

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 22 OCTOBER 2018**

CABINET

Tuesday, 9 October 2018

PRESENT – Councillors Harker (Chair), Crumbie, C L B Hughes, S Richmond, A J Scott and Wallis

INVITEES – Councillors Curry and Mrs H Scott

APOLOGIES – Councillors McEwan

C56 REPRESENTATIONS

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

C57 DECLARATIONS OF INTEREST.

In respect of Minute C61(1) below, Councillors Crumbie, Harker and C L B Hughes declared pecuniary interests, due to their respective roles on the School Governing Bodies of Reid Street Primary School, Federation of Darlington Nursery Schools, Whinfield Primary School and Carmel College, and left the meeting during consideration of that item only and Councillor A J Scott took the Chair, for that item only. Mrs Scott declared a non-pecuniary interest due to her involvement in the Education Village

In respect of Minute C64 below, Councillor A J Scott declared a pecuniary interest as Councillor A J Scott worked at a business on Alderman Best Way and left the meeting during consideration of that item only. Councillor Mrs Scott declared a non-pecuniary interests as a family member who worked for a business on Alderman Best Way.

C58 MINUTES

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 11 September 2018.

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

REASON – They represent an accurate record of the meeting.

C59 ISSUES ARISING FROM SCRUTINY COMMITTEE

There were no issues referred from the Scrutiny Committees to this Meeting, other than where they have been specifically consulted on an issue and their comments are included in the contents of the relevant report on this agenda.

C60 MATTERS REFERRED TO CABINET

There were no matters referred back for reconsideration to this meeting.

C61 KEY DECISIONS:-

(1) PROCUREMENT PLAN UPDATE

The Leader and Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Managing Director (previously circulated) requesting that consideration be given to the updated Annual Procurement Plan (also previously circulated); the outcomes of procurement(s) previously designated as Strategic; decisions taken by the Procurement Board to waive the Contract Procedure Rules and agreed direct contract awards; and to the general update on procurement matters.

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

- (i) further reports/updates on the procurement process for those contracts designated as strategic (including decisions made by the Procurement Board) be brought to Cabinet;
- (ii) 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
- (iii) 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 be reported back to Cabinet.

(b) That the contents of the submitted report, in respect of the update of strategic procurements, Procurement Board waiver decisions and the general update, be noted.

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

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

(b) In respect of Procurement Board waiver decisions, the recommendations are supported by the following reasons: -

- (i) in order to comply with the Contract Procedure Rules; and
- (ii) to provide Cabinet with information about the decisions made by the

C62 REVIEW OF OUTCOME OF COMPLAINTS MADE TO OMBUDSMAN

The Leader introduced the report of the Managing Director, Director of Children and Adults Services and Director of Economic Growth and Neighbourhood 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 5 December 2017.

The submitted report stated that during the second half of 2017/18 the Council received one upheld maladministration injustice decision, which was the same number received for this period in 2016/17; there were no themes running through those complaints upheld by the LGSCO; and that the findings do not indicate there were any problems that the Council needed to address.

RESOLVED - That the contents of the submitted 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.

C63 COMPLAINTS, COMPLIMENTS AND COMMENTS ANNUAL REPORTS 2017/18

The Leader introduced the Report of the Managing Director, Director of Children and Adults Services and Director of Economic Growth and Neighbourhood Services (previously circulated) providing Cabinet with the 2017/18 Complaints, Compliments And Comments Annual Reports for Adult Social Care, Children's Social Care, Corporate, Housing and Public Health (all also previously circulated).

The submitted report stated that 871 complaints had been received during 2017/18; this was the second highest number of complaints that had been received since 2009/10, when the Council started to keep comprehensive records; and that the complaints had primarily resulted from new ways of work aimed at supporting the delivery of the Council's Medium Term Financial Plan.

RESOLVED – (a) That the contents of the 2017/18 Complaints, Compliments and Comments Annual Reports for Adult Social Care, Children's Social Care, Corporate, Housing and Public Health, as appended to the submitted report, be noted.

(b) That the further recommendation made in the Children's Social Care Complaints, Compliments and Comments Annual Report, namely that children's social care staff should work to improve performance against the Stage 1, 2 and 3 timescales, be endorsed.

REASONS – (a) To make Cabinet aware of the number and nature of the complaints, compliments and comments received by the Council and the

organisational learning that has taken place as a result.

(b) To enable the Council to further improve its services as a result of the complaints, compliments and comments received and improve satisfaction with complaints handling.

C64 PROPOSED WAITING RESTRICTIONS ON ALDERMAN BEST WAY - OBJECTIONS

The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) advising Members of two objections received to a proposal to implement no waiting restrictions on Alderman Best Way at Morton Palms and seeking a decision on whether to proceed with the proposal.

The submitted report outlined the background to the proposals; financial and legal implications; and outcome of consultation.

RESOLVED – (a) That the objections received, as highlighted in the submitted report, be set aside.

(b) That officers be authorised to proceed with the proposal as advertised.

REASON - To improve the flow of traffic and reduce the potential for road traffic accidents.

C65 MEMBERSHIP CHANGES

There were no membership changes reported at the meeting.

**DECISIONS DATED –
FRIDAY 12 OCTOBER 2018**