

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 21 OCTOBER 2019**

CABINET

Tuesday, 8 October 2019

PRESENT – Councillors Mrs H Scott (Chair), Crudass, Dulston, Howell, Johnson, Marshall, Mills and Tostevin

INVITEES – Councillors Curry, McEwan, K Nicholson and Snedker

APOLOGIES – Councillor Harker

ALSO IN ATTENDANCE – Councillors Mrs Culley, Donoghue, B Jones, Mrs D Jones and McCollom

C50 DECLARATIONS OF INTEREST.

In respect of Minute C55(2) below, Councillor Snedker declared a non-pecuniary interest as he was an allotment holder at the allotments on Pond Field Close, and in respect of Minute C56 below, Councillor Crudass declared a non-pecuniary interest as he was a member of Darlington Friends of the Libraries.

C51 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE GENERAL PUBLIC) ON ITEMS ON THIS CABINET AGENDA.

In respect of Minute C56 below, representations were made to Cabinet by members of the public in attendance at the meeting.

C52 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 10 SEPTEMBER 2019

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 10 September 2019.

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

REASON – They represent an accurate record of the meeting.

C53 MATTERS REFERRED TO CABINET

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

C54 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C55 KEY DECISIONS:-

(1) HOUSING ALLOCATIONS POLICY

The Cabinet Member with the Housing, Health and Partnerships Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to approving the proposed changes to the Common Allocations Policy for the Tees Valley Lettings Partnership.

The submitted report stated that the current policy required updating to meet a number of requirements, namely ensuring that the Council met its commitments in respect of the Tees Valley Lettings Partnership; consistency of policy across the sub region, ensuring clarity and transparency for applicants; that the policy was aligned with the legislative requirements; and that the policy was reflective of stakeholder feedback provided during the consultation process.

Particular references were made at the meeting to the support that would be available from the Council to those residents on low income, should they require it; the merging of two bands; and to the need to review and reflect on the impact of the policy following its introduction. The Cabinet Member with the Housing, Health and Partnerships Portfolio and the Assistant Director Housing and Building Services responded thereon.

In reaching its decision, Members took into consideration the Equality Impact Assessment (also previously circulated).

RESOLVED - That the proposed amendments to the Tees Valley Common Allocations Policy, as detailed in the submitted report, be approved.

REASONS - (a) To meet the legislative requirements of the Homelessness Reduction Act 2017.

(b) The policy has not been reviewed since 2012 and requires updating.

(c) There have been recent changes to the Tees Valley Partnership.

(d) A consultation has been carried out and there is strong support for the proposals.

(2) DARLINGTON CREMATORIUM REFURBISHMENT

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 information on the current position regarding the Darlington Crematorium and the approaching end of life of the cremators.

The submitted report outlined the history of the crematorium; the current situation; stated that the existing cremators within Darlington Crematory were at the end of their lifespan and required replacement with modern, energy efficient and emission compliant equipment; and that the existing chapel required refurbishment/extension.

Particular reference was made to the three options available for the future of the crematorium, namely new build/new site; replace existing cremators and limited improvements to the chapel; and replace existing cremators, redevelop existing chapel into a bereavement office and develop of a new chapel within West Cemetery on part of the land identified for future burials.

Discussion ensued on the level of risk associated with the project; the options available; and the preferred option (Option Three) of replacing existing cremators, redeveloping the existing chapel into a bereavement office and developing a new chapel within West Cemetery on part of the land identified for future burials.

Particular reference was made to the the introduction of the one-way traffic system which would exit onto Salutation Road should Option Three be implemented; the number of vehicles that would use this road/exit; and the implications of the new traffic system on the Allotments on Pond Field Close. The Cabinet Member with the Leisure and Local Environment Portfolio and the Director of Economic Growth and Neighbourhood Services responded thereon.

RESOLVED - (a) That the improvements to the Crematorium, as detailed in Option Three of the submitted report, be approved.

(b) That the capital funding of £4.5m, as detailed in the submitted report, be released.

(c) That the capital funding of £0.4m, already approved in the Capital Programme for the laying out of West Cemetery, be released.

(d) That the project for the new crematorium be added to the Annual Procurement Plan, to be designated as a strategic contract, and it be noted that the works will be procured in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

(e) That the Assistant Director (Law and Governance) be authorised, on behalf of the Council, to complete the required deeds and contracts to deliver the works in accordance with the submitted report.

REASONS - (a) To enable the replacement and updating of the current cremators ensuring they meet the requirements of current legislation.

(b) To provide a Chapel that provides the facilities that are expected from a modern Crematorium.

(3) TOWN CENTRE CAR PARKING

The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to a number of car parking initiatives, in the town centre, to support the town centre economy.

