

Cabinet Agenda



**5.00 pm Tuesday, 13 April 2021
Via Microsoft Teams**

In accordance with Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, Members will join the meeting remotely rather than by attending a venue. Members of the public can view a live stream of the meeting at:

<https://www.darlington.gov.uk/livemeetings>

Members of the public may make representations on items on this agenda and these will be taken into account when making the decisions. Representations should be submitted to Lynne Wood by e-mail to Lynne.Wood@darlington.gov.uk by 5.00 p.m. on Monday 12 April 2021

1. Introductions/Attendance at Meeting.
2. Declarations of Interest.
3. To hear relevant representation (from Members and the General Public) on items on this Cabinet agenda.
4. To approve the Minutes of the Meeting of this Cabinet held on Tuesday, 9 March 2021. (Pages 3 - 8)
5. Matters Referred to Cabinet –
There are no matters referred back for reconsideration to this meeting.

6. Issues Arising from Scrutiny Committee –
There are no issues referred back from the Scrutiny Committees to this Meeting, other than where they have been specifically consulted on an issue and their comments are included in the contents of the relevant report on this agenda.
7. Key Decision - Annual Procurement Plan 2021/22 –
Report of the Managing Director.
(Pages 9 - 18)
8. Locomotion No 1 and Replica –
Report of the Director of Economic Growth and Neighbourhood Services.
(Pages 19 - 22)
9. Councillors Stronger Community Fund – Report of the Managing Director.
(Pages 23 - 26)
10. Proposed Waiting Restrictions George Stephenson Drive - Objections –
Report of the Director of Economic Growth and Neighbourhood Services.
(Pages 27 - 32)
11. Release of Capital Allocation in the MTFP - Capitalised Repairs in Corporate Buildings and Advanced Design Fees –
Report of the Director of Economic Growth and Neighbourhood Services.
(Pages 33 - 36)
12. Membership Changes - To consider any Membership Changes to Other Bodies to which Cabinet appoints.
13. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting.
14. Questions.



Luke Swinhoe
Assistant Director Law and Governance

Monday, 5 April 2021

Town Hall
Darlington.

Membership

Councillors Clarke, Dulston, Johnson, Keir, Marshall, Mills, K Nicholson and Mrs H Scott

If you need this information in a different language or format or you have any other queries on this agenda please contact Lynne Wood, Elections Manager, Resources Group, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays (e-mail Lynne.Wood@darlington.gov.uk or telephone 01325 405803).

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**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 22 MARCH 2021**

CABINET

Tuesday, 9 March 2021

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 Boddy and C L B Hughes

C105 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

**C106 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE
GENERAL PUBLIC) ON ITEMS ON THIS CABINET AGENDA.**

In respect of Minutes C110(1) and (2) below, representations were made by Members in attendance at the meeting.

**C107 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON
TUESDAY, 9 FEBRUARY 2021.**

Submitted – The Minutes (previously circulated) of the meeting of this Cabinet held on 9 February 2021.

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

REASON – They represent an accurate record of the meeting.

C108 MATTERS REFERRED TO CABINET

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

C109 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C110 KEY DECISIONS

(1) LOCAL TRANSPORT PLAN

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 the annual update on highways and transport from a regional and local perspective; outlining the delivery, performance and public satisfaction in

2020/21; and requesting that consideration be given to the 2021/22 programme, including the release of funding; and providing an update on the Tees Valley Strategic Transport Plan and the Darlington Transport Plan.

The submitted report stated changes in travel behaviour had been one of the very visible signs of the restrictions imposed as a result of Public Health England and Government advice; as a result of social distancing measures capacity and demand on bus and rail services had been suppressed; free car parking had initially been introduced to support essential workers and essential trips; as schools re-opened Travel Demand Management techniques were used to plan public transport and home to school transport to ensure that children and young people could travel to school and college safely, whilst retaining capacity for the general public; challenges continued; the transport sector would need to work hard to increase bus and rail services back to full capacity and encourage passengers back on to them; and those people who started walking or cycling during the summer lockdown should be encouraged to continue to travel sustainably.

It was reported that despite the pandemic the capital programme of works had progressed; a full programme of maintenance schemes had been delivered; progress had been made on the planning and designing of a number of schemes; additional funding had been secured during the year from the Department for Transport (DfT's) Pothole and Challenge Fund and the Tees Valley Combined Authority (TVCA) Active Travel Fund; the Council continued to work in partnership with the TVCA and the other Tees Valley local authorities to deliver the Strategic Transport Plan; a new Bus Partnership had been established with representatives from the main commercial bus operators and the local authorities; working groups had been established to improve bus services and coordinate efforts to encourage people back onto buses; a new online portal had been developed to make the application process for concessionary bus passes more straight forward; a bulk re-issue of over 14,000 bus passes in Darlington had been completed; and that changes to car parking charges were approved by Cabinet following funding from TVCA (Minute C68(2)/Dec/20 refers).

Particular reference was made to the progress on the consultation for the Darlington Transport Plan, that had been delayed due to the Transport Planning Team working on the additional COVID-19 requirements and staff resource issues; whilst the work continued on COVID-19 transport adaptations, there was now resource in place to progress the Plan; the aims of the Plan had been reviewed and updated to reflect a new focus set out in the Town Centre Plan i.e. a place to shop, live, visit, be proud of and do business in, as town centres change from being predominantly retail; and that the plan would continue to prioritise maintenance but would focus on supporting economic growth through the delivery of sustainable transport options and identifying key traffic pinch points on the highway network participation.

Reference was made at the meeting to the guidance from the Government requiring half of all trips to be walked or cycled by 2030; concerns around the competitive bidding process which caused problems in long term planning; and bus congestion in some areas of the Town Centre. The Cabinet Member with the Local Services Portfolio responded thereon.

RESOLVED – (a) That progress in delivering the Local Transport Plan, as detailed in the submitted report, be noted and £0.893m Integrated Transport Block and £1.205m

Highway Maintenance Funding (£0.964m plus £0.241m incentive funding), subject to Department for Transport confirmation, to deliver the 2021/22 transport programme, be released.

(b) That £1.274m Pothole and Challenge Fund monies awarded by the Department for Transport in September 2020 and £0.969m Pot Hole and Challenge Funding awarded in February 2021 for 2021/22, be released.

(c) That the Active Travel Fund monies, subject to Department for Transport and Tees Valley Combined Authority confirmation, to deliver the Tees Valley Local Cycling and Walking Infrastructure Plan, be released.

(d) That the Darlington Transport Plan framework, as detailed in the submitted report, be approved, as the basis for consultation in 2021.

(e) That the following recommendations of the Communities and Local Services Committee, be approved, namely:-

- (i) that the School Streets Initiative be progressed to the next phase; and
- (ii) that the prioritisation of the top three schools for phase three be conducted using the 'Essential', Traffic Impacts' criteria and 'Supporting Criteria'.

REASONS – (a) To continue to deliver Darlington's Transport Strategy as set out in the Third Local Transport Plan until a new Darlington Transport Plan is adopted.

(b) To maximise the opportunities to maintain the highway asset for the benefit of all road users.

(c) To deliver the Woodland Road/Duke Street cycling and walking scheme as part of the wider A68 Pinch Point scheme; and continue to secure further funding for the delivery of sustainable transport initiatives.

(d) To enable residents, businesses and organisations to help shape the transport strategy for Darlington

(2) (URGENT ITEM) DARLINGTON CREMATORIUM REFURBISHMENT – COST UPDATE

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 increase in costs to deliver the Crematorium Refurbishment and new Chapel project.

The submitted report stated that work to replace the cremators, redeveloping the existing chapel into a bereavement service office, and building a new chapel within West Cemetery, was due to commence in April 2020; the project had been delayed for a year due to the pandemic to ensure there was adequate capacity for cremations; and that as a result of that delay and the impact of Brexit and COVID-19, the costs for the project had increased significantly on the original estimate.

A Member in attendance at the meeting, addressed Cabinet, in respect of the new cremators, the capturing of mercury and to the continuation of the service throughout the project.

Discussion ensued on the increased costs and the work that had been undertaken to reduce those costs. The Cabinet Member with the Local Services Portfolio responded thereon.

