

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 22 JULY 2024**

CABINET

Tuesday, 16 July 2024

PRESENT – Councillors Harker (Chair), Curry, McCollom, McEwan, Dr. Riley, Roche and Wallis

INVITEES – Councillors Snedker

APOLOGIES – Councillors Porter, Dulston and K Nicholson

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 C20 below, a written representation was received from a member of the public which was read out at the meeting.

**C16 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON TUESDAY 11 JUNE
2024**

Submitted – The Minutes (previously circulated) of the meeting of Cabinet held on 11 June 2024

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 DECISION - DARLINGTON COUNCIL PLAN 2024/27

The Leader of the Council introduced the report (previously circulated) of the Chief Officers Executive presenting the outcome of the public consultation undertaken on the Council Plan and a revised Council Plan (also previously circulated) for approval.

The submitted report outlined the background to the production of the Council Plan outlining the Council's long term ambitions, its vision for Darlington and priorities for delivery

over its life time, and providing the strategic direction to the Council and its services.

It was reported that the draft Council Plan was approved by Cabinet for consultation (Minute C113(1)/Mar/24 refers); the consultation ran from 6 March to 25 April 2024; a survey was developed; a communications plan was implemented to raise awareness of the consultation and encourage feedback; and detailed stakeholder engagement was carried out.

Particular reference was made to the outcome of the consultation which included 315 responses to the survey and to the key changes that were made to the final plan, which had been informed by the responses received to the survey and conversations with stakeholders and residents, during the consultation period.

Reference was made at the meeting to the briefings that had been held with Members and Scrutiny Committees and to the fact that the plan was a strong framework for the Council, however, it was the work that flowed from the plan that was important.

RESOLVED – (a) That the outcome of the consultation, as detailed at Appendix A to the submitted report, be noted.

(b) That the revised Council Plan 2024/27, as detailed at Appendix B of the submitted report, be approved.

(c) That the Council Plan 2024/27 be submitted to Council for endorsement.

REASON - The Council Plan is the strategic document that sets out the Council's long term ambitions for Darlington and shorter-term priorities and actions. Approval of the plan is needed to provide guidance to the organisation, and clarity for the public and partners on the Council's strategic priorities.

C20 LAND AT FAVERDALE / BURTREE GARDEN VILLAGE 'CELL CH' FEASIBILITY WORK

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) of the Chief Executive requesting that consideration be given to providing feasibility funding to engage the services of Esh Homes Limited to help facilitate an early planning application for the Council owned land, site Cell CH as shown on the plan (also previously circulated), which forms part of Burtree Garden Village, and to incurring the associated costs.

The submitted report outlined the background to the proposal to develop site Cell CH, circa 14.16 hectares (35 acres) of Council land, which formed part of the Burtree Garden Village, which was declared surplus to requirements, as a potential Joint Venture development.

It was reported that planning permission for Phase 1 of the Burtree Garden Village development had been granted and included the strategic infrastructure and spine road which would provide the necessary access to open up site Cell CH; the Council land sat outside of Phase 1; the feasibility works would be procured by Esh Homes Limited and the Council in compliance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015; and stated that the feasibility works were required to support a detailed residential planning application for the site.

A written question from a member of the public was read out at the meeting requesting that a guarantee be given that at least 20 per cent of much needed affordable housing allocation would be delivered on Cell CH. Reference was also made at the meeting to the need for affordable housing in certain areas, as detailed in the Local Plan, and that the public would be concerned if this did not happen. The Cabinet Member with the Economy Portfolio responded thereon.

RESOLVED – (a) That the costs identified in Appendix 3 of the submitted report, be approved, and the release of the funding necessary to enable Esh Homes Ltd and the Council to undertake the feasibility work required to submit a planning application, be authorised.

(b) That the Assistant Director for Law and Governance be authorised to execute the necessary documents.

REASONS - (a) To provide a site capable of contributing to the delivery of new Housing and other affordable/social homes to satisfy the Borough's housing need.

(b) To achieve a capital receipt for the Council and increased Council Tax receipts from new homes.

C21 DISABLED FACILITIES GRANT 2024/25

The Cabinet Member with the Adults Portfolio introduced the report (previously circulated) of the Group Director of People advising Members of the capital resources available for Disabled Facilities Grants (DFG's) during 2024/25 and requesting that consideration be given to releasing those resources, to be utilised in accordance with this Council's Disabled Facilities Grant and Regulatory Reform Order Policy 2022/25.

