

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE  
MONDAY 20 JANUARY 2020**

**CABINET**

Tuesday, 7 January 2020

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

**INVITEES** – Councillors Curry, Harker, K Nicholson and Snedker

**ALSO IN ATTENDANCE** – Councillors Mrs Culley, Donoghue, Durham, B Jones and Keir

**C89 DECLARATIONS OF INTEREST.**

There were no declarations of interest reported at the meeting.

**C90 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE GENERAL PUBLIC) ON ITEMS ON THIS CABINET AGENDA.**

In respect of Minutes C94(6) and C95 below, representations were made by members of the public in attendance at the meeting.

**C91 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON TUESDAY, 3 DECEMBER 2019.**

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 3 December 2019.

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

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

**C92 MATTERS REFERRED TO CABINET**

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

**C93 ISSUES ARISING FROM SCRUTINY COMMITTEE**

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

**C94 KEY DECISIONS:-**

**(1) MEDIUM TERM FINANCIAL PLAN**

The Leader introduced the report of the Chief Officers Executive (previously circulated) requesting that consideration be given to the Medium Term Financial Plan (MTFP) for 2020/21 to 2023/24 (also previously circulated) for consultation including

setting a budget and council tax increase for 2020/21.

The submitted report stated that over the last decade, the Council had faced significant challenges following the economic downturn and reduction in public sector spending; to date the Council had been successful in responding to those challenges but there were still financial pressures to be faced, particularly in respect of a growing elderly population and pressure in the children's social care sector; at the time of writing the report, the Local Government Finance Settlement (LGFS) had not been announced and that, as a result, a number of assumptions in regard to funding had been made; and that any changes to funding levels following the announcement would be reported to Cabinet in February.

It was reported that the Council undertook a significant consultation exercise in 2016, following an in-depth and detailed review of all services which resulted in the agreement of a Core Offer budget which allowed for a small futures fund allocated to discretionary services; in subsequent MTFP's the Council had agreed to use unallocated balances of £4.7m to invest in five areas which held great value to the community; although the Core Offer remained challenging, an additional £1.8m had been allocated to bolster the Futures Fund themes whilst retaining usable balances of £4.3m; and that the Council's financial position was robust with a four year balanced MTFP and funds available for investment which would be delegated to Cabinet.

Details of the projected expenditure and income, budget pressures and savings, schedule of fees and charges, assumptions used to prepare estimates, projected Revenue Outturn 2019/20 and assessment of risk balances, were also appended to the submitted report.

**RESOLVED** - That the Revenue Medium Term Financial Plan (MTFP), as set out in Appendix 7 of the submitted report, be approved for consultation, including:-

- (a) a Council tax increase of two per cent plus the two per cent adult social care precept to fund social care for 2020/21;
- (b) the Schedule of Charges, as set out in Appendix 3 of the submitted report; and
- (c) the Futures Fund investment of £1.8m, as set out in paragraph 60 of the submitted report.

**REASONS** - (a) The Council must set a budget for the next financial year.

(b) To enable the Council to continue to plan services and finances over the medium term.

(c) To ensure decisions can be made in a timely manner.

## **(2) DARLINGTON CAPITAL STRATEGY**

The Leader introduced the report of the Chief Officers Executive (previously circulated) requesting that consideration be given to the Council's proposed Capital Strategy for 2020/21 (also previously circulated), incorporating the capital programme

priorities for approval.

The submitted report stated that the revised Prudential Code and Capital Finance in Local Authorities 2017 required every Council to publish a Capital Strategy and to review it on an annual basis; Council published its first strategy in 2019/20; and that this year the Capital Programme (also previously circulated) had been added for approval.

It was reported that the Strategy provided an overview of how capital expenditure and financing plans were decided upon; provided the framework for the development, management and monitoring of the council capital investment plans; focused on core principles that underpinned the Council's four-year capital programme and governance framework which was in place; and stated that the Strategy maintained a strong and current link to the Council's priorities and its key strategy documents such as the Treasury Management Strategy, Medium Term Financial Plan and Council Plan.

**RESOLVED** – (a) That the Capital Strategy for 2020/21 to 2023/24, as detailed at Appendix 1 to the submitted report, be approved, for consultation.

(b) That the Capital Programme, as detailed at Appendix 2 to the submitted report, be approved, for consultation.

**REASONS** - (a) To ensure the Council adopts the Prudential Code for Capital Finance 2017.

(b) To enable the Council to invest in its assets.

(c) The Strategy is approved by Council.

**(3) HOUSING REVENUE ACCOUNT - MEDIUM TERM FINANCIAL PLAN (MTFP)  
2020/21 TO 2023/24**

The Cabinet Member with the Health and Housing Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to the proposals for the revenue budget, rent levels and service charges for the Council's Housing Revenue Account (HRA) for the financial year 2020/21, in the context of the HRA Medium Term Financial Plan (MTFP) to 2023/24 and the 30-year Business Plan.