RESOLVED – (a) That the continuation of the project, be approved, as the additional costs could be met within the existing financial envelope.

(b) That the additional capital funding of £1.512m, as detailed in the submitted report, be released.

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.

C111 SUPPORTING THE CHILDHOOD HEALTH WEIGHT PLAN FOR DARLINGTON

The Cabinet Member with the Economy Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to commencing a review of the available planning powers that could be used to support the Council's objectives of achieving the targets set in the Childhood Health Weight Plan for Darlington.

The submitted report stated that Planning could influence the built environment to improve health and reduce obesity and excess weight in local communities; Local Planning Authorities could have a role in enabling a healthier environment by supporting opportunities for communities to access a wide range of healthier food production and consumption choices; Local Planning Authorities could consider bringing forward, where supported by an evidence base, local planning policies and supplementary planning documents, which would limit the proliferation of certain use classes in identified areas, where planning permission was required; and that in doing so, evidence and guidance produced by local public health colleagues and Health and Wellbeing Boards might be relevant.

Reference was made to a number of issues that Local Planning Authorities and planning applicants could have particular regard to including:- proximity to locations where children and young people congregate such as schools, community centres and playgrounds; evidence indicating high levels of obesity, deprivation and general poor health in specific locations; over-concentration and clustering of certain use classes within a specified area; residential amenity – odours and noise impact; traffic impact; refuse and litter; over proliferation – where the number of approved establishments within the Ward equalled or exceeded the UK national average per 1000 population; and opening hours.

A Member in attendance at the meeting addressed Cabinet in respect of the ratio of fast food outlets per 1000 compared to the UK national average and requested that

consideration be given to widening input into the process at an early stage. Discussion ensued on the issues around childhood obesity; the timescales for the process; and the benefits of introducing Supplementary Planning Guidance. The Cabinet Member with the Economy Portfolio responded thereon.

RESOLVED - (a) That officers be requested to explore the merits of adopting the available planning powers through the development of an evidence base and the analysis of good practice elsewhere in the country which would assist in addressing childhood obesity.

(b) That in conducting the review detailed at (a) above, officers be requested to consult with the Health and Wellbeing Board.

(c) That a report be brought back to a future Cabinet meeting.

REASON - To contribute to the further health and wellbeing of the Town.

C112 REGULATORY INVESTIGATORY POWERS ACT (RIPA)

The Cabinet Member with the Resources Portfolio introduced the report of the Managing Director (previously circulated) updating Members on issues relevant to the use of the Regulation of Investigatory Powers Act (RIPA) 2000; developments that have taken place since the last report to Cabinet in October 2020 (Minute C46/Oct/20 refers); and requesting that consideration be given to approving a revised RIPA Policy (also previously circulated).

The submitted report stated that the RIPA 2000 enabled local authorities to carry out certain types of surveillance activity as long as specified procedures were followed; the Investigatory Powers Act 2016 (IPA) was the main legislation governing the acquisition of communications data.; the information obtained could be relied upon in court proceedings providing RIPA and IPA was complied with; and that the RIPA Policy had been amended as a result of the Inspection by the Investigatory Powers Commissioner's Office that took place in August 2020 and reported in October's Cabinet Report (Minute C46/Oct/20 refers) and to pick up on forthcoming changes to the Council's senior management structure.

RESOLVED – (a) That the developments that have taken place since October 2020, as detailed in the submitted report, be noted.

(b) That the RIPA Policy, as appended to the submitted report, be approved, to come into force on 1 June 2021.

(c) That further reports on the use of RIPA and associated issues, be submitted to further meetings of Cabinet.

REASONS – (a) In order to ensure that the Council complies with the legal obligations under RIPA, IPA and national guidance.

(b) To help in giving transparency about the use of RIPA and IPA in the Council.

(c) To update the RIPA policy and procedures to reflect both legislative, operational

and structural changes.

C113 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.

C114 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C115 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.

**DECISIONS DATED –
FRIDAY 12 MARCH 2021**

**CABINET
13 APRIL 2021**

ANNUAL PROCUREMENT PLAN

**Responsible Cabinet Member – Councillor Charles Johnson,
Resources Portfolio**

Responsible Officer – Paul Wildsmith, Managing Director

SUMMARY REPORT

Purpose of the Report

1. To present the Annual Procurement Plan to Cabinet for approval. Cabinet are asked to consider and approve the assessment of contracts that are considered to be strategic or non-strategic.
2. To update Cabinet on the outcomes of procurement(s) previously designated as Strategic.
3. To update Cabinet about the decisions taken by the Procurement Board to waive the Contract Procedure Rules.

Recommendation

4. It is recommended that :-
 - (a) Members approve the assessment of strategic and non-strategic contracts as presented in **Appendix 1** and that:
 - (i) further reports/ updates on the procurement process for those contracts designated as strategic (including decisions made by the Procurement Board) be brought to Cabinet.
 - (ii) the contract award decisions for the contracts designated as non-strategic be delegated to the appropriate Director as listed in the plan at Appendix 1.
 - (iii) the contract award decisions for the contracts designated as strategic, as listed in the plan at Appendix 1, be delegated to the Procurement Board to approve and will be reported back to Cabinet.

Reasons

5. In respect of strategic/non-strategic contracts, the recommendations are supported by the following reasons: -

- (a) The Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic and non-strategic and:
 - (b) Contracts designated strategic are of high value and high significance in respect of the impact on residents, Health & Safety and public safety.
 - (c) The contracts designated non-strategic are of a lower value and lower significance in respect of the impact on residents and public safety.
6. In respect of Procurement Board waiver decisions, the recommendations are supported by the following reasons: -
- (a) In order to comply with the Contract Procedure Rules.
 - (b) To provide Cabinet with information about the decisions made by the Procurement Board.
 - (c) To supplement the reports that are taken to Cabinet about proposed spend over £100,000, that are set out in the Annual Procurement Plan and the in year update to that report.

Paul Wildsmith
Managing Director

Background Papers

No background papers were used in the preparation of this report.

Patrick Saunders: Extension 5493

S17 Crime and Disorder	This decision will not have an impact on Crime and Disorder
Health and Well Being	This decision will not have an impact on Health and Wellbeing
Carbon Impact and Climate Change	This decision will not have a direct impact on the Council's carbon footprint.
Diversity	This decision will not have an impact on Diversity
Wards Affected	This decision will not affect any wards
Groups Affected	This decision will not have an impact on any groups.
Budget and Policy Framework	This report does not recommend changes to the Budget and Policy Framework
Key Decision	Yes
Urgent Decision	No
One Darlington: Perfectly Placed	This decision will not have an impact on the objectives of the Sustainable Community Strategy
Efficiency	The production of the update to the Procurement Plan is designed to save Member and Officer time for requesting delegated powers to make contract award decisions.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

Strategic Contracts

7. Any contract award decision with a value below £100,000 is delegated to officers. Under the Contract Procedure Rules an annual Procurement Plan is produced listing details of all existing and new contracts that are £100,000 or above and which require a tender process.
8. This then allows Cabinet to be advised of the contracts of £100,000 and over and to decide which of those contracts are strategic.
9. For those contracts designated strategic the final contract award decision will be approved by the Procurement Board and will be reported to Cabinet.

Assessment of contracts

10. Details of which contracts are designated strategic and which are designated non-strategic are detailed in Appendix 1. The contracts have been assessed against the criteria agreed by Cabinet, the criteria are provided at **Appendix 2** for information. However, Members and Officers may decide to recommend other than what the score suggests. Anything else would be considered non-strategic.
11. Based on the criteria there are three contracts that are designated strategic in the update to the Annual Plan;
 - (a) **0 – 19 Years Service (up to 25 years for those with special needs)**
Public Health support for children and families through health visiting and school nursing services, to be procured via an Open Tender Process.
 - (b) **Flexible Free Entitlement (FFE) and early education - block contract awarded to all providers on tariff rate for 15/30 hours early years entitlement.**
Entitlement to 15/30 hours of free early education for children aged 3 and 4 years old. Contracts awarded to all providers on tariff rate for 15/30 hours early years entitlement.
 - (c) **New Build Housing Project - Neasham Road**
Procurement activity will be via the Contractors Dynamic Purchasing System or where applicable a quote or tender process.
 - (d) **Framework Agreement for Joint Venture Residential Development with Darlington Borough Council**
The current Joint Venture Agreement comes to an end in October 2021, a new procurement exercise will be undertaken following a 12-month extension to the original contract term in line with the Public Contracts Regulation 2015.

