

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY, 21ST JULY 2025**

CABINET
Tuesday, 8 July 2025

PRESENT – Councillors Harker (Chair), Curry, Garner, McCollom, McEwan, Porter, Roche and Wallis.

INVITEES – Councillors Dulston and Snedker.

C9 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

C10 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.

C11 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 10 JUNE 2025.

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 10 June 2025.

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

REASON – They represent an accurate record of the meeting.

C12 MATTERS REFERRED TO CABINET

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

C13 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C14 KEY DECISIONS:-

C15 CONSULTATION ON A HOMES STRATEGY FOR THE BOROUGH

The Cabinet Member with the Economy, Health and Housing and Stronger Communities Portfolio introduced the report (previously circulated) of the Executive Director and Public Protection to seek members approval to undertake a public consultation on the draft Homes Strategy.

It was explained that the draft Homes Strategy 2025-2030 would provide a framework for the actions of the Council and its partners with regards to housing. The report also stated

that the main focus of the strategy is to provide high quality homes across all tenures, to meet local needs and to address the borough's housing challenges. The strategy was designed to inform officers, members, partners, key stakeholders, and residents of the council's approach and priorities on a range of housing matters.

The report stated that the strategy sets out high level vision and explained the three key objectives focused around building new homes, improving standards, meeting the needs of the ageing population and to support people to live independently. The report also included a number of associated outcomes and actions which are aimed to be achieved over the next five years.

RESOLVED - It is recommended Members consider the draft Homes Strategy at Appendix 1 and approve the document for public consultation.

REASON - The recommendation is supported as the Homes Strategy will provide a clear framework for the Council's strategic direction and actions on housing matters.

C16 PROPOSED INTRODUCTION OF AN ARTICLE 4 DIRECTION TO CONTROL THE CHANGES OF USE FROM A DWELLING TO A SMALL HOUSE OF MULTIPLE OCCUPATION (BETWEEN 3-6 RESIDENTS)

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) of the Executive Director Economy and Public Protection to seek approval of cabinet to start the legal process of the introduction of a Boroughwide Article 4 Direction which would remove permitted development rights to allow the change of use from Use Class C3 (dwelling house) to Use Class C4 (small house of multiple occupation between three and six unrelated individuals).

The report explained that Houses in Multiple Occupation (HMO's) for part of the borough's privately rented housing provision, this form of accommodation is generally more affordable and flexible than other housing types and therefore suitable for younger people and other households not living as families.

The report touched on the positive impacts of such as reduced housing costs and to help individuals form new networks and relationships, but also if managed poorly can create issues.

The report stated the current change of use from a dwelling to a small house of multiple occupation (one with three- six unrelated individuals) does not require planning permission, changes of use to larger HMO's (one with more than six unrelated individuals) does require planning consent, the introduction of an Article 4 Direction would result in planning permission to be required for those smaller changes of use.

The report explained that it is considered pertinent to introduce a boroughwide Article 4 Direction as the introduction on a smaller geographical area may result in the issues at current pushed to other areas within the borough.

RESOLVED - It is recommended that:-

- (a) The Council indicate their intention to introduce a non-immediate Article 4 Direction to remove the permitted development rights to change a C3 dwelling to a C4 HMO in Darlington
- (b) If, after the period stated in the notice by which representations may be made (at least 42 days from the date of the notice), no representations objecting to the Article 4 Direction have been received that the Director of Economy and Public Protection is given delegated powers to confirm the Article 4 Direction 12 months following the publication of the notice. If representations objecting to the Article 4 Direction are received then the matter will be brought back to Cabinet for further consideration.
- (c) Supplementary planning guidance is prepared to assist property owners, planning applicants, planning officers and elected councillors in preparing, commenting on and determining planning applications

REASON - The recommendations are supported by the following reasons:-

- (a) There has been an increase in the number of HMOs and some concerns have been raised about the quality of accommodation they provide and their concentration within certain locations.
- (b) The introduction of an Article 4 Direction will enable the Council to control the location and quality of new HMOs. This will help deliver the Council aspiration of providing quality, affordable housing for all. It would also provide more information on their whereabouts.
- (c) Not to introduce an Article 4 Direction was rejected as a recommendation as it would mean the Council had little control or influence on the establishment of new HMOs, and it is not considered in the best interests of ensuring the delivery of good quality affordable housing for all.
- (d) The introduction of an immediate Article 4 Direction was rejected as an option as it would open the Council up to challenge and potential compensation claims. In addition, it would not allow for effective consultation and engagement on the introduction of Supplementary Planning Guidance to guide new HMO development.

(1) UPDATED STATEMENT OF COMMUNITY INVOLVEMENT - PART 1 (LOCAL PLAN)

The Cabinet Member with the Economy Portfolio introduced a report (previously circulated) of the Executive Director Economy and Public Protection to seek members approval to refer an updated versions of its Statement of Community Involvement (SCI) Part 1 (Local Plan) to Full Council for adoption.

The report explained that a Statement of Community Involvement (SCI) sets out how Local Planning Authorities will involve local communities, businesses and key stakeholders in the preparation of the Local Plan and any future Development Plan Documents (DPD's) or Supplementary Planning Documents (SPD's).

The report stated that authorities are required to review their SCI's at least every 5 years, the Darlington SCI – Part 1 was last reviewed in August 2020 with temporary updates made to reflect national COVID 19 pandemic restrictions.

It was explained that the update will remove these restrictions and allow some other minor updates to be consulted on prior to the statutory consultation periods on the Local Plan Review. The updated Design of New Development Supplementary (SPD) will also be prepared and consulted upon alongside the review of the Local Plan in line with the content on the updated SCI.

