

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 23 JANUARY 2023**

CABINET

Tuesday, 10 January 2023

PRESENT – Councillors Dulston (Chair), Bartch, Clarke, Durham, Keir, K Nicholson, Renton and Tostevin

INVITEES – Councillors Curry, Harker and Snedker

ALSO IN ATTENDANCE – Councillors Mrs Culley and McCollom

C235 DECLARATIONS OF INTEREST.

In respect of Minutes C240(2) and C244 below, Councillor Harker declared a non-pecuniary interest as he was the Chair of the Darlington Federation of Nursery Schools Governing Body.

C236 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE GENERAL PUBLIC) ON ITEMS ON THIS CABINET AGENDA.

No representations were made by Members or members of the public in attendance at the meeting.

C237 TO APPROVE THE MINUTES OF THE MEETINGS OF THIS CABINET HELD ON 6 AND 13 DECEMBER 2022

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 6 and 13 December 2022.

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

REASON – They represent an accurate record of the meeting.

C238 MATTERS REFERRED TO CABINET

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

C239 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C240 KEY DECISIONS:-

(1) DISABLED FACILITIES GRANT POLICY AND REGULATORY REFORM ORDER POLICY

The Cabinet Member with the Adults Portfolio introduced the report of the Group Director of People (previously circulated) requesting that consideration be given to the updated

Disabled Facilities Grant Policy and Regulatory Reform Order Policy 2022/25 (also previously circulated).

The submitted report stated that the Disabled Facilities Grant (DFG) was a means tested statutory grant provided by the Government to undertake adaptations to homes such as walk in showers, stair lifts, ramps, or building extensions for disabled adults or children to enable them to live independently in their own homes; the grants were governed by housing legislation and therefore had set guidance and eligibility criteria which governed how funding could be allocated; historically those conditions had restricted the way in which funding could be released which resulted in year-on-year underspends on the budget; the Government had increased the DFG grant paid to local authorities nationally; and that this increase in allocated Government funding, together with carry forward amounts, had resulted in a DFG budget for 2022/23 of approximately £2.6M.

It was reported that the Regulatory Reform (Housing Assistance) Order gave local authorities permission to broaden the scope of how DFG's were used to support housing renewal and assist with improving housing conditions. The proposed updated Darlington DFG policy had been developed in a way which would enable the Council to make use of the powers provided under the Regulatory Reform (Housing Assistance) Order and use the funding in an appropriate way, to the benefit of residents.

RESOLVED - That the Disabled Facilities Grant Policy 2022/25 and the associated Housing Assistance Policy under the Regulatory Reform Order (2022), as appended to the submitted report, be approved.

REASONS – (a) To enable the adaptations for those individuals who are eligible to receive a Disabled Facilities Grant for 2022/23 to proceed.

(b) The updated Disabled Facilities Grant Policy and Regulatory Reform Order Policy will allow the Council to create an environment of greater innovation and flexibility to maximise the benefit of DFG funding.

(2) MAINTAINED SCHOOLS CAPITAL PROGRAMME - SUMMER 2023

The Cabinet Member with the Children and Young People Portfolio introduced the report of the Group Director of People (previously circulated) requesting that consideration be given to releasing the 2022/23 school condition allocation of £159,235 for the schools' summer works programme 2023 and the devolved formula capital of £42,257 to the maintained schools.

The submitted report stated that the 2022/23 School Condition Allocation (SCA) funding would be used to fund works including condition, electrical and mechanical surveys, works identified as a priority and any urgent works arising, across the Darlington's maintained schools during summer 2023; the 2022/23 Devolved Formula Capital (DFC) was a formula-based grant provided to all maintained schools to help support their ongoing capital needs; and that all the projects would be managed in line with the Corporate Capital Process procedures.

RESOLVED - (a) That the 2022/23 School Condition Allocation of £159,235, be released, to support the 2023 maintained schools' summer works programme.

(b) That the 2022/23 Devolved Formula Capital (DFC) of £42,257, be released.