Update on Procurements previously designated as Strategic

12. Darlington Station Improvements: Station Gateway Project. Design and Build of a multi-storey car park, incorporating the shell of an additional station building, transport interchange and public realm improvements immediately to the east of Darlington Bank Top Station – This contract has been procured via the SCAPE (Public Sector Construction) framework.
13. Flexible Free Entitlement (FFE) and early education - block contract awarded to all providers on tariff rate for 15/ 30 hours early years entitlement - Awarded to all providers on the basis of the DFE grant funding terms.

Procurement Board waiver decisions

14. Under the Contract Procedure Rules, the Procurement Board may waive the Contract Procedure Rules in specific circumstances and is required to report waiver decisions that have been made to Cabinet.
15. The Contract Procedure Rules can only be waived as an exception. The Contract Procedure Rules require the Procurement Board when considering requests for waivers to take into account the following:
 - (a) The contract value and the length of the proposed contract.
 - (b) What steps have been taken to satisfy that the best value duty has been complied with (for instance quotations, market testing).
 - (c) The extent to which there are good reasons why it is not possible to undergo a competitive process (for instance, pressing need or urgency, where further work is required before going to market, where only a short contract extension is needed, or the lack of an available market).
 - (d) Whether the new contract is intended to be a stop gap prior to undergoing a competitive process.
 - (e) The availability of compliant alternatives to direct awards, such as frameworks.
 - (f) Any other reason that is being given by the commissioning area.
16. This report details the circumstances and the reasons why the contract procedure rules have been waived by Procurement Board at **Appendix 3**, during the period to end May 2020.

Outcome of Consultation

17. No consultation was carried out in preparation of this report.

APPENDIX 1																
Item No	Procurement Board Number	Current Supplier or Contractor	Description of Supply	Contract Term in years	Approx Value per annum	Approx Value of the Contract	Cost	Impact on Residents (1)	Risk - Financial, Health & Safety, Public (2)	Innovative in design, New form of contract, Sustainability (3)	External Monitoring e.g. from funding body (4)	Total	Strategic	Appropriate Director for Delegation	Procurement Route	
1		Various	005143 - NEPO Children and Adults' Barrister Service	4	£ 140,000.00	£ 560,000.00	1	2	1	1	1	6	Non-Strategic	Managing Director	Collaborative Open Tender	
2		Citizens Advice Bureau	Social Fund - Financial Inclusion Crisis Support	4	£ 100,000.00	£ 400,000.00	1	3	2	1	1	8	Non-Strategic	Director of Children & Adult Services	Open Tender	
3		Citizens Advice Bureau	Social Fund - Community Care Fund Service	4	£ 150,000.00	£ 600,000.00	1	3	2	1	1	8	Non-Strategic	Director of Children & Adult Services	Open Tender	
4		700 Club and Citizens Advice Bureau	Trail blazer - (Early Intervention Outreach Project) - Homeless prevention scheme	4	£ 69,000.00	£ 276,000.00	1	3	2	1	1	8	Non-Strategic	Director of Children & Adult Services	Open Tender	
5		Family Help	Provision of a refuge for women and children who are victims of domestic abuse	4	£ 90,000.00	£ 360,000.00	1	3	2	1	1	8	Non-Strategic	Director of Children & Adult Services	Open Tender	
6		Various	Framework Agreement for the Provision of Residential Care for Adults with a Disability	4	£ 235,000.00	£ 940,000.00	1	4	2	1	1	9	Non-Strategic	Director of Children & Adult Services	Open Tender	
7		DAD	Direct Payment Support Service	4	£ 160,000.00	£ 640,000.00	1	4	1	1	1	8	Non-Strategic	Director of Children & Adult Services	Open Tender	
8		Keyring Supported Living Networks	Provision of Housing Related Support for Adults with a Learning Disability and Vulnerable Adults	4	£ 52,555.00	£ 210,220.00	1	4	2	1	1	9	Non-Strategic	Director of Children & Adult Services	Open Tender	
9	PB2020-00220	Various	NEPO222 – Aggregates and Concrete	4	£ 732,000.00	£ 2,928,000.00	3	1	1	1	1	7	Non-Strategic	Director of Economic Growth	Collaborative OJEU Open Tender	
10		Various	NEPO229 – Concrete and Mortar (delivered)	4	£ 100,000.00	£ 400,000.00	1	1	1	1	1	5	Non-Strategic	Director of Economic Growth	Collaborative OJEU Open Tender	
11	PB2020-00209	Arriva	Bus Service From Dton Town Centre to Amazon	1.5	£ 123,333.33	£ 185,000.00	1	3	1	1	1	7	Non-Strategic	Director of Economic Growth	Restricted Tender to a minimum of 5 suppliers	
12		Safe Families	Provision of a Safe Families Service	4	£ 55,000.00	£ 220,000.00	1	3	2	1	1	8	Non-Strategic	Director of Children & Adult Services	Open Tender	
13		Barnardos	Independent Persons to Undertake Interviews for Children who are Missing from Home or Care and Services to Support Victims of Child Sexual Exploitation	4	£ 100,000.00	£ 400,000.00	1	3	2	1	1	8	Non-Strategic	Director of Children & Adult Services	Open Tender	
14	PB2020-00227	CRS Communications	Maintenance, servicing and 24 hour call out for doors, gates and lifeline	5	£ 75,000.00	£ 375,000.00	1	3	1	1	1	7	Non-Strategic	Director of Economic Growth	Open Tender	
15	PB2020-00236	Broadacres	Domiciliary care for 6 individuals and sleep over provision	2	£ 145,983.00	£ 291,966.00	1	2	2	1	1	7	Non-Strategic	Director of Children & Adult Services	Direct Award	
16	PB2020-00257	Click Ltd	NEPO507 Travel Management Service	4	£ 35,000.00	£ 140,000.00	1	1	1	1	1	5	Non-Strategic	Managing Director	Collaborative OJEU Open Tender	
17	PB2020-00266	CAB	Support for residents to check their eligibility of benefits, part of #DarioMillions campaign	4	£ 30,000.00	£ 120,000.00	1	3	2	1	1	8	Non-Strategic	Managing Director	Direct Award	
18	PB2021-00300	Harrogate and District NHS Foundation Trust	0 – 19 Years Service (up to 25 years for those with special needs)	8	£ 2,100,000.00	£ 16,800,000.00							Strategic	Procurement Board	Open Tender	
19		Liquid Logic	Liquid Logic for Social Care (Adults, Children's and Early Help) (Term 5 years +2)	7	£ 71,000.00	£ 497,000.00	1	1	1	1	1	5	Non-Strategic	Director of Children & Adult Services	Direct Award via CCS Framework	
20	PB2020-00272		NEPO411 Office Furniture Framework	4	£ 30,000.00	£ 120,000.00	1	1	1	1	1	5	Non-Strategic	Director of Economic Growth	Collaborative Open Tender	
21		Willmott Dixon	Central Park infrastructure and landscaping works for the preparation of high quality plots and services	12	£ 3,000,000.00	£ 3,000,000.00	4	1	1	2	2	10	Non-Strategic	Director of Economic Growth	Award via the Procurement Hub Major Works Framework	
22	PB2020-00279	Total Recycling Services	Collection of non-hazardous waste	1	£ 100,000.00	£ 100,000.00	1	1	1	1	1	5	Non-Strategic	Director of Economic Growth	Direct Award	
23	PB2020-00295	Whistl	Corporate Postage	4	£ 150,000.00	£ 600,000.00	1	2	1	1	1	6	Non-Strategic	Managing Director	Further Competition via the CCS Framework	
24	PB2020-00273		NEPO413 catering consumables	4	£ 30,000.00	£ 120,000.00	1	2	1	1	1	6	Non-Strategic	Director of Economic Growth	Collaborative OJEU Open Tender	
25		Various	Specialist Education Provision - in reach and outreach services	4	£ 523,750.00	£ 2,095,000.00	3	3	2	1	1	10	Non-Strategic	Director of Children & Adult Services	Open Tender	
26		CDDFT	Stop Smoking Service	4	£ 105,000.00	£ 420,000.00	1	3	2	1	1	8	Non-Strategic	Director of Children & Adult Services	Open Tender	
27		Various	Flexible Free Entitlement (FFE) and early education - block contract awarded to all providers on tariff rate for 15/30 hours early years entitlement.	1	£ 6,520,000.00	£ 6,520,000.00							Strategic	Director of Children & Adult Services	Direct Award	
28		Various	Skinnergate and Yards Project	2	£ 4,000,000.00	£ 4,000,000.00	5	1	2	1	1	10	Non-Strategic	Director of Economic Growth	Procurement activity will be via pre existing Frameworks and Contracts and/or individual quote and tender exercises	
29		Various	Rennovation of an Adult Skills Facility	1	£ 1,400,000.00	£ 14,000,000.00	2	1	2	1	1	7	Non-Strategic	Director of Economic Growth	Procurement activity will be via pre existing Frameworks and Contracts and/or individual quote and tender exercises	
30		EON	Administration of the LAD 2 energy efficiency project for homes of low-income households to reduce fuel poverty and phase out high carbon fossil fuel.	1	£ 677,283.00	£ 677,283.00	1	3	2	2	1	9	Non-Strategic	Director of Economic Growth	TV Collaborative Direct Award inline with the Public Contracts Regulations	
31		Various	Housing Related Support; 1. Outreach Support Service for people with substance misuse problems 2. Outreach Support for Vulnerable Adults - Support for All 3. Support for people with enduring mental health issues 4. Outreach Support for people with a physical or sensory impairment currently	6	£ 430,112.00	£ 2,580,672.00	3	3	2	1	1	10	Non-Strategic	Director of Children & Adult Services	Open Tender	
32		Various	New Build Housing Project - Neasham Road	2	£ 10,000,000.00	£ 20,000,000.00							Strategic	Procurement Board	Procurement via the Contractors DPS	
33		Various	New Build Housing Project - Sherbourne Close	1	£ 2,000,000.00	£ 2,000,000.00	3	1	1	1	1	7	Non-Strategic	Director of Economic Growth	Procurement via the Contractors DPS	
34		Various	New Build Housing Project - East Haven	2	£ 2,250,000.00	£ 4,500,000.00	5	1	1	1	1	9	Non-Strategic	Director of Economic Growth	Procurement via the Contractors DPS	
35		Esh Homes Limited	Framework Agreement for Joint Venture Residential Development with Darlington Borough Council	1	£ 25,000,000.00	£ 25,000,000.00						0	Strategic	Procurement Board	Direct Award inline with the Public Contracts Regulations	
36		Education Village Academy Trust - Beaumont Hill Academy	Outreach and Inreach services to maintained schools	3	£ 70,000.00	£ 210,000.00	1	3	2	2	2	10	Non-Strategic	Director of Children & Adult Services	Direct Award	
37		Lingfield Education Trust - Hurworth Primary School	Low Incidence Needs Service	3	£ 221,000.00	£ 663,000.00	1	3	2	2	2	10	Non-Strategic	Director of Children & Adult Services	Direct Award	
38		SWIFT Academies - The Rydal Academy	Traveller Education Service	3	£ 86,000.00	£ 258,000.00	1	3	2	2	2	10	Non-Strategic	Director of Children & Adult Services	Direct Award	
39		SWIFT Academies - Hurworth School	Specialist educational provision ASD/Social communication support needs	3	£ 213,623.00	£ 640,869.00	1	3	2	2	2	10	Non-Strategic	Director of Children & Adult Services	Direct Award	
40		SWIFT Academies - Hurworth School	Specialist educational provision ASD/Social communication support needs - outreach service to maintained schools	3	£ 77,500.00	£ 232,500.00	1	3	2	2	2	10	Non-Strategic	Director of Children & Adult Services	Direct Award	
41		Lingfield Education Trust Heathfield Primary School	Specialist educational provision cognition and learning needs	3	£ 186,037.00	£ 558,111.00	1	3	2	2	2	10	Non-Strategic	Director of Children & Adult Services	Direct Award	
42		Lingfield Education Trust Mount Pleasant Primary School	Specialist educational provision ASD/Social communication support needs	3	£ 234,941.00	£ 704,823.00	1	3	2	2	2	10	Non-Strategic	Director of Children & Adult Services	Direct Award	
43		Lingfield Education Trust Northwood Primary School	Specialist educational provision speech and language needs	3	£ 80,830.00	£ 242,490.00	1	3	2	2	2	10	Non-Strategic	Director of Children & Adult Services	Direct Award	
44		Red Hall Primary School	Specialist educational provision social, emotional and mental health needs - SEN Unit	3	£ 170,000.00	£ 510,000.00	1	3	2	2	2	10	Non-Strategic	Director of Children & Adult Services	Open Tender	
45		Rise Carr College (Pupil Referral Unit)	Specialist educational provision social, emotional and mental health needs - SEN Unit	3	£ 335,666.67	£ 1,007,000.00	2	3	2	2	2	11	Non-Strategic	Director of Children & Adult Services	Open Tender	
46		Medequip	Community Equipment Service	5	£ 108,000.00	£ 540,000.00	1	2	1	1	1	6	Non-Strategic	Director of Children & Adult Services	Collaborative Open Tender	