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

It was 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. They also provided support to people until the work was completed and the contractor had been paid.

RESOLVED – (a) That the allocation of £1,159,844, as detailed in the submitted report, to the Council to use for Disabled Facilities Grant adaptations in 2024/25, be noted.

(b) That the capital funding, be released, to enable it to be allocated in accordance with this Council's Disabled Facilities Grant and Regulatory Reform Order Policy 2022/25.

REASON – To enable the adaptations for those individuals who are eligible to receive a DFG

for 2024/25 to proceed.

C22 COUNCIL PLAN PERFORMANCE 2020/23: QUARTER FOUR PERFORMANCE REPORT

The Leader introduced the report (previously circulated) of the Chief Officers Executive presenting an overview of performance (also previously circulated) against the Council Plan 2020/23, to the end of the last two quarters of the financial year 2023/24.

The submitted report stated that this was the last report linked to the Council Plan 2020/23; a new Council Plan for the period 2024/27 would be considered by Council in July 2024; and stated that the Council Plan outlined the long-term ambitions for Darlington and priorities for the Council, with a focus on addressing inequalities, climate change and efficient use of resources.

RESOLVED – That the progress made against performance measures, 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 priorities outlined in the Council Plan 2020/23.

C23 HOUSING SERVICES GAS AND ELECTRICAL SAFETY POLICIES 2024/29

The Cabinet Member with the Health and Housing Portfolio introduced the report (previously circulated) of the Group Director of Operations requesting that consideration be given to the Housing Services Domestic Gas and Heating Safety Policy 2024/29 and the Housing Services Domestic Electrical Safety Policy 2024/29 (both also previously circulated).

The submitted report outlined the background to the proposal to develop the Housing Services Domestic Gas and Heating Safety Policy 2024/29 and the Housing Services Domestic Electrical Safety Policy 2024/29, in order to ensure the safety of the Council's tenants, staff, partners and the wider community who may be affected by gas and electrical installations and appliances, associated flues and pipework in properties that are owned by the Council, or have a responsibility for managing them.

It was reported that the Housing Services Domestic Gas and Heating Safety Policy 2024/29 and the Housing Services Domestic Electrical Safety Policy 2024/29 set out the Council's legal obligations in relation to gas and electrical safety, together with the responsibilities for its staff, contractors and tenants, to ensure they are not put at risk from the effects of gas and electricity.

RESOLVED – (a) That the contents of the submitted report be noted.

(b) That the Housing Services Domestic Gas and Heating Safety Policy 2024/29, as detailed at Appendix 1 to the submitted report, and the Housing Services Domestic Electrical Safety Policy 2024/29, as detailed at Appendix 2 to the submitted report, be approved.

REASONS – (a) The Housing Services Domestic Gas and Heating, and Electrical Safety Policies ensure the Council has a clear approach to the safety of its tenants, staff, partners and the wider community, who may be affected by gas and electricity in Council homes.

(b) The Regulator of Social Housing's new Consumer Standards from April 2024 places a duty on social housing landlords to take all reasonable steps to ensure the health and safety of its tenants in their homes and associated communal areas.

(c) The adoption of formal gas and electrical safety policies is one of the ways to demonstrate how we will achieve this.

C24 HOUSING SERVICES DOMESTIC ABUSE POLICY

The Cabinet Member with the Health and Housing Portfolio introduced the report (previously circulated) of the Group Director of Operations requesting that consideration be given to the Housing Services Domestic Abuse Policy 2024/29 (also previously circulated).

The submitted report outlined the background to the proposal to develop the Housing Services Domestic Abuse Policy 2024/29, in order to assist the Council in recognising the harm domestic abuse causes within homes and communities and to keep all its tenants and household members safe from the impact of domestic abuse. The policy set out the Council's commitment to tackle domestic abuse in its homes and how it aimed to manage and support any cases.

Particular references were made to the Domestic Abuse Act 2021 which placed new duties on local authorities to ensure that victims of domestic abuse and their children could access the right support in safe accommodation, when they needed it, and the role Housing Services could play in tackling domestic abuse, being well placed to recognise the signs and support victims and survivors.

RESOLVED - (a) That the contents of the submitted report, be noted.

(b) That the Housing Services Domestic Abuse Policy 2024/29, as detailed at Appendix 1 to the submitted report, be approved.

REASONS – (a) The Housing Services Domestic Abuse Policy ensures the Council has a clear approach to supporting victims of domestic abuse within its homes.

