

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 19 JULY 2021**

CABINET

Tuesday, 6 July 2021

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

INVITEES – Councillors Curry, Harker and Snedker

APOLOGIES – Councillors Clarke and Tait

ALSO IN ATTENDANCE – Councillors Durham and McCollom

C14 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

**C15 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE
GENERAL PUBLIC) ON ITEMS ON THIS CABINET AGENDA.**

In respect of Minute C23 below, a written representation was received from a member of the public.

**C16 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 1
JUNE 2021**

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

REASON – They represent an accurate record of the meeting.

C17 MATTERS REFERRED TO CABINET

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

C18 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C19 KEY DECISIONS:-

There were no key decisions made at this meeting.

C20 DEATH IN SERVICE

The Group Director of Operations submitted a report (previously circulated) informing Cabinet of the recent sad death in service on 19 June 2021 of John Haycock who was employed as a Town Hall Attendance, and was a valued member of the Democratic Services Team.

As a mark of respect, Cabinet observed a short silence in memory of John Haycock.

RESOLVED - That it is with great sadness that the recent death in service of John Haycock, a respected and valued employee of the Council, be noted.

REASON - To make Members aware of the recent death in service.

C21 DISABLED FACILITIES GRANT 2021/22

The Cabinet Member with the Adults Portfolio introduced the report of the Group Director of People (previously circulated) advising Members of the capital resources available for Disabled Facilities Grants (DFG) during 2021/22 and requesting that consideration be given to the release of those resources to enable them to be utilised in accordance with Darlington Borough Council Disabled Facilities Grant and Regulatory Reform Order Policy 2021/23.

The submitted report stated that DFG's assisted people to live independently by helping to fund suitable adaptations to their properties; the maximum grant payable was £30,000 per application which was subject to a statutory means test; the grants were available to owner-occupiers, tenants of private rented properties and Housing Association tenants; and that DFG's were governed by housing legislation and, had set conditions for payment, within those regulations.

It was also reported that the Council had a shared service agreement in place with Durham County Council to provide a Home Improvement Agency service to provide guidance and practical assistance to people who were older, disabled or on low incomes to claim a DFG to repair, improve or adapt their homes. The Agency also provided support to people until the work was completed and the contractor had been paid.

RESOLVED – That the Disabled Facilities Grants for 2020/21 and 2021/22, as detailed in the submitted report, be agreed and the capital funding be released.

REASON - To enable the adaptations for those individuals who were eligible to receive a Disabled Facilities Grant for 2020-21 and 2021-22 to proceed.

C22 COLLECTION OF COUNCIL TAX, BUSINESS RATES AND RENT 2020/21

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) providing Members with an update on the collection of Council Tax, Business Rates and Council Rents during 2020/21 and requesting that consideration be given to the writing-off of debts over £500 that were considered to be irrecoverable.

The submitted report stated that collection of Council Tax, Business Rates and Council Rents during 2020/21 had been a significant challenge due to the ongoing COVID-19 pandemic; normal recovery and enforcement activities had not been possible as the Courts had been closed and the recovery of debts with Enforcement Agents had been suspended; and that despite those challenges, a total of £103.1M of Council Tax, Business Rates and Council Rents had been collected in 2020/21.

Particular reference was made to a total of £761,212 of debts in respect of individual cases of Council Tax, Business Rates and Council Rents, exceeding £500 for the financial year 2020/21, which were considered irrecoverable and had become apparent that no further steps could be taken to recover those sums.

RESOLVED – (a) That the report be noted.

(b) That the write-off of £761,212 of debts over £500, be approved, subject to further steps for recovery being taken, wherever possible, if and when contact with the debtor is made.

REASONS – (a) The collection of Council Tax, Business Rates and Council Rents underpins the Council's Medium Term Financial Plan.

(b) The write-off of irrecoverable debts enables the Council's accounts to be maintained in accordance with Financial Procedure Rules.

C23 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING OUTTURN 2020/21

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations and the Group Director of Services (previously circulated) providing information to Members on the delivery of the Council's Capital Programme; the financial outturn position as at 31st March 2020; proposed financing of the 2019/20 capital expenditure; the current status of all construction projects currently being undertaken by the Council; and requesting that consideration be given to a number of changes to that programme.

The submitted report stated that significant enhancements had been made to the Council's assets in three major programme areas of schools, housing and transport, mostly using external funding; those investment were delivering a wide range of improvements to the Council's assets and services; capital expenditure in 2020/21 totalled £29,875; there were 38 live projects currently being managed by the Council with an overall value of £126,196M; the majority of those projects were running to time, cost and quality expectations with no foreseeable issues; and that the projects were managed either by the Council's in-house management team, a Framework Partner or by Consultants sourced via an open/OJEU tender process.

In response to questions raised by Councillor Keir, on behalf of a resident in respect of the Crown Street Library refurbishment, the Group Director of Services, reported that as the library building could not take the weight of the scaffold, the scaffold needed to be free standing and weighted down which required ground investigations to be carried to ensure the area around the library was capable of taking the load; and that 'value engineering' related to looking at budget options to reduce costs should the scheme be over budget to bring it back into, or close to the budget.

RESOLVED - (a) That the delivery and financial outturn of the 2020/21 Capital Programme, as detailed in the submitted report, be noted.

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

(c) That the adjustments to resources, as detailed in paragraph 25 of the submitted report, be approved.

REASONS - (a) To enable Members to note the progress of the 2020/21 Capital Programme and to allow the capital spend to be fully financed.