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ASSESSMENT MATRIX FOR STRATEGIC PROCUREMENT					
VALUE		SIGNIFICANCE			
Cost		Impact on Residents (1)	Risk - Financial, Health & Safety, Public (2)	Innovative in design, New form of contract, Sustainability (3)	External Monitoring e.g. from funding body (4)
=> £5,000,000		Automatically considered strategic			
Between £4,000,000 & £4,999,999	5	5	5	5	5
Between £3,000,000 & £3,999,999	4	4	4	4	4
Between £2,000,000 & £2,999,999	3	3	3	3	3
Between £1,000,000 & £1,999,999	2	2	2	2	2
Less than £1,000,000	1	1	1	1	1
Score	0	0	0	0	0
Total Score		0	This procurement is		Non-Strategic

Each procurement must be reviewed against the matrix above. Any contract with an overall value in excess of £5,000,000 will be considered strategic. For any procurement where the value of the contract falls below £5,000,000 the goods or services to be purchased must be assessed on the value and the significance in relation to the other 4 columns and marked accordingly, where 5 is considered to be high significance and 1 low significance. Once a score has been decided for each column it is put in the relevant cell (c17 - K17) the spreadsheet automatically collates the score and determines if the procurement is strategic or non-strategic. Anything that scores 15 or more considered to be strategic. If however a procurement comes out as non-strategic but officers feel they would still want political support for the decision they can choose to take a report to Cabinet.

Note 1: What is the impact on residents? Is it restricted to one street, or estate or is it much wider than that? Does it affect 2 or more wards?

Note 2: Is there significant financial risk to the authority? Is there a H&S risk e.g. care for vulnerable people? Is there a risk to the public? Reputational risk?

Note 3: Is the authority familiar with the form of contract being entered into? Is the contract innovative in its delivery? Are we changing the service?

Note 4: Are there any specific requirements from external funders that represent a risk to the authority e.g. Pathfinder projects for DFES?