The submitted report stated that the key decision to be made regarding the HRA was the balance between rent and service charge levels and investment in housing stock; it was the first time since 2016/17, that Local Authorities had the discretion to inflate rents by the Consumer Prices Index (CPI) plus one percent, following four years of compulsory reductions; 68 per cent of tenants would have their rent and services charges covered by benefit payments; the Council's rent and service charges tended to be much lower than other Social Landlords operating in Darlington; as Central Government had lifted the borrowing cap on the HRA, the Council could now borrow £9m to fund the housing capital programme, which could be supplemented with Homes England grant; and that the Council intended to build 100 affordable homes per annum for the next 10 years.

Particular references were made at the meeting as to how the properties were selected for works, such as replacement of doors and windows, and on the viability of building new properties when those properties could be purchased through the 'Right to Buy Scheme'. The Cabinet Member with the Health and Housing Portfolio, Director of Economic Growth and Neighbourhood Services and Managing Director responded thereon.

**RESOLVED** - That the following recommendations be agreed for wider consultation, namely:-

- (a) an average weekly rent increase of 2.7 per cent for 2020/21 be implemented giving an average social rent of £71.30 and affordable rent of £82.55;
- (b) garage rents and service charges be increased, as shown in Table 3 of the submitted report;
- (c) the budget, at Appendix 1 of the submitted report, be approved;
- (d) the Housing Business Plan, at Appendix 2 of the submitted report, be agreed.
- (e) that the Director of Economic Growth and Neighbourhood Services be given delegated powers to proceed with new build schemes for affordable rent using the funding, as identified at paragraph 16 of the submitted report; and
- (f) that the Director of Economic Growth and Neighbourhood Services be given delegated powers to acquire dwellings in the private sector as opportunities arise, particularly as part of regeneration initiatives as discussed at paragraph 17 of the submitted report.

**REASON** - To enable the Council to deliver an appropriate level of service to tenants to meet housing need and to support the economic growth of the Borough through housing development.

#### **(4) THE COUNCIL PLAN 2020/23**

The Leader introduced the report of the Chief Officers Executive (previously circulated) requesting that consideration be given the Council Plan 2020-23 (also previously circulated) for consultation.

The submitted report stated that it was good practice for a Council to have a plan setting out its vision and priorities; the Council Plan replaced the Corporate Plan; and that the Plan continued to support the key aims of the Community Strategy 'One Darlington Perfectly Place'.

**RESOLVED** - (a) That the Council Plan, attached at Appendix 1 to the submitted report, be approved, for consultation.

(b) That feedback from the consultation, be considered by Cabinet at its meeting in March.

**REASON** - In order to approve a plan for consultation.

**(5) CAPITAL WORKS REQUIRED AT CROWN STREET LIBRARY**

The Cabinet Member with the Local Services Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) seeking approval for Members to release the capital allocation included in the Capital Plan 2020/21 to 2023/24 for the refurbishment of the Crown Street Library and requesting that consideration be given to the proposal to increase revenue for the Library Service, subject to the outcome of the Medium Term Financial Plan (MTFP).

The submitted report stated that there had been a significant amount of consultation and a number of reports presented to Cabinet in recent years with regard to the Crown Street Library and the wider Library Service; outlined the proposals to refurbish the Crown Street Library; the timescale for the project; and the financial and HR implications.

**RESOLVED** - (a) That, subject to Council confirming the allocation of £2.9m for the refurbishment of the Crown Street Library in the Capital Plan 2020/21 to 2023/24, those funds be released.

(b) That the procurement be designated as strategic and delegated to the Council Procurement Board, chaired by the Managing Director, with updates on contract awards reported to Members in the Procurement Annual Plan Report.

**REASON** - To enable the refurbishment and restoration of the Crown Street Library.

**(6) DARLINGTON RAIL HERITAGE QUARTER**

The Cabinet Member with Local Services Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) presenting to Members the Master Plan (also previously circulated) and proposals for Darlington Rail Heritage Quarter and requesting that consideration be given to progressing further development work to finalise the scheme in the next twelve months.

The submitted report stated that over the past year, officers had been working closely with colleagues in the Combined Authority to develop a Master Plan for the Head of Steam site, which currently had a working title of 'Darlington Rail Heritage Quarter' (DRHQ); the site was part of the wider Stockton and Darlington Rail Heritage programme and part of the Heritage Action Zone; the intention of the Master Plan was to develop DRHQ into an international visitor attraction and museum before 2025 to enable Darlington to be a central part of the Bicentenary celebrations of the Stockton and Darlington Railway; the key elements of the Master Plan would be phased and delivered prior to 2025; and that working closely with partners and key stakeholders, the Master Plan would be refined over the next twelve months.

Representations were made at the meeting, by representatives of the Darlington Railway Preservation Society (DRPS) and Friends of Darlington Railway Museum, in

respect of the proposals.

