

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE  
MONDAY 21 DECEMBER 2020**

**CABINET**

Tuesday, 8 December 2020

**PRESENT** – Councillors Mrs H Scott (Chair), Clarke, Dulston, Johnson, Keir, Marshall, Mills and K Nicholson

**INVITEES** – Councillors Curry, Harker, Snedker and Tait

**ALSO IN ATTENDANCE** – Councillors Wallis

**C63 DECLARATIONS OF INTEREST.**

There were no declarations of interest reported at the meeting.

**C64 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE  
GENERAL PUBLIC) ON ITEMS ON THIS CABINET AGENDA.**

In respect of Minute C68(c) representations were made by a Member in attendance at the meeting and written representations received from a Member and members of the public.

**C65 TO APPROVE THE MINUTES OF THE MEETING OF CABINET HELD ON 10  
NOVEMBER 2020**

Submitted – The Minutes (previously circulated) of the Meeting of this Cabinet held on 10 November 2020.

**C66 MATTERS REFERRED TO CABINET**

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

**C67 ISSUES ARISING FROM SCRUTINY COMMITTEE**

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

**C68 KEY DECISIONS:-**

**(1) SCHOOL TERM DATES 2022/23**

The Cabinet Member with the Children and Young People Portfolio introduced the report of the Interim Director Children and Adults (previously circulated) requesting that consideration be given to setting school term date arrangements (also previously circulated) for Darlington maintained schools for the academic years 2022/23, and to publishing those arrangements by the end of December 2020.

The submitted report stated that 42 schools within Darlington, and their respective

Governing Bodies, had been consulted on the proposed school term dates for the 2022/23 Academic Year and outlined the responses received to that consultation.

**RESOLVED** – That the proposed school term dates for Darlington maintained schools for the academic year 2022/23, as detailed at Appendix 1 to the submitted report, be agreed for publication.

**REASON** - The draft dates are the ones preferred by the majority of schools and Governing Bodies that responded to the consultation, which ended on 16 October 2020.

## **(2) (URGENT ITEM) TOWN CENTRE CAR PARKING**

The Cabinet Member with the Local Services Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) providing Members with an update on Town Centre Car Parking charges and seeking approval to continue a range of parking offers for a further two years, supported by funding from the Tees Valley Combined Authority.

The submitted report stated that parking offers had been in place to support the town centre since June 2018 and that in September 2020 (Minutes C27(2)/Sep/20 and 27/Sep/20 refer), Members agreed to extend parking offers in order to continue to provide support to the town centre, specifically on the approach to the Christmas period.

It was reported that the Tees Valley Combined Authority Cabinet at its meeting held on 27 November 2020 approved funding to support parking offers across the Tees Valley for a two year period; for Darlington that funding enabled a long-term parking offer to be put in place; and stated that a 'free two hour parking offer' was proposed in Council operated car parks and pay and display parking areas in the town centre area to support the town centre economy.

Particular references were made at the meeting to the carbon impact of the proposals and to the need to publicise the fact that tickets still needed to be displayed in cars for the 'two hour' free parking offer. Reference was also made to whether the subsidy was increasing the number of cars and people into the town centre; other forms of transport could benefit from the funding to make better use of sustainable transport; and whether there were better ways of supporting the town centre. The Leader and the Cabinet Member with the Local Services Portfolio responded thereon.

**RESOLVED** - That the proposed car parking charges and offers, as detailed in Appendix 1 of the submitted report, to be funded by the Tees Valley Combined Authority until the end of December 2022, be approved.

**REASONS** – (a) To approve the amendment to charges.

(b) To support the recovery of the town centre.

## **(3) TREE AND WOODLAND STRATEGY 2021/31**

The Cabinet Member with the Local Services Portfolio introduced the report of the

Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to the outcome of the consultation undertaken on the Draft Tree and Woodland Strategy (also previously circulated).

The submitted report stated that the consultation on the Draft Tree and Woodland Strategy took place between 1 September and 18 October 2020; 145 responses had been received to the online survey from either individuals or organisations; in addition to the protection provided to trees through the Tree and Woodland Strategy, there were also a number of policies within relevant Planning documents that afforded the appropriate level of protection to trees and woodlands; if it was appropriate to remove trees for development, it would always be a requirement to achieve a net biodiversity gain; and stated that a number of changes were proposed to the strategy following the consultation.

Representations were made by a Member in attendance at the meeting in respect of the recommendation from Scrutiny relating to people's quality of life; the consultation process; and to the changes that had been made to the Strategy since the original strategy was published in 2011. Written representations were also received from a Member and members of the public in respect of the Strategy requesting that consideration be given to including replanting of Christmas trees sold to residents with roots and in pots in the strategy; carbon capture impact and quantifying of the canopy cover to provide data on the positive impact that trees, plants, etc., have on the environment and climate; and the planting of fruit trees in parks and open spaces, the community involvement in the process and the funding of the planting.

References was also made to the ambition of the Strategy; the inclusion of hedgerows in the Strategy; the growth of the trees; street trees; and the work of the arboricultural team.

The Leader and the Cabinet Member with the Leisure Services Portfolio responded to all the representations and comments thereon and in doing so referred to the planting of trees to remember those people who had died in the Borough of Covid-19.

**RESOLVED** – (a) That the outcome of the consultation undertaken on the Tree and Woodland Strategy, as detailed in the submitted report, be noted.

(b) That the Tree and Woodland Strategy 2021/31, with inclusion of the proposed amendments as detailed in paragraph 30 of the submitted report, be approved and adopted.

**REASON** - To provide a framework for the management and maintenance of trees and woodland within the Borough of Darlington.