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APPENDIX 3

**PROCUREMENT BOARD DECISIONS TO WAVE CONTRACT PROCEDURE RULES WITH A CONTRACT VALUE OVER £100K
NOVEMBER 2020 - FEBRUARY 2021**

Procurement Board Reference Number	Approval Date	Description	Contract Term	Contract Value	Supplier
PB2020-00207	10 November 2020	Direct Award to extend and vary the contract, outside of the original term - Housing Management System	7 Years	£ 214,400.00	Orchard/MRI Systems
PB2020-00214	24 November 2020	Direct Award - Adult Social Care Infection Control Support in relation to Covid 19 Transmission.	One off payments	£ 1,589,530.00	Various
		Direct award to extend the contract, outside of original contract period - Statutory provision of supported accommodation for Care Leavers.			
PB2020-00216	24 November 2020	A procurement exercise, combining a number of contracts will be carried out to procure these services.	15 months	£ 155,550.00	Keys Group
		Direct award to extend the contract, outside the original contract term - The Missing From Home Service			
PB2020-00217	24 November 2020	Urgent requirement for the statutory service.	12 months	£ 102,106.66	Barnardos
		Direct award to extend the contract, outside the original contract term - Homeless Housing Related Support.			
PB2020-00225	08 December 2020	A procurement exercise combining a number of contracts will be carried out to procure these services.	7 months	£ 618,264.58	700 Club, YMCA, Humankind, Foundations & Creative Support
		Direct award - Adult Residential Placement			
PB2020-00230	08 December 2020	No suitable placements available on the Councils contracted provision to meet the needs.	9 Months	£ 130,674.00	St. John of God
		Direct award to extend the contract, outside the original contract term - Support in the Development and Workstreams of the Darlington Railway Heritage Quarter project.			
PB2020-00231	08 December 2020	Benchmarking has been carried out.	15 months + 3 x 12 months	£ 100,000.00	Tourism UK
		Direct award to extend the contract, outside the original contract term - Domiciliary Care			
PB2020-00236	22 December 2020	Benchmarking has been carried out.	2 years	£ 291,966.00	Broadacres Housing Association
		Direct award to extend the contract, outside the original contract term - Provision of a Carers Support Service			
PB2020-00254	19 January 2021	Benchmarking has been carried out.	2 Years	£ 373,152.00	Lot 1 - Durham County Carers Support; Lot 2 - Humankind
		Direct Award - Childrens Day Education Placement.			
PB2020-00260	02 February 2021	No suitable placements available on the Councils contracted provision to meet the needs.	5 years	£ 345,100.00	Witherslack Group, Cumberland School
		Direct Award - Childrens Day Education Placement.			
PB2020-00261	02 February 2021	No suitable placements available on the Councils contracted provision to meet the needs.	5 years	£ 225,000.00	King Edwin Spark of Genius
		Direct Award - Long Term Adult Residential Placement.			
PB2020-00262	02 February 2021	No suitable placements available on the Councils contracted provision to meet the needs.	4 years	£ 129,728.48	Holly Lodge
		Direct Award - Young Persons Day placement.			
PB2020-00264	02 February 2021	No suitable placements available on the Councils contracted provision to meet the needs.	5 and a half years	£ 379,616.00	Witherslak Group- Hartwell School

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**CABINET
13 APRIL 2021**

LOCOMOTION NO 1 AND REPLICA

**Responsible Cabinet Member -
Councillor Heather Scott, Leader and all Cabinet Members**

**Responsible Director -
Ian Williams, Director of Economic Growth and Neighbourhood Services**

SUMMARY REPORT

Purpose of the Report

1. To update Members on the outcome of the negotiations with the Science Museum Group [on behalf of the National Railway Museum (NRM)] with regard to Locomotion No 1 and with Beamish Museum with regard to the Replica of Locomotion No 1. To seek Cabinet approval for the acquisition of the Replica of Locomotion No 1 from Beamish Museum.

Summary

2. A Memorandum of Understanding on the future loan exhibits from the NRM has been agreed and Locomotion No 1 has been transferred to Locomotion in Shildon. However, it will return to Darlington in 2025 for a period and then on an ongoing basis moving forward. In addition, the Council have also secured the transfer of ownership of the Replica of Locomotion No 1 from Beamish Museum to the Council.

Recommendation

3. It is recommended that Members:-
 - (a) approve the acquisition of the Replica of Locomotion No 1 from Beamish Museum;
 - (b) approve the provision of a grant to Beamish Museum, to a maximum of £150,000, to enable them to restore the Locomotive Dunrobin;
 - (c) Authorise the Director of Economic Growth & Neighbourhood Services in consultation with the Portfolio holder to finalise terms;
 - (d) Authorise the Assistant Director Law and Governance to complete the legal agreements necessary for the acquisition and grant.

Reasons

4. The recommendations are supported by the following reasons :-
 - (a) To enable the Council to finalise the acquisition of the Replica of Locomotion No 1;

- (b) To support the Councils plans for the Head of Steam and the bicentenary celebrations in 2025.

Ian Williams
Director of Economic Growth and Neighbourhood Services

Background Papers

No background papers were used in the preparation of this report.

Ian Thompson : Extension 6628
CD

S17 Crime and Disorder	No impact as a result of this report
Health and Wellbeing	No impact as a result of this report
Carbon Impact and Climate Change	No impact as a result of this report
Diversity	No impact as a result of this report
Wards Affected	The Head of Steam is located in Northgate Ward
Groups Affected	No particular group is affected
Budget and Policy Framework	No impact as a result of this report
Key Decision	No
Urgent Decision	No
One Darlington: Perfectly Placed	The acquisition of the Replica Locomotion and its return to working order at the Head of Steam will have a significant impact on the Place outcomes
Efficiency	No impact as a result of this report
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

5. The Leader of the Council, with officers, has been working over the past months to secure an acceptable agreement for the future display of Locomotion No 1 in Darlington. While it is not disputed that Darlington is the historical home of Locomotion No 1, legally the owner is the Science Museum Group (SMG) by a quirk of history, with ownership passing down over the years to finally the National Railway Museum (NRM), which is part of the SMG. Locomotion No 1 has been in Darlington for 163 years with a short gap when visiting other countries.
6. A cross-party group was set up with a number of other representatives to help challenge the decision to remove Locomotion No 1 from Darlington and lead a campaign to retain Locomotion No 1 in Darlington. There has been ongoing dialogue and meetings with the Council Leader and the Local MP with the Chair and Board members of the Science Museum Group, as well as officer meetings to try to reach agreement.

Outcomes

7. Following the detailed negotiations, Locomotion No 1 was relocated from the Head of Steam to Shildon. While the Council wanted the relocation to happen in the summer/autumn of 2022 when the Head of Steam will close for refurbishment, the loan agreement came to an end in March 2021. The NRM were carrying out asbestos removal on a number of locomotives at Shildon during lockdown and work was also required to be undertaken on Locomotion No 1, therefore the relocation took place on 8 March 2021.
8. Through negotiation with the SMG, the following are the key points agreed as part of the Memorandum of Understanding (MOU).
 - (a) Locomotion No 1 will return to Darlington from 1 January 2025 until 31 July 2025;
 - (b) Between 2026 and 2030, Locomotion No 1 will return to Darlington on two occasions for six months;
 - (c) Post 2030, Locomotion No 1 will return to Darlington for two 12-month periods or one 24-month period, every five years.
9. In addition to the above, the other locomotives; Derwent, NER Tennant, NER Raven, T3 and a number of smaller collection items on loan to Darlington that also end in 2021 will remain on long term loan until the end of 2029.

Locomotion No 1 Replica

10. As part of the celebration for the 150th Anniversary of the Stockton and Darlington Railway in 1975, a Replica of Locomotion No 1 was built with public and private funding, supported by north-east industry. The Replica worked for a significant period of time post 1975 and visited Japan and the United States through its operational career. It is owned by Beamish Museum and currently on display at the

Locomotion in Shildon, unfortunately no longer operational.

11. Officers have been in discussions with representatives from Beamish Museum with regard to the transfer of ownership of the Replica of Locomotion No 1 from Beamish Museum to Darlington Borough Council. Agreement has been reached with Beamish Museum to transfer the ownership of the Replica to Darlington Borough Council and it is anticipated that the transfer should be completed by the end of April 2021, subject to Cabinet approval.
12. In recognition of the transfer, the Council will need to provide a grant to Beamish to a maximum of £150,000 to enable them to restore the locomotive Dunrobin; unfortunately to date they have been unable to carry out the restoration due to lack of funds. The locomotive Dunrobin was built in 1895 for the 4th Duke of Sutherland to haul private carriages from Dunrobin Castle to Inverness.
13. One of the aspirations for the 2025 celebrations is to have the Locomotion No 1 Replica operating under steam to be a central part of the overall celebrations. To achieve this, there is a significant amount of work required to bring the Locomotion No 1 Replica back into working order and up to modern day standards to enable it to run on the rail network. An assessment of the work required will take place once the Replica is transferred to the Head of Steam later this month. A further report will be brought to Cabinet in due course once the costs are known for the restoration and how they can be funded.
14. Once restored to working order and post 2025, there will be the opportunity to operate the Locomotion No 1 Replica on regular event days at the Rail Heritage Quarter and to loan out to partners.
15. Through this new partnership with Beamish Museum, two locomotives; the Replica of Locomotion No 1 and Dunrobin will be brought back into operation. In addition, officers will continue to work with Beamish Museum on shared opportunities, particularly as part of the 2025 celebrations.