REASON - The release of the School Condition Allocation and Devolved Formula Capital will enable capital investment to be undertaken in the areas identified with the greatest need, in terms of asset management priorities.

(3) **EAST STREET OFFICE DEVELOPMENT**

The Cabinet Member with the Economy Portfolio introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to the release of funding to produce a detailed feasibility and business case for the development of a speculative Grade A office building on the former Sports Direct site on East Street Darlington, and to further discussions with the Tees Valley Combined Authority (TVCA) regarding their contribution to the project including the intended use of the £4M allocated to Darlington as part of the TVCA investment plan.

The submitted report stated that the Council acquired the former Sports Direct site for £625,000 in 2020; the derelict building was demolished to create a cleared site for development; the acquisition and clearance works were funded by the TVCA Indigenous Growth Fund (IGF); it was proposed to develop a circa 25,000 square foot grade A office building on the site to accommodate the ongoing investment enquiries; in order to commence the development a detailed business case would need to be produced to establish the construction costs, determine the viability and demand for office space within the town; and in order to produce the detailed feasibility and business case for the development, it was requested that £150,000 be allocated to the project from the Economic Growth Initiative Fund. It was assumed that TVCA funding of £4M would be released subject to due process and that a further £6M would be required from other funding sources.

RESOLVED – (a) That £0.150M for the detailed business case be funded from the Economic Growth Initiative Fund.

(b) That delegated authority be given to the Assistant Director of Economic Growth to enter into the grant funding agreements on the terms, as set out in the submitted report.

REASONS – (a) To attract more professional, business and office-based jobs to the centre of Darlington contributing to Town Centre vitality.

(b) To enable the project to advance in line with the desired timetable.

DELEGATIONS - The delegation sought is to enable the preliminary feasibility and business case to advance to ensure the necessary project timetable can be adhered to.

(4) **TOWN CENTRE PARKING OFFER**

The Cabinet Member with the Local Services Portfolio introduced the report of the Group Director of Services (previously circulated) providing an update on the town centre car parking offer.

The submitted report stated that the current parking offers had been in place in various pay and display locations to support the town centre since June 2018; since January 2021 the Tees Valley Combined Authority (TVCA) had provided the funding to support parking offers across the Tees Valley for a two-year period; in November 2022 Cabinet agreed to fund an extension of the parking offer from January 2023 until the end of March 2023 (Minute C207(2)/Nov/22 refers); the sustainability of the town centre was an immediate priority; and that it was a strong desire of the administration that the Council should continue to support and encourage use of the town centre, by considering a further short-term extension of parking offers until the end of June 2023.

Particular references were made at the meeting to the reasoning behind the extension of the parking offer and to the views of Arriva, who provided bus services in the town. The Leader and the Cabinet Member with the Local Services Portfolio responded thereon.

RESOLVED – (a) That the parking offer be extended for a further three months from the 1 April 2023 to the end of June 2023 and at that point parking charges be reintroduced on 1 July 2023.

(b) That a report be submitted to Council for approval to vary the budget and release £387,000 to cover the costs of extending the parking offer for a further three months.

REASON – To support the ongoing recovery of the town centre

C241 COUNCIL PLAN 2020/23 PERFORMANCE REPORT - QUARTER TWO (2022/23)

The Leader introduced the report of the Chief Officers Executive (previously circulated) presenting an overview of progress made towards achieving the key outcomes of the Council Plan 2020/23 'Delivering Success for Darlington' together with the Performance Management Report April to September 2021 (also previously circulated).

The submitted report outlined the vision of the Council Plan 'Delivering Success for Darlington' which was structured around the key priorities of growing Darlington's economy; maximising the potential of young people; working with communities to maximise their potential; supporting the most vulnerable in the Borough; and a dedicated workforce who were proud to serve the Borough and an accessible, effective and engaged Council.

The performance management report outlined the Council performance up to the end of the second quarter of the 2022/23 financial year and provided a high-level update on overall progress, across all portfolios, towards the overarching vision and priorities together with an update on each Cabinet portfolio area, highlighting progress made against key actions and relevant key performance indicators. Particular reference was made to the emerging national and global issues such as increasing energy and supply chain costs and the war in Ukraine, which were having a significant impact on residents, businesses and on the delivery of Council services.

