.

(b) The contents of this report do not suggest that further action, other than detailed in the report, is required.

**C86. LOCAL LETTINGS POLICY - NEW BUILD HOUSING** - The Cabinet Member with the Housing, Health and Partnerships Portfolio introduced the report of the Director of Neighbourhood Services and Resources (previously circulated) requesting that consideration be given to the introduction of a new Local Lettings Policy for new build council housing.

The submitted report stated that Local Letting Policies were supplementary to the Common Allocations Policy and they provided the opportunity to address local needs; the new Local Lettings Policy would seek to address the needs of a broader range of people seeking affordable housing for rent; although new properties would still be let in the usual manner, an additional criteria would be applied to ensure that 60 per cent of tenants were economically active; and that an Equality Impact Assessment had been undertaken on the proposals.

**RESOLVED** - That the Local Lettings Policy for new Council housing be changed to enable 60 per cent of applicants to be in employment, as described in the submitted

report, in order to encourage a positive impact on the economic and social development of the community.

**REASON** - The new policy will ensure that a mix of needs are met within new developments helping to address the aims as set out in One Darlington, Perfectly Placed.

**C87. MEMBERSHIP CHANGES** – There were no membership changes reported at the meeting.

**DECISIONS DATED –  
FRIDAY 8 DECEMBER 2017**