Financial Implications

16. To enable the transfer of the Replica of Locomotion No 1, the Council will need to provide a grant to Beamish Museum of a maximum of £150,000. This grant can be funded from the Futures Fund (developing the visitor economy).

Legal Implications

17. An agreement for the acquisition of the Replica of Locomotion No 1 will need to be formalised with Beamish Museum and in addition for the grant to Beamish Museum enabling the refurbishment of the locomotive Dunrobin. The Council has wide powers to acquire property and also a general power of competence.

CABINET
13 APRIL 2021

COUNCILLORS STRONGER COMMUNITY FUND

Responsible Cabinet Member -
Councillor Jonathan Dulston, Stronger Communities Portfolio

Responsible Director - Paul Wildsmith, Managing Director

SUMMARY REPORT

Purpose of the Report

1. To establish a pilot scheme to enable Councillors to utilise the fund at their discretion to deliver the objectives of the Stronger Communities Fund (SCF).

Summary

2. The approved MTFP allocated £50,000 to establish a Stronger Communities Fund, this report proposes a Pilot Scheme for Cabinet's consideration. The scheme will operate for one year during which time it's success will be reviewed, and Council will consider whether the pilot becomes a permanent feature of the MTFP.
3. £1,000 will be allocated to each Councillor to be used to deliver the objectives of the SCF. The initial objectives of the fund are to build Stronger Communities by :-
 - (a) Supporting individuals and groups to enhance access to opportunities to improve health and wellbeing outcomes.
 - (b) Investing in environmental improvements that enhance the local area to the benefit of the local community.
4. The scheme will be administered with maximum flexibility to enable learning and benefits to be easily achieved by the pilot.
5. Councillors can merge their allocations with other Councillors within their wards and across the Borough, should they so wish. They may also use a third party to allocate funds on their behalf.
6. Grants and investments should only be made to individuals or "not for profit" organisations.

Recommendation

7. It is recommended that Cabinet :-

- (a) Approve the Pilot Stronger Communities Scheme as described at paragraphs 10 to 12.
- (b) Delegate responsibility to the Chief Executive in consultation with the Portfolio Holder for Stronger Communities to determine if any proposals made by Councillors are out with the “spirit” and procedures of the fund.

Reasons

8. The recommendations are supported by the following reasons :-

- (a) To determine the scheme
- (b) To govern the scheme flexibly

Paul Wildsmith
Managing Director

Background Papers

No background papers were used in the preparation of this report

Paul Wildsmith : Extension 5828
TAB

S17 Crime and Disorder	There are no implications as a direct result of this report
Health and Wellbeing	There are no implications as a direct result of this report
Carbon Impact and Climate Change	There are no implications as a direct result of this report
Diversity	There are no implications as a direct result of this report
Wards Affected	All wards included
Groups Affected	All groups have access to the fund.
Budget and Policy Framework	The MTFP includes provision for the fund.
Key Decision	No
Urgent Decision	No
One Darlington: Perfectly Placed	There are no implications as a direct result of this report
Efficiency	There are no implications as a direct result of this report
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

9. Council agreed to the establishment of a Pilot SCF as part of the approved MTFP. The Council indicated that a detailed report on the scheme would be presented to Cabinet, this report proposes a scheme for Cabinet's approval.
10. The proposed objectives of the fund are set out below :-
 - (a) Supporting individuals and groups to enhance access to opportunities to improve health and wellbeing outcomes.
 - (b) Investing in environmental improvements that improve the local area to the benefit of the local community.
11. These are wide objectives to enable maximum flexibility during the pilot to maximise learning and the benefits delivered; examples of how the fund could be used are set out below but clearly this is not an exclusive list :-
 - (a) Supporting local groups with rent or events
 - (b) Supporting individuals to excel in sport or education
 - (c) Providing equipment for individuals in need of support
 - (d) Contributing towards or funding the purchase of environmental improvements such as providing a park bench or play equipment.
12. Each Member will enter into an agreement with the Council regarding the use of the funds which, amongst other things, will stipulate that:
 - (a) The process of awarding grants is open and transparent
 - (b) Grants are made without prejudice or favour
 - (c) The funds will not be used for Members' personal or political gain
 - (d) Members will be responsible for ensuring as far as possible that the grant has been used for the purpose that it was provided
13. The process for managing the use of the fund will be as follows :-
 - (a) An account for each Member will be set up at Darlington Credit Union countersigned by an officer of the Council but allowing the Member to authorise payments individually from their individual established bank account. This may include making payments to the Council should a Councillor wish the Council to provide goods or services.
 - (b) The Council will advertise the scheme and Members will be responsible for publicising the fund within their ward should they so wish. They may also want to announce their particular focus for the fund based on the needs in their ward.
 - (c) Members will be required to ensure each applicant completes and signs a grant application form which gives details of the lead individual applying, description of what is being applied for together with justification for the

payment. This will form the basis of an agreement between the member and the recipient should a grant be awarded.

- (d) It will be made clear in the agreement between the Council and Members that any grant they provide must not commit the Council to any future spend, for example ongoing maintenance. This will also be made explicit in the form completed by applicants.
 - (e) At the end of the financial year members will be responsible for providing evidence of spend that tallies with the account statement from the credit union. Members will be required to provide a report outlining how the way they have used the Stronger Communities Fund has supported their ward. In this first year Members will be requested to provide a report on the first 6 months of the scheme to allow a review of the scheme to inform decisions regarding the Medium Term Financial Plan.
 - (f) Should there be doubt whether the proposal been made by a member adheres with the scheme they should consult with the Chief Executive who will review the proposal in consultation with the portfolio holder for Stronger Communities.
 - (g) On a quarterly basis the Chief Executive and the Cabinet member for Stronger Communities will review progress of the scheme and on completion of quarter one Communities and local services scrutiny committee be asked to review the pilot scheme.
14. Councillors may pool their budgets with other Councillors within their Ward and more widely across the Borough, the only limitation on beneficiaries of the grant is they must be Darlington residents. Members may also carry forward any balance of their fund to a following year subject to the continuation of the fund.

Pilot Review

15. A review will take place prior to the preparation of the MTFP in late 2021 and Members will be asked to prepare a note on what they have delivered from their budgets. Council will then be able to review the outcomes and decide whether to progress with the pilot.

CABINET
13 APRIL 2021

PROPOSED WAITING RESTRICTIONS GEORGE STEPHENSON DRIVE - OBJECTIONS

**Responsible Cabinet Member –
Councillor Andy Keir, Local Services Portfolio**

**Responsible Director – Ian Williams
Director of Economic Growth and Neighbourhood Services**

SUMMARY REPORT

Purpose of the Report

1. To advise Members of two objections received to a proposal for waiting restrictions on George Stephenson Drive and to seek a decision on whether to proceed with the proposal.

Summary

2. Concerns were received from residents and via a Ward Councillor with regards to the parking on the bend on the approach to the junction of West Auckland Road and whether it was possible to introduce waiting restrictions at the junction to resolve the issue of vehicles obscuring forward visibility.
3. Residents are currently parking on and around the bend which is causing visibility issues for vehicles entering and leaving George Stephenson Drive.
4. Officers have consulted twice on solutions to manage parking at this location previously and received numerous informal objections on both occasions. Since then there has been additional development adjacent which has exacerbated the issue. (see green area at **Appendix A**). Further informal and formal consultation was undertaken on a proposal for waiting restrictions to prevent parking and improve the visibility/road safety issues (see plan at Appendix A).
5. There were four submissions to the statutory consultation. One submission is fully supportive of the proposal and one submission stated restrictions were not sufficient. There were two objections to the scheme. One objector was satisfied with the restrictions up to house No.9 George Stephenson Drive and disagreed with the need for the restrictions protecting the junctions further into the estate. The other objector was fully against the restrictions, although the reasons were not directly against the restrictions proposed.

