

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 18 MARCH 2019**

CABINET

Tuesday, 5 March 2019

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

INVITEES – Councillors Curry, K Nicholson and Mrs H Scot

ALSO IN ATTENDANCE – Councillors C Taylor

C120 DECLARATIONS OF INTEREST.

In respect of Minute C125(3) below, Councillors Harker and Hughes declared pecuniary interests due to their respective roles on the School Governing Bodies of Reid Street Primary School and Darlington Nursery Schools' Federation and Carmel College respectively, and left the meeting during consideration of that item, and Councillor McEwan took the Chair.

In respect of Minute C126 below, Councillor Harker declared a pecuniary interest due to his role on the School Governing Bodies of Reid Street Primary School and Darlington Nursery Schools' Federation, and left the meeting during consideration of that item and Councillor McEwan took the Chair.

C121 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE GENERAL PUBLIC) ON ITEMS ON THIS CABINET AGENDA.

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

C122 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON:-

(1) TUESDAY, 5 FEBRUARY 2019

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 5 February 2019.

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

REASON – They represent an accurate record of the meeting.

(2) TUESDAY, 12 FEBRUARY 2019

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 12 February 2019.

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

REASON – They represent an accurate record of the meeting.

C123 MATTERS REFERRED TO CABINET

There were no matters referred back for re-consideration to this meeting.

C124 ISSUES ARISING FROM SCRUTINY COMMITTEE

There were no issues arising from Scrutiny considered at this meeting.

C125 KEY DECISIONS:-

(1) LOCAL TRANSPORT PLAN 2019/2020

The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) providing Members with the annual update on highways and transport from a national, regional and local perspective; outlining performance, public satisfaction and reports on delivery in 2018/19; providing an update on the development and consultation on the Tees Valley and Darlington Transport Plans; requesting that consideration be given to the 2019/20 programme of schemes (also previously circulated); and to the release of funding for the local and regional transport priorities.

The submitted report stated that Transport for the North (TFN), England's first Sub-National Transport Body, was formed to transform the transport system across the North of England, providing the infrastructure needed to drive economic growth; TFN had consulted upon a 30-year Strategic Transport Plan, which was due for publication early in 2019; and stated that Darlington Station, Darlington North Link Road and A19 New Tees Crossing, were among the key strategic priorities contained within the plan for Darlington and the Tees Valley.

It was reported that the Tees Valley Combined Authority (TVCA) was also developing a Statutory Local Transport Plan, as the Transport Authority for the Tees Valley; the plan would be consulted upon in spring/summer 2019 and would bring together investment to deliver a more effective and efficient integrated transport system across the Tees Valley; the Tees Valley Investment Plan, which was approved by the TVCA Cabinet in January 2019 had identified £256.7m investment in transport over the next ten years and a £25m contribution had been committed by TVCA to lever national investment in the redevelopment programme relating to Darlington Station; each Tees Valley authority would continue to have a Local Transport Plan (LTP) (or Local Implementation Plan) to drive local transport priorities and connect to the priorities of the TVCA and TFN; and that the Darlington LTP (Local Implementation Plan) would be drafted and consulted upon following the consultation on the TVCA Strategic Plan. Particular reference was made to the additional funding that Darlington had secured over and above the LTP formulaic allocations from the Department for Transport of circa £3.830m, which would be used to help facilitate economic growth and improved transport.

Particular reference was made at the meeting to the additional funding received from the Department for Transport; the pothole fund money; and to a number of highway

issues on North Road.

RESOLVED – (a) That the progress in delivering the Local Transport Plan, as detailed in the submitted report, be noted, and £0.866m Integrated Transport Block and £1.689m Highway Maintenance Funding (£1.398m plus £0.291m incentive funding), be released, to deliver the 2019/20 transport programme.

(b) That the Pothole Fund monies (amount to be announced) awarded by the Department for Transport (DfT), be released.

(c) That £500,000 for maintenance of unclassified roads and £500,000 for bridge maintenance for each year, in line with the capital programme approved in April 2017, for both 2018/19 and 2019/20, be released.

(d) That the submission of due diligence forms for the next tranche of TVCA Single Pot Sustainable Access to Employment funding for schemes on Allington Way and Victoria Road, be agreed, and if successful, funding be released.