#### **(4) HOUSING REVENUE ACCOUNT - MTFP 2021/22 TO 2024/25**

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 2021/22, in the context of the HRA Medium Term Financial Plan (MTFP) to 2024/25 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; Local Authorities had the discretion to inflate rents by the Consumer Prices Index (CPI) plus one percent, which would result in an average £1.46 increase in weekly rents; 73 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; since Central Government lifted the borrowing cap on the HRA, the Council had used the additional capacity to build much needed new homes; and stated that the Council intended to build 100 affordable homes per annum for the next 10 years.

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

- (a) an average weekly rent increase of 1.7 per cent for 2021/22 be implemented giving an average social rent of £73.11 and affordable rent of £83.62;
- (b) garage rents and service charges be increased, as shown in Table 3 of the submitted report;
- (c) the budget, as attached 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.

## **(5) 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 2021/22 to 2024/25 (also previously circulated) for consultation including setting a budget and council tax increase for 2021/22.

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, pressure in the children's social care sector and the economic impact of Covid-19; a number of funding streams had been announced, in the 2020 Spending Review; 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 £6.5m to invest in five areas which held great value to the community; the Core Offer remained challenging with some significant pressures arising in social care and the ongoing impact of Covid-19; and that assuming the funding streams were received, the Council would still deliver the agreed balanced plan whilst retaining usable balances of £3.504m.

Details of the projected expenditure and income, budget pressures and savings, schedule of fees and charges, assumptions used to prepare estimates, projected Revenue Outturn 2020/21 and assessment of risk balances, were also appended to the submitted report.

Following a question by a Member in respect of the Council's reserves, the Assistant Director Resources confirmed that the Council had sufficient reserves.

**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 1.99 per cent plus a three per cent adult social care precept to fund social care for 2021/22;
- (b) the Schedule of Charges, as set out in Appendix 3 of the submitted report; and
- (c) the Futures Fund continuation into 2024/25, as set out in paragraph 56 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.

## **C69 REVIEW OF OUTCOME OF COMPLAINTS MADE TO OMBUDSMAN**

The Cabinet Member with the Resources Portfolio introduced the report of the Managing Director, Interim Director of Children and Adults Services and the Director of Economic Growth (previously circulated) providing Members with an update of the outcome of cases which had 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 15 September 2020 (Minute C32/Sep/20 refers).

The submitted report stated that during the first half of 2020/21 the Council received one upheld Maladministration Injustice decision from the LGSCO, compared to four for the same period in 2019/20 and that the actions identified to remedy the complaint should ensure that there was no re-occurrence.

Particular references were made to the percentage of complains that been received by the ombudsman in comparison with other Local Authorities and to the timescales involved in remedying those complaints upheld by the Ombudsman. The Cabinet Members with the Adults, Health and Housing and Resources Porfolios responded thereon.

**RESOLVED** - That the contents of the 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 the submitted report do not suggest that further action, other than detailed in the report, is required.

## **C70 MID YEAR PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT MONITORING REPORT 2020/21**

The Cabinet Member with the Resources Portfolio introduced the report of the Managing Director (previously circulated) seeking approval of the revised Treasury Management Strategy, Prudential Indicators and providing a half yearly review of the Council's borrowing and investment activities.

It was reported that the mandatory Prudential Code, which governs Council's borrowing, required Council approval of controls, called Prudential Indicators, which related to capital spending and borrowing. The indicators were set out in three statutory annual reports and the key objectives of those reports were set out in the submitted report, together with the key proposed revisions to the indicators which related to a reduction in the Operational Boundary and the Authorised Limit to allow for any additional cashflow requirements.

Particular reference was made to the investments of £30m in property funds, which were expected to increase the net return on investment by around £0.500m in future years.

It was reported that the Audit Committee had considered the report and were satisfied with the Council's borrowing and investment activities, reported indicators and revised borrowing limits.

**RESOLVED** - (a) That the revised prudential indicators and limits, as detailed in Tables 1 to 6, 8, 11 and 15 to 18 in the submitted report, be noted.

(b) That the proposal, as detailed in paragraph 32 of the submitted report, regarding

the potential of Darlington College accessing the Council's loan facility in accordance with the Capital Strategy, be noted.

(c) That the over-spend in the Treasury Management Budget (Financing Costs) of £0.011m, as shown in Table 12 of the submitted report, be noted.

(d) That the report be forwarded to Council in order for the updated prudential indicators to be approved.

**REASONS** - (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities.

(b) To inform Members of the performance of the Treasury Management function.

(c) To comply with the Local Government Act 2003.

(d) To enable further improvements to be made in the Council's Treasury Management function.

## **C71 DARLINGTON TOWNS FUND**

Pursuant to Minute C11/Jul/20, the Leader introduced the report of the Managing Director (previously circulated) updating Members on the recently announced allocation of £1m Forward Funding from the Towns Fund and the £22.3m secured through the Darlington's Town Deal.

The submitted report outlined the proposed strategic interventions detailed within Darlington's Town Investment Plan to drive the sustainable economic regeneration of Darlington for long-term economic and productivity growth; stated that a grant of £1m Forward Funding had been allocated; and stated that £22.3m would be allocated once each individual business case had been agreed.

Particular reference was made to the tools and regulations in place to ensure that decent homes were developed in the town centre. The Cabinet Member with the Economy Portfolio responded thereon.

**RESOLVED** – That the Darlington's Town Investment Plan and the delivery of the various projects through the established Town Partnership Board, as detailed in the submitted report, be supported.

**REASON** – To Contribute to the further economic wellbeing and vitality of the Town.

## **C72 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.

**REASONS** – The terms negotiated require approval by Cabinet before binding itself contractually to a transaction

**C73 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.**

There were no membership changes reported at the meeting.

**C74 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-**

**DECISIONS DATED –  
FRIDAY 11 DECEMBER 2020**