Recommendation

6. It is recommended that Members consider the objections and set them aside and authorise officers to proceed with the proposal to introduce the waiting restriction scheme as shown at Appendix A.

Reasons

7. The recommendation is supported to improve the traffic flow, visibility and road safety of vehicles entering and leaving George Stephenson Drive. The Council, acting in its capacity as the Highway Authority, have a duty of care to ensure the safety of the travelling public and a duty under the Traffic Management Act 2004 to maintain the expeditious movement of traffic.

Ian Williams
Director of Economic Growth and Neighbourhood Services

Background Papers

No Background papers were used in the preparation of this report.

Chris Easby: Extension 6707

S17 Crime and Disorder	There are no direct implications.
Health and Well Being	There are no direct implications.
Carbon Impact and Climate Change	There are no significant impact implications in this report.
Diversity	There are no direct implications
Wards Affected	Brinkburn and Faverdale
Groups Affected	All
Budget and Policy Framework	This decision does not represent a change to the budget and policy framework
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly Placed	No significant implications.
Efficiency	The proposal will prevent obstructive parking

MAIN REPORT

Information and Analysis

8. George Stephenson Drive is a housing estate off the roundabout on West Auckland Road. There are circa 285 properties on the estate comprising of houses and apartments.
9. On-street parking is present and has resulted in issues being raised for a number of years. The on-street parking causes visibility issues daily, which result in road safety concerns for residents and drivers entering and leaving the estate. However, there has been no reported accidents that have resulted in injury.
10. The parking issues have resulted in residents raising concerns and requesting the introduction of waiting restrictions on this section of George Stephenson Drive. The concerns related to the impact parking was having on the visibility and associated potential road safety problems.
11. Officers consulted residents on a scheme to introduce waiting restrictions on George Stephenson Drive and other junctions further into the estate (see plan at Appendix A). This was intended to ensure that traffic could safely enter and leave George Stephenson Drive and to protect junctions off George Stephenson Drive from potential displacement of vehicles.
12. Two residents have made objections to the proposed waiting restrictions. One objector was satisfied with the restrictions up to No.9 George Stephenson Drive but against the proposed restrictions at junctions further into the estate as this would impact on their parking. They were concerned that parking away from their home would endanger their young children when entering/exiting their vehicle.
13. The restrictions around junctions are proposed to avoid parking at locations where vehicles are carrying out manoeuvres with limited visibility of vehicles approaching from the side road and to maintain the flow of traffic. Section 243 of the Highway Code directs drivers to not stop or park opposite or within 10m of a junction, except in an authorised parking space. The restrictions at the junctions reflect this guidance. Any vehicles currently parking within 10m of a junction could be liable to be issued a fixed penalty notice by the Police.
14. The second objector has made a number of representations. The issues raised and an officer response are included in the table below for clarity:

Issue Raised by Resident	Officer Response
Minor inconvenience for road users rather than a hazard.	Parking currently occurs on the inside of a bend on the entrance into the estate, which significantly restricts visibility. Officers consider that this is a road safety hazard.
Most of the kerb space near my house is used for parking. Where will those cars go. I dare say they will be	It is hoped that some residents make greater use of their off street parking and garages. If issues occur further

Issue Raised by Resident	Officer Response
dispersed into Paradise Way etc thus moving the problem/creating a new one.	into the estate we will consider further restrictions.
Would I have bought my house with parking restrictions to the front? No. Therefore the proposals will undoubtedly have an impact on my house price.	The public highway is, in law, for the pass and the repass of members of the public. Residents do not have a right to park outside their property and consequently cannot rely on kerbside parking. The Council will always try and allow parking where it is safe to do so, but in this case the parking is causing road safety issues.
The Council were given money by Bussey and Armstrong for speed humps. None have appeared. One in front of my house would slow traffic and vastly reduce any collision risk.	This is not a material consideration in respect of the proposed restriction. For information officers will be looking to implement traffic calming and will consult on a scheme later in the year.
How many crashes have occurred due to this "hazard"? I haven't seen any in 11 years.	The Council does not hold records of all collisions or incidents. However, there are no reported injury accidents.
Where are the overspill cars from the new flats being built opposite my house going to go?	It is not clear at this stage if there will be overspill parking. This will be addressed in the future if further issues arise.
They do not solve the forward observation issues between numbers 10-15.	Whilst the council could restrict parking along this section it would add to the issues that resident raises above. The scheme is a compromise and officers have had requests from other residents asking for more restrictions. Forward visibility is less of an issue on this section of road as it is away from the bend. Officers will review this arrangement once the restrictions are in place and may propose additional restrictions if they consider that there is a significant hazard.
They will recreate the same scenario on the next curve of the road due to displaced car parking due to the proposals.	Officers will review the impact of the scheme once it has been implemented.

15. It should be noted that the only right the general public have on the public highway is a right of passage along it. The Council, acting in its capacity as the Highway Authority, have a duty of care to ensure the safety of the travelling public and a duty under the Traffic Management Act 2004 to maintain the expeditious movement of traffic. The Council will generally allow parking where it is considered safe to do so and where it does not impact on performance of the highway.
16. The Ward Councillors have been consulted on the proposals and were aware of the concerns of residents regarding the road safety issues on George Stephenson Drive. The Ward Councillors have worked with officers and are supportive of investigations that have been conducted and the actions to help mitigate these issues that are being proposed.
17. The proposed restrictions will improve the traffic flow and reduce the risk of road traffic accidents.
18. Subject to Cabinet approval, the restrictions will be introduced in accordance with the Council's powers as set out in Part 1 of the Road Traffic Regulations Act 1984.