(e) That the delivery of transport schemes in 2018/19 and current performance in relation to road safety, highway maintenance, network management and public satisfaction, as detailed in the submitted report, be noted.

(f) That the timetable for consultation on the TVCA Strategic Transport Plan and the proposed framework for consultation on the Darlington Transport Plan, as detailed in the submitted report, be noted.

(g) That authority be delegated to the Director of Economic Growth, in consultation with the Cabinet Member with the Leisure and Local Environment Portfolio, to bid on external funding opportunities, the first being the opportunity to submit a bid for £170,000 to the Rural Payments Agency for European Agriculture Fund for Rural Development, to implement the required schemes, and if successful, the funding secured, be released.

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 asset for the benefit of road users.

(c) To address the deterioration in the unclassified road network and an increased bridge maintenance programme following a robust inspection regime of all structures.

(d) To maximise the potential for investment in Darlington and to underpin economic growth priorities, specifically supporting improved access to Darlington Station and sustainable travel to the Eastern Growth Zone.

(e) To evaluate the delivery of schemes and the progress of transport investment against performance.

(f) 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; and to enable local people, businesses and organisations to shape the Darlington Transport Plan.

(g) To maximise the Council's opportunity to bid for external funds to deliver the Stockton and Darlington Railway walking and cycling route.

(2) SEND HIGH NEEDS REVIEW - HOME TO SCHOOL TRANSPORT

The Cabinet Member with the Adult Social Care Portfolio introduced the report of the Director of Children and Adults Services (previously circulated) updating Members on the outcome of the recent public consultation undertaken and requesting that consideration be given to the introduction of a Travel Assistance Policy for pupils with Special Educational Needs and Disabilities (SEND) (also previously circulated).

The report stated that the introduction of a Travel Assistance Policy was recommended following the outcome of a public consultation exercise with service users, stakeholders and the wider public; the proposed changes would help to ensure that travel assistance support could continue to be provided to all eligible children and young people in line with increasing demand and budgetary pressures; the policy provided the opportunity to offer a more flexible range of options to families and improve the quality of the service provision; and that the policy would ensure that children and young people with SEND did not miss out on the opportunity to develop independent travel skills.

The Chair of the Children and Young People Scrutiny Committee addressed Cabinet in relation to the consultation that had been undertaken in respect of the Travel Assistance Policy and the SEND Strategy; the positive feedback received from parents; and to the recommendations of the Children and Young People Scrutiny.

Discussion ensued on the Equality Impact Assessments undertaken, particularly in relation to Beaumont Hill Academy, who had a large number children with SEND; how the feedback from the consultation would be used; the recommendations from the scrutiny committee; access to child and adolescent mental health services (CAMHS); and on the importance of encouraging children to lead independent lives.

RESOLVED – (a) That the feedback from the public consultation undertaken in respect of the policy, as appended to the submitted report, be noted.

(b) That the Equalities Impact Assessment, as appended to the submitted report, be noted.

(c) That the new Travel Assistance Policy, as appended to the submitted report, be approved.

REASON – (a) To address pressures on the school transport budget.

(b) To utilise travel assistance funding in a way that provides assistance that is suitable and appropriate to the needs of children and young people and provides a range of transport assistance options.

(c) To provide assistance, where appropriate, that helps children and young people to

adequately prepare for adulthood by encouraging and enabling them to develop their potential to travel independently.

(3) SPECIAL EDUCATIONAL NEEDS STRATEGY AND FUNDING

The Cabinet Member with the Adult Social Care Portfolio introduced the report of the Director of Children and Adults Services (previously circulated) updating Members on the outcome of the recent public consultation undertaken; requesting that consideration be given to the updated Special Educational Needs and Disabilities (SEND) Strategy (2019-2022) (also previously circulated), which summarises the strategic plan for delivering better outcomes for children and young people with special educational needs; and requesting that consideration be given to the changes to the funding model for children and young people with Special Educational Needs and Disabilities (SEND) (also previously circulated).

The submitted report stated that the consultation for the proposed SEND Strategy (2019-2022) took place in October 2018; positive responses were received on the strategic objectives contained within the strategy; outlined the proposed changes to the funding arrangements for SEND, which aimed to ensure a transparent, clear and fair allocation of funding, following a needs led 'money following the child' approach which also addressed budgetary pressures; stated that transition funding arrangements had been put in place to mitigate against the impact of the changes to the new funding arrangements; and outlined the commissioning intentions to extend local SEND provision so that more Darlington children with SEND would be educated locally.