The submitted report stated that it was proposed to retain the car parking offers

introduced in June 2018 (Minute C11/Jun/18 refers) and, in addition to those offers, provide a 'Free on Sunday' initiative for all Council operated pay and display car parks, Feethams Multi-Storey car park and all on-street pay and display parking bays, to further stimulate town centre trading and to encourage greater use of the town centre; both offers would run until 1 May 2020 when a review would be undertaken on their impact; the Council would work with businesses to promote the offers in order to encourage support for the town centre; and outlined the costs of the initiatives.

It was reported that further initiatives were being developed as part of the review of the Town Centre Strategy and Future High Streets Fund to encourage town centre activity including plans to develop Duke Street and the Imperial Quarter, to increase the amount of parking spaces available in those areas, as they were some of the busiest parking areas, and to refurbish Abbots Yard Card Park.

Discussion ensued on the funding for the initiatives; the perceived discrimination against those residents who used other forms of transport such as public transport; other options considered; the importance of marketing initiatives in a positive way; the health and well-being implications of more cars being driven into the town centre; the importance of supporting sustainable transport; and other initiatives that could benefit from the funding being used for this initiative such as supporting town centre living. The Cabinet Member with the Leisure and Local Environment Portfolio and the Director of Economic Growth and Neighbourhood Services responded thereon.

RESOLVED - (a) That the proposed 'Free on Sunday' initiative be introduced from 1 November 2019 in all Council operated pay and display car parks, Feethams Multi-Storey car park and on-street pay and display parking bays, to run until 1 May 2020 with a review taking place ahead of the end date as referred to in (c) below.

(b) That the parking offers introduced in June 2018 be continued to cover the same period as the 'Free on Sunday' offer as referred to in (a) above, the offer being:

- (i) two hours free car parking in specific car parks located outside of the ring road; and
- (ii) East Street car park having an offer of all day parking for £2.00.

(c) That both the 'Free on Sunday' initiative and the parking offers introduced in June 2018 be reviewed ahead of May 2020, to:-

- (i) determine their impact;
- (ii) consider them in conjunction with the emerging Town Centre Strategy as it is developed; and
- (iii) have regard for the Council's overall financial position.

(d) That plans be developed that can be consulted on to increase the amount of parking spaces available in Duke Street and the Imperial Quarter areas.

REASONS - (a) To approve the amendment to charges.

(b) To enhance the attractiveness of the town centre to visitors and residents.

C56 CROWN STREET LIBRARY TRUSTEES

The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to making arrangements for the appointment of additional trustees of the Crown Street building, independent of the Council.

The submitted report stated that the Council was currently the sole trustee of the Crown Street Library building; as the Council operated a Leader and Executive (Cabinet) model of decision making, the role of the sole trustee sat with Cabinet; as both the separate legal responsibility for the service and building sat with the same decision maker there was a conflict of interest; one way of dealing with this conflict would be to appoint additional independent trustees; and outlined the suggested approach to the appointment of the trustees.

Particular reference was made to the plans to develop a Library Service Consultative Group, to be made up of service users and others who were interested in the Library Service, to enable them to meet key staff and the Portfolio holder, to discuss matters relating to the Library Service and provide a forum for concerns and issues to be raised.

A Member of the public in attendance at the meeting addressed Cabinet in respect of the proposal, and in doing so welcomed the opportunity to make the Library sustainable and highlighted the importance of good communication. A visual artist in attendance at the meeting also addressed Cabinet in respect of the work that he was doing at Crown Street Library, as part of a special community art project to trace lines through the borough's history, aimed at encouraging creative conversations around Darlington, with the help of free printmaking activities, and in doing so, stated that to date he had engaged with 987 people.

RESOLVED - (a) That the appointment of up to three independent trustees, of the Crown Street Library building, be agreed.

(b) That responsibility for the recruitment process of independent trustees, be delegated to:

- (i) the Assistant Director Law and Governance, to arrange the advertising, interview arrangements and deal with the legal formalities of appointment; and
- (ii) a Cabinet Sub Committee comprised of the three Portfolio holders of Leisure and Local Environment, Children and Young People and Housing Health and Partnerships (or substitute Cabinet Members) to interview and determine who to appoint.

(c) That the appointment of the independent trustees be confirmed at the next Cabinet meeting following conclusion of the recruitment process.

(d) That the intention to set up a Library Service Consultative Group, as detailed in the submitted report, be noted.

REASONS - (a) To give more formal recognition to the role of the wider community, by moving from the Council as the Sole Trustee of the Crown Street building to appoint in addition a number of independent trustees.

(b) To avoid potential future conflicts of interest between the Council's service provider role and the building trustee role, by having independent Trustees who will be able to discharge the trustee role.

(c) To widen participation about issues concerning library provision in Darlington (re the establishment of a Library Service Consultative group).

C57 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C58 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

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.

C59 SCHEDULE OF TRANSACTIONS

The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to the Schedule of Transactions (also previously circulated) and to seeking approval of the terms negotiated.

RESOLVED - That the schedule, appended to the submitted report, be approved and the transactions 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 11 OCTOBER 2019**