Financial Implications

19. The proposal will be funded from the traffic management budget.

Legal Implications

20. The traffic orders have been statutorily advertised for the required period.

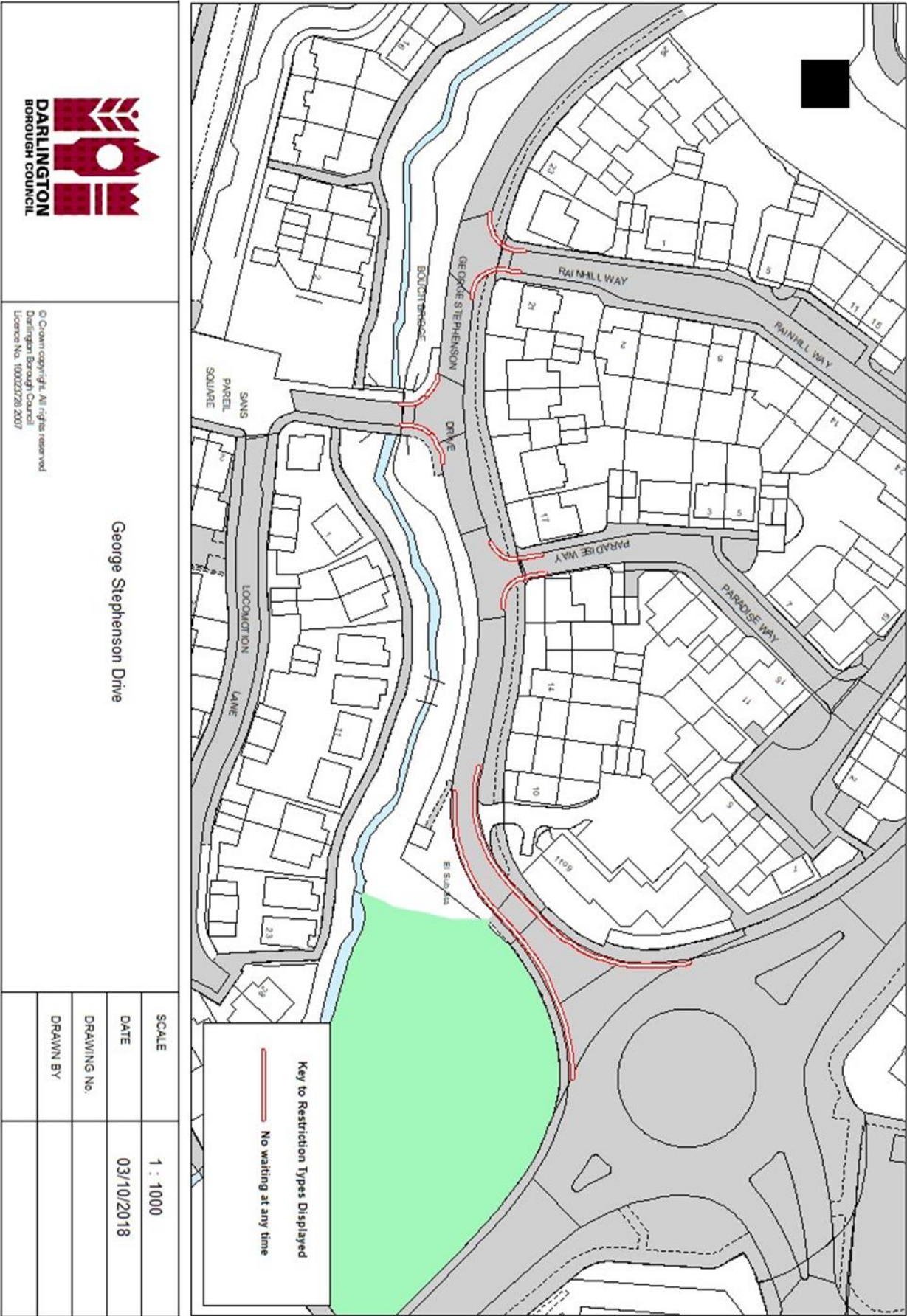
Consultation

21. Officers have consulted the residents directly impacted by this proposal. The proposal has also been statutorily advertised in the press, following delegated authority to progress a traffic order.

Outcome of Consultation

22. Two residents have objected to the proposal. One resident fear for the safety of their children if they are forced to park away from their home. The second resident has highlighted possible further issues. If implemented the proposed scheme would be monitored and reviewed.

APPENDIX A



CABINET
13 APRIL 2021

**RELEASE OF CAPITAL ALLOCATION IN THE MTFP
CAPITALISED REPAIRS IN CORPORATE BUILDINGS
AND ADVANCED DESIGN FEES**

**Responsible Cabinet Member –
Councillor Charles Johnson, Resources Portfolio**

**Responsible Director –
Ian Williams, Director of Economic Growth and Neighbourhood Services**

SUMMARY REPORT

Purpose of the Report

1. To seek approval for the release of capital funding allocated in the Capital MTFP 2021/22 – 2024/25 for:
 - (a) The purpose of carrying out capitalised repairs in corporate buildings.
 - (b) Advanced Design Fees to bring forward regeneration projects and prepare sites for development.
 - (c) The purpose of carrying out energy saving measures in corporate buildings.

Summary

2. An allocation of £250K has been made available for 2021/22 in the Capital MTFP for Capitalised Repairs and it is requested that the funding be released for essential remedial works to progress.
3. Release £150K Council Capital (MTFP) for advanced design to develop schemes, bring sites forward for development to create jobs and support the local economy.
4. A government grant has been received of £443,313 primarily for the reduction of gas consumption at the Town Hall and Hippodrome and it is requested that the funding be released in order to progress the proposed works.

Recommendations

5. It is recommended that :-
 - (a) The £250K allocated in the Capital MTFP for Capitalised Repairs be released.

- (b) Cabinet approves the release of the £150K for Advanced Design Fees to bring forward regeneration projects and to carry out necessary preparatory work on those development sites.
- (c) The grant funding of £443,313 from the Heat Decarbonisation Scheme be released for energy saving measures at the Town Hall and Hippodrome.

Reasons

- 6. The recommendations are supported to safeguard the condition of the Council's corporate buildings, reduce energy consumption and to meet statutory and legal obligations.
- 7. The Advanced Design Fees will enable progress to be made on bringing forward regeneration projects and sites for development.

Ian Williams
Director of Economic Growth and Economic Growth

Background Papers

No Background papers were used in the preparation of this report.

Kelvin McDade: Extension 6468

S17 Crime and Disorder	There are no direct implications.
Health and Well Being	There are no direct implications.
Carbon Impact and Climate Change	There are no carbon impact implications in this report
Diversity	The recommendation does not have any specific diversity implications.
Wards Affected	Depending on the location of the Council's buildings, a number of Wards may be affected.
Groups Affected	There are no specific groups adversely affected.
Budget and Policy Framework	This decision does not represent a change to the budget and policy framework.
Key Decision	This is not a Key Decision
Urgent Decision	This is not an Urgent Decision
One Darlington: Perfectly Placed	The recommendation will help to achieve the Perfectly Placed priority by safeguarding the condition of the Council's assets.
Efficiency	The proposed works will ensure the ongoing safety and condition of the Council's buildings and reduce the frequency of ongoing inspections and temporary repairs.
Impact on Looked After Children and Care Leavers	This report does not impact on Looked After Children or Care Leavers

MAIN REPORT

Background

Capitalised Repairs

8. An allocation of £250K has been made in the Capital MTFP for Capitalised Repairs.
9. The Council occupies a number of properties predominantly freehold where we have a responsibility to maintain them in a condition appropriate to their use and in accordance with our statutory obligations.
10. Pennington Choices were commissioned to undertake stock condition surveys in our corporate properties to identify immediate remedial works and future investment requirements.
11. Further to the Pennington surveys, additional survey and servicing data has been acquired and essential works prioritised.
12. It is proposed that the Capitalised Repairs allocation be used to meet these urgent works which include:-
 - (a) Dolphin Centre Rainwater Goods – Gutters / Fascia Boards and Downpipes
 - (b) Dolphin Centre Remedial Actions from Structural Surveys of Leaks from Pool Base
 - (c) South Park Lodge Structural Work to Support Rotting Timbers in Clock Tower
13. Funding of £150K for Advanced Design Fees is allocated each year within the MTFP capital programme and is used to bring forward regeneration projects and prepare sites for development.
14. The funding is required for up front expenditure to develop designs, prepare sites and stimulate development to enable the Council to deliver its priorities and to meet income targets in the MTFP through attracting new business and growing the economy. The developed sites are expected to achieve either capital receipts and / or lead to new business rates income, or housing bonus and new jobs.

Heat Decarbonisation Scheme

15. The Council has been successful in obtaining a grant allocation of £443,313 from the government's Heat Decarbonisation Scheme. The focus of the scheme is on reducing gas consumption but also allows for some elements of electrical improvements. The works proposed are for the Town Hall and Hippodrome to be fitted with Air Source Heat Pumps as their primary hot water system to replace the existing gas boilers. The Town Hall will also benefit from additional Solar PV and the upgrading of all lighting to LED. The Hippodrome will be fitted with advanced controls to the loading bay areas to reduce heat losses and additional time controls to catering equipment. In total the project has a combined projected energy saving of 870,500 kWhs.

Financial Implications

16. A sum of £250,000 was allocated for Capitalised Repairs in the 2021/22 MTFP Capital programme. The work will be funded from corporate resources such as capital receipts or prudential borrowing.

17. Capital expenditure is required to progress regeneration projects and to incur up front design fees and associated costs for example undertaking surveys, design work, master planning and marketing in order to prepare sites and progress projects. This will enable the Council to bring forward projects and schemes that support economic growth, through highway improvements, new buildings and new development sites, attracting businesses or developers that in turn create jobs and new business rates. Projects that are well defined and “shovel ready” are likely to be more successful in attracting external funding. The Council has allocated £150K in 2021/22.
18. The works proposed as part of the Heat Decarbonisation Scheme are fully funded.

Legal Implications

19. The Council will need to address any lease issues associated with works on leasehold properties.

Corporate Landlord Advice

20. In the main the Council’s revenue budgets are adequate for addressing day to day repair and maintenance items but where larger works are required, these fall under Capital and need to be addressed through Capitalised Repairs.

Procurement Advice

21. The Contract Procedure Rules must be followed in relation to all procurements carried out by Building Services. If the procurement of external services is in excess of £100,000.00, this must be detailed on the Procurement Plan and authorisation received by Procurement Board.