The Chair of the Children and Young People Scrutiny Committee addressed Cabinet in relation to the consultation that had been undertaken in respect of the Travel Assistance Policy and the SEND Strategy; the positive feedback received from parents; and the recommendations of the Children and Young People Scrutiny.

A number of questions and issues were raised at the meeting, including the involvement of health in the consultation process; how the feedback would be used; lack of provision in Darlington for children with an Education, Health and Care Plan (EHCP); the number of expressions of interest received on the revised commissioning intentions; bandings; accessing CAMHS; assessments undertaken on children with autism; and the importance of providing the right support at the right place for all children. The Head of Education and Inclusion and Director of Children and Adults Services responded thereon.

RESOLVED – (a) That the feedback from the public consultation undertaken, as appended to the submitted report, be considered.

(b) That the Equalities Impact Assessment, as appended to the submitted report, be noted.

(c) That the adoption of the Special Educational Needs and Disabilities (SEND) Strategy (2019-2022), as appended to the submitted report, be approved.

(d) That the implementation of the revised funding model for children and young people with Special Educational Needs and Disabilities (SEND), as detailed in the

submitted report, be approved.

REASON – (a) To drive the work of the SEND partnership in Darlington through to 2022 to deliver the best possible outcomes for children and young people with SEND and their families.

(b) To address pressures on the high needs funding block budget.

(c) To ensure that school funding for children with SEND is aligned to children and their needs, and that schools are held accountable for ensuring that children's needs are effectively met.

C126 CHILDREN SERVICES CAPITAL PROGRAMME

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 proposed Education and Inclusion Service Capital Investment Programme for 2019/20 (also previously circulated) and to the release of the capital funds to support that programme.

The submitted report stated that the Council had been allocated a School Condition Allocation grant of £141,894, for the 2019/20 financial year, to address capital maintenance needs across the borough's maintained schools; there was an underspend of £97,000 from the previous year which would be rolled forward to 2019/20; the Council had been allocated Devolved Formula Capital (DFC) of £50,367 for 2019/20; and the Darlington maintained schools had been allocated a total top up to their 2018/19 DFC allocations of £84,171.

Particular reference was made to the Healthy Pupils Capital Fund, a one-off grant of £13,581 to this Council, generated from the Government's soft drink industry levy. It was proposed that this grant, along with an underspend of £25,419 from the Funded Places for Two Year Olds programme completed in 2014, would be used to support a project at Borough Road Nursery to improve independence and promote self-care and hygiene.

RESOLVED – (a) That the School Condition Allocation of £141,894, be released, and the proposed prioritised capital investment programme for maintained schools, as appended to the submitted report, be agreed, and delegated authority be given to the Director of Children and Adult Services, to manage the authorisation of this funding.

(b) That the Healthy Pupil Capital Fund grant of £13,581, as detailed in the submitted report, be released, to support a suitability project at Borough Road Nursery.

REASON – (a) Release of the funds will enable capital investment to be undertaken in the areas identified with the greatest need, in terms of asset management priorities; and

(b) Detailed planning to identify priorities have been undertaken which ensures effective use of all investment.

C127 HEIGHINGTON CONSERVATION AREA CHARACTER APPRAISAL AND BOUNDARY REVIEW

The Cabinet Member with the Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) updating Members on the outcome of the consultation process undertaken on the Heighington Conservation Area Character Appraisal, including comments received on the proposed boundary changes, and requesting that consideration be given to adopting the Heighington Conservation Area Character Appraisal, as planning guidance, and for the boundary to be extended.

The submitted report stated the Local Planning Authority, under Section 71 of the Planning (Listed Building and Conservation Areas) Act 1990, had a duty to formulate and publish proposals for the preservation and enhancement of any parts of their area that were conservation areas; this could be achieved through Conservation Area Character Appraisals; Darlington had 17 Conservation Areas; and that the character appraisal had been prioritised due to the increasing development in and around the village.

RESOLVED – That the Heighington Conservation Area Character Appraisal, including the boundary changes proposed, as appended to the submitted report, be approved.

REASON – To provide a document adopted by the Council to assist in the preservation and enhancement of the Heighington Conservation Area and its setting.

C128 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

**DECISIONS DATED –
FRIDAY 8 MARCH 2019**