The representatives from DRPS stated that although they were broadly in support of the proposals they had concerns in respect of the timescales involved in relocating to an alternative property; stated that the goods shed had been in a poor state of repair for many years; no alternative property/site had been identified; raised concerns that there would not be a place for them to come back to following the redevelopment work; and the plans for the current railway line on the site. The Chair of the Friends of Darlington Railway Museum welcomed the proposals and ambition for the site, and stated that the Friends wanted to see the museum grow; highlighted the importance of connectivity to other museums such as Locomotion in Shildon and the National Railway Museum in York; the need for signposting from the town centre and the Crown Street Library to the Railway Museum; and highlighted a number of reservations in respect of the financial sustainability of the site. The Leader and the Director of Economic Growth and Neighbourhood Services responded thereon.

**RESOLVED** - (a) That the £20million allocation from the Tees Valley Combined Authority, be released, subject to the final business case being approved by the Tees Valley Combined Authority (TVCA)

(b) That a funding agreement for the TVCA funding, be entered into under the current delegated approval to the Assistant Director Resources in the Scheme of Delegation.

(c) That the phased approach to delivery, as detailed in the submitted report, be approved, and changes to the approach be delegated to the Director of Economic Growth and Neighbourhood Services who will liaise as necessary with the Portfolio Holder.

(d) That the Director of Economic Growth and Neighbourhood Services be given delegated authority to negotiate and agree terms for the acquisition of the properties, as mentioned in the submitted report, and, if required, additional properties with an individual value of up to £1m with terms being reported to future Cabinet meetings on the Schedule of Transactions.

(e) That the Assistant Director Law and Governance be authorised to document the acquisition of properties accordingly.

(f) That the procurement be approved as strategic with the procurement route being delegated to the Council Procurement Board chaired by the Managing Director, and further updates returned to Members in the Procurement Annual Plan report.

(g) That officers work with representatives of the Darlington Railway Preservation Society (DRPS) to relocate to a suitable location to enable the priority works to the Goods Shed to be carried out with a view to returning to DRHQ once the whole site was refurbished.

(h) That once reopened, entry to the Museum be free with a paid for immersive experience.

**REASONS** - (a) To enable Darlington Rail Heritage Quarter to move forward and be

further developed with future reports coming to Cabinet.

(b) To carry out essential works to the Goods Shed as a priority to secure the stability and arrest the decline of the building.

## **(7) PERMIT SYSTEM TO MANAGE AND COORDINATE ROADWORKS**

Pursuant to Minute C97(2), the Cabinet Member with Local Services Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) updating Members on the development of a Permit Scheme to manage and coordinate roadworks.

The submitted report stated that all highway authorities had a duty under the New Roads and Street Works Act 1991 and Traffic Management Act 2004 to effectively coordinate all activities on the highway to ensure safe and expeditious movement of traffic, pedestrians and vulnerable road users; outlined the key features of the permit scheme; stated a fee could be charged to offset the operating costs of the scheme; the Council had worked collaboratively with North East and Tees Valley Authorities to develop a common scheme that would be managed by individual authorities; and outlined the main benefits of the scheme.

Discussion ensued on the enforcement to be undertaken on those companies undertaking the roadworks who did not comply with health and safety procedures.

**RESOLVED** - (a) That the introduction of the Permit Scheme, as detailed in the submitted report, and the additional resources required to operate the scheme, also as detailed in the submitted report, be approved.

(b) That the schedule of Fees and Charges, as set out in Appendix 1 of the submitted report, be approved.

**REASONS** - (a) To fulfil duties under the New Roads and Street Works Act 1991(NRSWA) and the Traffic Management Act 2004 (TMA).

(b) Improve the management and coordination of roadworks.

(c) Comply with requests from the Secretary of State to introduce a Permit Scheme.

## **C95 DARLINGTON CREMATORIUM REFURBISHMENT - UPDATE**

The Cabinet Member with Local Services Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) updating Cabinet on the pre-planning consultation for the Crematorium Refurbishment and new Chapel.

The submitted report stated that following consultation, it was proposed to remove the through-road from the Planning Application for the Darlington Crematorium Refurbishment and new Chapel, and the entry and exit to the cemetery would be from Carmel Road North.

A representative from the West Cemetery Action Group, in attendance at the meeting,

stated that the Group were pleased with the proposal to remove the through-road from the planning application and enquired whether the proposal would be considered again by the Council. The Director of Economic Growth and Neighbourhood Services responded thereon.

**RESOLVED** - That the removal of the through-road from the Planning Application for the Darlington Crematorium Refurbishment and new Chapel, be noted.

**REASON** - As following further analysis including the comments received, the decision was taken to remove the road to ensure the new chapel and works to the existing cremators could still move forward in a timely manner.

## **C96 SCHEDULE OF TRANSACTIONS**

The Cabinet Member with the 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).

**RESOLVED** - That the schedule of transactions, as detailed in 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.

## **C97 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 10 JANUARY 2020**