

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 17 FEBRUARY 2020**

CABINET

Tuesday, 4 February 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, Durham, B Jones and Keir

C98 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

**C99 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.

**C100 TO APPROVE THE MINUTES OF THE MEETING OF CABINET HELD ON
TUESDAY, 7 JANUARY 2020**

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 7 January 2020.

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

REASON - They represent an accurate record of the meeting.

C101 MATTERS REFERRED TO CABINET

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

C102 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C103 KEY DECISIONS:-

(1) SCHOOLS ADMISSIONS 2021/22

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 Local Authority's (LA's) admission arrangements for the 2021/2022 academic year for maintained schools in the Borough.

The submitted report stated that in line with the School Admissions Code, an Admission Authority was required to annually determine the admission arrangements used to allocate places for schools for which it was the Admission Authority; once approved, there was a statutory duty on the Local Authority to forward a Co-ordinated Admission Scheme for both primary and secondary schools for the 2021/22 academic year; and stated that the Secretary of State must be informed of its adoption by 28 February 2020.

Particular reference was made to the reduction in the intake at Whinfield Primary School from 90 to 60 children, which had been requested by the school.

RESOLVED - (a) That Darlington LA's admissions arrangements for community and voluntary controlled schools, as appended at Appendix A to the submitted report, be agreed.

(b) That the Co-ordinated Admission Schemes for applications for the 2021/22 academic year, as detailed at Appendix B to the submitted report, be adopted.

REASONS - (a) The Local Authority is under a statutory duty to determine admission arrangements for the primary schools for which it is the admission authority for the academic year 2021/2022.

(b) If the co-ordinated scheme is not adopted and returned to the DfE by the 28 February 2020 the Secretary of State may impose a scheme on the LA.

(2) DARLINGTON STATION IMPROVEMENTS AND GROWTH ZONE

The Leader introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) presenting Members with the details of the proposed Darlington Station Improvements Project and the wider economic growth opportunities in the surrounding area, including Central Park, the Cattle Market and Victoria Road.

The submitted report stated that the potential need for major rail intervention at Darlington to accommodate new rail services and high-speed services in the future, provided an opportunity to develop a proposition to maximise the benefits for Darlington and the Tees Valley; in partnership with the Tees Valley Combined Authority (TVCA) a wider vision had been developed for the area to influence the proposals and to provide a rail gateway into the Tees Valley fit for the 21st Century that could accommodate future demands for national, regional and local passenger rail services as well as freight; having the overall vision established enabled the project to be developed and delivered in stages; some elements had already commenced with a new bridge linking the station with Central Park which opened in 2019; the project sought to secure and encapsulate wider regeneration opportunities in the area to better connect the station with the Town Centre and Central Park; provided further detail on the project and an update on how the project linked to the Cattle Market site, Victoria Road and linked to the Town Centre and Central Park; and stated that a substantial element of the project would be funded by TVCA with a sum of £25m allocated to enable and deliver elements of the project with a business case being progressed to Government for the balance of funding.

It was reported that the land acquisition and enabling stages, in the form of transport interchanges and parking provision, would be delivered by TVCA and this Council; the latter rail and station development would be delivered in partnership with Network Rail; and that the Project would be carried out under the terms of collaboration between this Council and the TVCA.

Discussion ensued on the multi-modal interchange and the importance of getting this part of the scheme right; the funding of the project, in particular, funding from the Department for Transport for the latter stages of the project; access to the new platforms for the disabled; the visibility and impact of the multi storey car park on the sky line; the impact of the proposals on the residents and businesses in the area; and the support available to those businesses and residents.

RESOLVED - (a) That the concept and vision for the Darlington Station Improvement project, as outlined in the submitted report, be agreed.

(b) That it be agreed that the Council entered into a Collaboration Agreement with Tees Valley Combined Authority relating to the Darlington Station Improvement Project and the Director of Economic Growth and Neighbourhood Services be authorised to finalise terms and the Assistant Director of Legal and Governance, be authorised to sign the Agreement.

(c) That the Director of Economic Growth and Neighbourhood Services, after consultation with the Assistant Director of Legal and Governance, be authorised to agree to enter into any appropriate contractual extensions or variations relating to the Agreements.

(d) That the land assembly strategy, as detailed at Appendices 1, 2 and 3 of the submitted report, be endorsed.

(e) That the Director of Economic Growth and Neighbourhood Services be authorised to acquire land interests, the extent of which are shown in Appendix 1.2 of the submitted report, pursuant to section 120 of the Local Government Act 1972.

(f) That the Assistant Director - Law and Governance be authorised to complete all necessary documentation with acquisitions being subsequently reported to Cabinet in further update reports on the Project.

(g) That it be agreed in principle for the Council to use its Compulsory Purchase Order (CPO) powers under section 226 (1)(a) of the Town and Country Planning Act 1990 to acquire land interests within the agreed extents, as shown in Appendix 1.2 of the submitted report, that cannot be acquired by agreement/private treaty and thereby embarking on the formalities necessary for the making of the CPO and that following the preparation of the CPO a further report requesting a formal resolution to use compulsory purchase powers be made and to make an application for any other statutory orders that may be required.

(h) That £350k be released from the Council's Economic Growth and Investment Fund for the demolition and making safe of the cattle market to be progressed as soon as practicable upon vacant possession, and that the site be made available for

a temporary purpose (if required) whilst a masterplan is developed.