(b) The Regulator of Social Housing's new Consumer Standards from April 2024, places a duty on social housing landlords to work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.

(c) The adoption of a formal Domestic Abuse Policy is one of the ways to demonstrate how the Council will achieve this.

C25 COLLECTION OF COUNCIL TAX, BUSINESS RATES AND RENT 2023/24

The Leader of the Council introduced the report (previously circulated) of the Group Director of Operations providing Members with an update on the collection of Council Tax, Business Rates and Council rents during 2023/24 and requesting that consideration be given to the writing-off of debts over £500 that are considered to be irrecoverable.

The submitted report stated that the collection of Council Tax, Business Rates and Council rents during 2023/24 had continued to be a significant challenge due to the current economic climate; despite the challenges, a total of £135.61M had been collected in 2023/24; and that approval was being sought to write-off a total of £1,538,782 of debts in respect of individual cases exceeding £500 for the financial year 2023/24, where it had become apparent that no further steps could be taken to recover the sums due.

RESOLVED – (a) That the contents of the report, be noted.

(b) That the write-off of £1,538,782 for debts over £500, as detailed in the submitted report, subject to further steps for recovery being taken, wherever possible, if and when contact with the debtor is made, be approved.

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.

C26 PRODUCTIVITY PLAN

The Leader of the Council introduced the report (previously circulated) of the Group Director of Operations presenting the 2024/25 Productivity Plan for Member oversight and endorsement prior to submission to the Government on the 19 July 2024.

The submitted report outlined the background to the production of the Productivity Plan which was part of the 2024/25 Local Government Finance Settlement whereby all Councils were required to produce a productivity plan.

It was reported that the Minister for Local Government, wrote to Council Chief Executives outlining what the plans should include, noting that Local Government had already done a huge amount in recent years to improve productivity and efficiency and stated that the plans would help the Government understand what was working well across the country; what the common themes were; whether there were any gaps; and what more the government could do to unlock future opportunities.

A Member made particular reference to the money lost through failed bids for funding; the Medium Term Financial Plan; the cost to the Council of underfunding; and to the fact that the under-funding did not allow the Council to undertake its role properly. The Leader of the Council responded thereon.

RESOLVED – (a) That the Productivity Plan, as appended to the submitted report, be endorsed.

(b) That the plan be uploaded onto the council's website.

REASON - To fulfil the Department for Levelling up Housing and Communities requirements.

C27 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING OUTTURN

2023/24

The Leader of the Council introduced the report (previously circulated) of the Group Director of Operations and the Group Director of Services providing information to Members on the delivery of the Council's Capital Programme; the financial outturn position as at 31st March 2024; proposed financing of the 2023/24 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 the 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 2023/24 totalled £60.084M; there were 27 live projects currently being managed by the Council with an overall value of £158.405M; 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.

RESOLVED - (a) That the delivery and financial outturn of the 2023/24 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 30 of the submitted report, be approved.

REASONS - (a) To enable Members to note the progress of the 2023/24 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.

C28 REVENUE OUTTURN 2023/24

The Leader of the Council introduced the report (previously circulated) of the Group Director of Operations presenting the 2023/24 revenue outturn, to allow Members to consider the results in the light of the Council's Medium Term Financial Plan (MTFP), and the Housing Revenue Account outturn.

The submitted report stated that this was the final revenue budget management report for 2023/24; the year-end projection showed an overall improvement in the 2023/24 financial position of £0.545M; there was an improvement of £1.283M on the 2024/25 MTFP opening balance; outlined the variances from the original budget along with changes since the quarter three projected position; and stated that there were a number of carry forward requests, which would assist with projected slippage and pressures in the coming year.

RESOLVED - (a) That the revenue outturn for 2023/24, as detailed in the submitted report, be noted.

(b) That the carry forward of resources referred to in paragraphs 17 to 19, as detailed in the submitted report, be noted and approved.

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

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

C29 XENTRALL SHARED SERVICES ANNUAL REPORT 2023/24

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

The submitted report outlined the background to the establishment of Xentrall Shared Services, the Stockton and Darlington Partnership, which was established in May 2008 and was now in its seventeenth year; stated the agreement covered ICT, 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; those savings had been achieved plus additional efficiencies and benefits and significant additional savings; quality and performance of services had improved; and that both Councils had benefited both financially and through a continued programme of service improvements.

RESOLVED – That the report be noted and the continuing success of Xentrall Shared Services, since it was formed, be acknowledged.

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

C30 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 –
TUESDAY 30 JULY 2024**