(b) To inform Cabinet of the current status of construction projects.

(c) To maintain effective management of resources.

C24 REVENUE BUDGET OUTTURN 2020/21

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) presenting the 2020/21 revenue outturn (subject to Audit), to allow Members to consider the results in light of the Council's Medium Term Financial Plan (MTFP) and also to consider the Collection Fund and Housing Revenue Account outturn.

The submitted report stated the impact of COVID-19 on both expenditure and income had been significant; to date the Government had provided a grant of £6,682M to assist with those pressures and a further package of support to Councils in the form of a scheme to help reimburse lost income during the pandemic which was expected to be £1.991M for 2020/21; there would be a 75 per cent contribution to the Council Tax and Business Rate collection fund deficit due to COVID-19; should all funding come to fruition, there would be a COVID-19 surplus of £1.553M; and that the year end projection showed an overall improvement in the 2020/21 financial position of £5.260M.

References were made to variances from the original budget; changes since the Quarter 3 position; and to a number of carry forward requests totalling £0.801M.

RESOLVED - (a) That the revenue outturn for 2020/21, as detailed in the submitted report, be noted.

(b) That the COVID-19 pressures and government grants received to date, as detailed in the submitted report, be noted.

(c) That the earmarked reserves, as requested in paragraphs 33 and 35 of the submitted report, be approved.

(d) That the carry forward of resources, as referred to in paragraphs 29 to 32 of the submitted report, be noted and approved.

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

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

C25 REVENUE BUDGET MONITORING - QUARTER 1

The Cabinet Member with the Resources Portfolio introduced the report of the Group

Director of Operations (previously circulated) providing an early forecast of the 2021/22 revenue budget outturn as part of the Council's continuous financial management process and informing Cabinet of the budget rebasing exercise carried out following the 2020/21 outturn results.

The submitted report stated that it was the first revenue budget management report to Cabinet for 2021/22 and that the latest projections showed an overall improvement of £3.636M, which was due to £2.317M of additional balances following the 2020/21 outturn; £0.993M of resources returned to reserves; £0.22M of projected departmental underspend in 2021/22; and the use of £0.304M of COVID-19 reserve.

It was reported that there still remained a significant amount of uncertainty regarding the recovery from COVID-19 which had the potential to impact on the budget position during the remainder of the 2021/22 financial year.

RESOLVED - (a) That the forecast revenue outturn for 2020/21, as detailed in the submitted report, be noted.

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

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

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

C26 XENTRALL SHARED SERVICES ANNUAL REPORT 2020/21

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) requesting that consideration be given to reviewing the progress and performance of Xentrall Shared Services, the Stockton and Darlington Partnership.

The submitted report stated that Xentrall Shared Services, the Stockton and Darlington Partnership, was established in May 2008 and was now in its thirteenth year; the agreement covered ICT (strategy and operations), Transactional HR, Transactional Finance and Design and Print; the initial savings that were identified were £7.4M over the original ten year period of the partnership; and that those savings had been achieved plus additional efficiencies and benefits and significant additional savings; quality and performance of services had improved; and that in recognition of the success of the partnership it had been amended in 2015 from the original ten year period into an on-going rolling agreement.

The Cabinet Member with the Health and Housing Portfolio referred to the work that had been undertaken by Xentrall Shared Services over the last year to ensure that the Council's services continued to be provided, as well as providing additional support, in respect of the COVID-19 pandemic.

RESOLVED – (a) That the report be noted and the continuing success of Xentrall Shared Services over the thirteen years since it was formed, be acknowledged.

(b) That the thanks of Cabinet be extended to Xentrall Shared Services, for their

work during the COVID-19 pandemic.

REASONS – (a) To allow Members to receive information about the progress of the partnership.

(b) To extend the thanks of Cabinet to Xentrall Shared Services.

C27 LAND AT FAVERDALE EAST BUSINESS PARK

The Cabinet Member with the Resources Portfolio introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to the disposal of land at Faverdale East Business Park, Darlington, as shown shaded grey on the plan attached at Appendix 1 (also previously circulated), subject to the grant of planning permission for development.

The submitted report stated that the Council owned land at Faverdale East Business Park which was available for inward investment/industrial development; a number of plots had been sold over the last few years; and that the remaining land available for sale and development totalled around 9.6 acres (as shown as plots 1, 2, 3 and 4 on the plan attached at Appendix 1).

It was also reported that in July 2019 Cabinet approved the sale of the plot shown hatched on the plan and this sale had now been completed. A number of enquiries had been received recently and negotiations were ongoing with potential purchasers for plots 2, 3 and 4 and that the terms had been provisionally discussed, subject to abnormal development costs, but could not be finalised without some detailed work on the part of the purchasers to get proposed designs drawn up.

RESOLVED – (a) That the sale of 9.6 acres of land at Faverdale East Business Park, as shown on the plan appended to the submitted report, be approved in principle with the Chief Executive's Office being authorised to negotiate full terms in consultation with the Cabinet Member with the Resources Portfolio and with the terms being reported subsequently on the Schedule of Transactions.

(b) That the Assistant Director Law and Governance be authorised to document sales accordingly.

REASONS – (a) To achieve a capital receipt for the Council.

(b) To assist business development and job creation in Darlington.

C28 SCHEDULE OF TRANSACTIONS

The Cabinet Member with the Resources Portfolio introduced the report of the Chief Executive (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.

C29 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C30 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

**DECISIONS DATED –
FRIDAY 9 JULY 2021**