Particular references were made at the meeting to inclusion of areas where the Council was not performing particularly well or where there were pressures and whether it was possible to quantify the benefit to the economy, of the elderly being able to remain in their own homes. The Chair, Cabinet Member with the Adults Portfolio and the Group Director of

People responded thereon.

RESOLVED – That the progress made against the Council Plan 2020/23 ‘Delivering Success for Darlington’, as set out in the performance management report appended to the submitted report, be noted.

REASON - To update Cabinet on the progress in implementing the Council Plan priorities.

C242 FUTURE DEVELOPMENT OF INDOOR MARKET

The Cabinet Member with the Economy Portfolio introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to the release of capital funds for the further development of the traditional trading area located in the Victorian Indoor Market.

The submitted report stated that in 2017 the Council entered a lease/partnership agreement with Market Asset Management Ltd (MAM) for the management, refurbishment of the Victorian Indoor Market and the management and improvement of Darlington’s outdoor market; the refurbishment of the indoor market commenced in 2021; outlined the work that been undertaken to date; the challenges that were affecting the future sustainability of the traditional indoor market; and stated that a plan had been developed in order to address those challenges for the further development of the traditional trading area of the indoor market.

It was reported that the overall objective of the next phase was to establish a long-term sustainable tenant mix which sought to achieve a consistent service and quality offer throughout the market; to develop ‘customer hot spots’, which specialised in promotions; to introduce new offers, including speciality food, quality fashion accessories, art and crafts and modern services into the market to ensure that the public perceived change; to promote an environment of self-improvement and diversification of the existing and new traders; and to create opportunities to promote the market via specialist offers and events.

Discussion ensued on the importance to the town of the indoor market; the mix of traders located in the market; the importance of retaining that mix; the loss of traders; and the management of the market and traders by Market Asset Management Ltd (MAM).

RESOLVED – (a) That the proposals, as set out in the submitted report for the improvements to the Victorian Indoor Market, be approved.

(b) That the release of £800,000 from the Tees Valley Combined Authority Indigenous Growth Fund, be approved.

REASON - To contribute to the ongoing commitment to the full refurbishment of the Victorian Indoor Market which will have a positive impact upon the economic wellbeing and vitality of the Town Centre.

C243 CLIMATE CHANGE PROGRESS

The Cabinet Member with the Economy Portfolio introduced the report of the Chief Executive (previously circulated) updating Members on the progress towards the Council's net zero target.

The submitted report stated that following the Council's Climate Emergency Declaration in July 2019 (Minute 19/Jul/19 refers), a Sustainability and Climate Change Lead Officer had been appointed; a Climate Change Strategy and action plan had been produced and adopted; and that a trajectory of 30 per cent reduction in the Council's emission every five years had been agreed (Minute C51(2)/Oct/21 refers).

It was reported that the emissions data was collected annually, so the next update would be reported in July 2023; milestones had been developed and were being used by the Climate Change Officer to monitor progress; the Climate Change Officer would be working with lead officers to develop the milestones for 2023/24; work had begun on an adaptation plan to sit alongside the carbon reduction plans to ensure continuing resilience to climate change; work also continued on the development of a strategy for how the Council intended to offset residual emissions; and outlined how the Council communicated with residents and businesses and internally with staff, on climate change.

Reference was made at the meeting to the progress, that the Council were making in reducing its emissions, and to the promising trajectory that it was on, but in doing so, highlighted the many challenges that the Council still faced, including looking at procurement; the lack of resources to tackle those challenges; and to the possibility of an Energy Plan being developed for the Tees Valley.

RESOLVED – That the report be noted.

REASON - With increasing public awareness and desire to take action on climate change, the Council needs to deliver on its own Declaration.

C244 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 appendix to 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.

C245 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

**DECISIONS DATED –
FRIDAY 13 JANUARY 2023**