(i) That up to £25m of approved funding from TVCA, be released, subject to release by TVCA following successful business case sign-off in accordance with the TVCA assurance framework, and the Director of Economic Growth and Neighbourhood Services be authorised to fund the acquisitions and / or procurement of goods/works and services in accordance with the Contract Procedure Rules.

REASONS - (a) To progress delivery of the vision for Darlington Station Improvement Project.

(b) The Agreements and delegations enable acquisitions and project development to be made with appropriate governance and financial mechanisms to ensure successful delivery of a fully funded scheme.

C104 CALENDAR OF COUNCIL AND COMMITTEE MEETINGS 2020/21

The Leader introduced the report of the Managing Director (previously circulated) requesting that consideration be given to the Calendar of Council and Committee Meetings for the 2020/21 Municipal Year (also previously circulated).

RESOLVED - That the Calendar of Council and Committee Meetings 2020/21, attached as an Appendix to the submitted report, be approved, and the proposed dates for the meetings of Council be referred to the Annual Council meeting scheduled to be held on Thursday 14 May 2020, for approval.

REASON - To ensure that the calendar of meetings is approved for the forthcoming municipal year.

C105 TOWN FUNDS

The Leader introduced the report of the Managing Director (previously circulated) updating Cabinet on the potential for the Council to receive up to £25m of government funding to improve the economy in Darlington and requesting that consideration be given to the establishment of the Darlington Town Deal Board.

It was reported that the government had invited a number of towns, including Darlington, to apply for funding of up to £25m to improve their economies; as part of the invitation to bid, the Council had been awarded £173,029 to assist in the development of the bid to the Fund; the government had produced a Prospectus for the Fund which gave general and specific guidance on issues relating to the process; and stated that one of the requirements was the establishment of a Town Deal Board, which was required to meet before 31 January 2020.

The submitted report stated that the Leader and the Managing Director had constituted a Board of relevant partners and individuals to ensure it met the Government's deadline; requested that consideration be given to retrospective approval to the establishment of the Board; stated that the Board had met on 27 January 2020; and stated that the Board would assist in the development of the bid but that all final decisions on the bid and implementation, if successful, would be the responsibility of the Cabinet.

RESOLVED - (a) That the potential government funding of up to £25m to improve Darlington's economy, as detailed in the submitted report, be noted.

(b) That the establishment and membership of the Darlington Town Deal Board, as detailed in the submitted, be approved.

(c) That further reports on the bid be submitted to future meetings of Cabinet.

REASONS - (a) To meet the requirements of guidance and to engage partners in the development of the bid.

(b) To allow Cabinet to contribute to the bid development and approve the bid.

C106 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING - QUARTER 3 2019/20

The Cabinet Member with the Resources Portfolio introduced the report of the Managing Director and Director of Economic Growth and Neighbourhood Services (previously circulated) providing a summary of the latest Capital resource and commitment position, to inform monitoring of the affordability and funding of the Council's capital programme; an update on the current status of all construction projects currently being undertaken by the Council; and requesting that consideration be given to a number of changes to the programme.

The submitted report stated that the projected outturn of the current Capital Programme was £225.203m against an approved programme of £225.773m; the investment was delivering a wide range of improvements to the Council's assets and services; the programme, including commitments, remained affordable; the Council had 36 live projects, with an overall project outturn value of £82.770m, the majority of which were running to time; and that the projects were managed either by the Council's in-house management team, a Framework Partner or by Consultants source via an open/OJEU tender process.

RESOLVED - (a) That the attached status position on construction projects, as detailed in the submitted report, be noted.

(b) That the projected capital expenditure and resources, as detailed in the submitted report, be noted.

(c) That the adjustments to resources, as detailed in paragraph 20 of the submitted report, be approved.

REASONS - (a) To inform Cabinet of the current status of construction projects.

(b) To make Cabinet aware of the latest financial position of the Council.

(c) To maintain effective management of resources.

C107 REVENUE BUDGET MONITORING 2019/20 - QUARTER 3

The Cabinet Member with the Resources Portfolio introduced the report of the Managing Director (previously circulated) providing an up-to-date forecast of the 2019-20 revenue budget outturn as part of the Council's continuous financial management process.

The submitted report stated that the latest projection showed an overall improvement against the Medium Term Financial Plan (MTFP) of £0.545m which was a increase of £0.670m from the position reported at Quarter 2 (Minute C73/Nov/19 refers); the positive change was primarily due to improvements in Adult Services of £0.745m and receipt of additional income from the Council's Joint Venture Investment Returns of £0.105m; and that there had been a further decline in Children and Education Services budgets of £0.170m due mainly to increased staffing required to meet the needs of additional children coming in Local Authority Care, along with the subsequent transport requirement.

Particular reference was made, at the meeting, to the overspend in the school transport budget.

RESOLVED - (a) That the forecast revenue outturn for 2019-20, as detailed in the submitted report, be noted.

(b) That the proposed carry forward of resources referred to in paragraphs 16 and 17 of the submitted report, be noted and approved.

(c) That further regular reports be made to monitor progress and take prompt action if necessary.

REASONS - (a) To continue effective management of resources.

(b) To continue to deliver services to agreed levels.

C108 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 7 February 2020**