The report stated that Cabinet approved an updated draft of the SCI Part 1 for consultation on 8 April 2025, this consultation was held between 29 April 2025 and 30 May 2025. Six responses were received none of which raised significant concerns in relation to the content of the updated SCI Part 1.

RESOLVED - It is recommended that Cabinet agree that the Updated Statement of Community Involvement (SCI) Part 1 (Local Plan) be referred to Full Council for adoption.

REASON - The recommendation is supported as the Council is required to have an up-to-date SCI as part of the plan review process.

C17 CLIMATE CHANGE PROGRESS

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) of the Executive Director of Economy and Public Protection to update Cabinet on the progress towards the Council's net zero target.

The report stated that following the Council's elections in 2023, the Climate Emergency Declaration was re-affirmed, and the Council's carbon neutral target was brought forward to 2040.

The report explained that the Council's emissions reduction trajectory of 40% every five years is still in place. The Council's emissions for 2024/25 were 6,642 tonnes CO₂e, the emissions reported are made up of the energy used in the council buildings, business mileage: fleet emissions and streetlighting and signs. The Council does not measure emissions for the supply chain or waste at current.

The report then went on to explain how the carbon emissions for 2024/25 had increased from 2023/24, the opening of 'Hopetown Museum' would have impacted the emissions. The report also elaborated that data had been requested from the Met Office around the temperatures in the winter period that could have impacted the amount of gas required for the heating.

The report declared that of the 121 actions due to be reported at the end of 2024/25, 105 were on track and nine have been completed. Following the recent motion declaring a nature restoration emergency, officers will revise the climate change strategy and action plan.

RESOLVED - It is recommended that Cabinet notes the report.

REASON - The recommendations are supported by the increasing public pressure to act on climate change, we run the risk of significant damage to our reputation if we do not deliver on our stated commitment to dealing with the Council's contribution to climate change.

C18 COLLECTION OF COUNCIL TAX, BUSINESS RATES AND RENT 2024-25

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance providing Members with an update on the collection of Council Tax, Business Rates and Council rents during 2024/25 and requesting that consideration be given to the writing-off of debts over £1,000 that are considered to be irrecoverable.

The submitted report stated that the collection of Council Tax, Business Rates and Council rents during 2024/25 had continued to be a significant challenge due to the current economic climate; despite the challenges, a total of £143.45M had been collected in 2024/25; and that approval was being sought to write-off a total of £1,226,320 of debts in respect of individual cases exceeding £1,000 for the financial year 2024/25, where it had become apparent that no further steps could be taken to recover the sums due.

RESOLVED - It is recommended that Cabinet:

- (a) Consider the contents of the report, and
- (b) Approve the write-off of £1,226,320 for debts over £1,000, subject to further steps for recovery being taken, wherever possible, if and when contact with the debtor is made.

REASON - The recommendations are supported by the following reasons:

- (a) The collection of Council Tax, Business Rates and Council rents underpins the Council's MTFP.
- (b) The write-off of irrecoverable debts enables the Council's accounts to be maintained in accordance with Financial Procedure Rules.

C19 QUARTER 4 - COUNCIL PLAN PERFORMANCE REPORT

The Leader of the council introduced the report (previously circulated) of the Chief Executive to summarise the progress against the key commitments and deliverables of the Council Plan 2024-27.

The report explained that the Council Plan was approved at the Council Meeting on the 18 July 2024. The plan outlined Darlington Borough Council's long-term ambitions for the town and the priorities for action over the next three years.

The report provided a summary of the key actions taken by the Council to deliver the priorities in the Council Plan. The appendices within the report contained the narrative from lead service areas on the key actions, which demonstrated the delivery of the priorities and

core principles.

RESOLVED - It is recommended that Cabinet note the progress made in the delivery of the Council Plan.

REASON - To monitor progress against key actions and priorities in the Council Plan.

C20 DISABLED FACILITIES GRANT 2025-26

The Cabinet Member with the Adults Portfolio introduced the report (previously circulated) of the Executive Director of People to advise Members of the capital resources that are available for the Disabled Facilities Grants (DFGs) during 2025/26 and to seek approval from Members on the release of these resources to be utilised within accordance of the Darlington Borough Council Disabled Facilities Grant and Regulatory Reform Order Policy 2022-2025.

The report explained that the DFGs assist people to live independently by helping to fund suitable adaptations to their properties, there are means testes and are available to owner-occupiers, tenants of private rented properties and Housing Association tenants.

The report detailed that the DFGs are governed by housing legislation and have set conditions for payment, within these regulations. The Council has a shared service agreement in place with Durham County Council to provide Home Improvement Agency Service, this offers guidance, practical assistance to people who are older, disabled, or on low income to claim a DFG so they can repair, improve and adapt their home. It was also stated that support is provided to those until the work has been completed and the contractor had been paid.

RESOLVED - (a) It is noted that the sum of £1,319,439 has been allocated to the Council to use for Disabled Facilities Grant adaptations in 2025-2026, plus a previous additional in year allocation of £159,595 in 2024-25.

(b) The capital funding for 2025-26 and the additional capital funding for 2024-25 is released to enable it to be allocated in accordance with Darlington Borough Council Disabled Facilities Grant and Regulatory Reform Order Policy 2022-2025.

REASON - The recommendations are supported by the following reason: to enable the adaptations for those individuals who are eligible to receive a DFG for 2025-26 to proceed.

C21 HOUSING SERVICES FIRE SAFETY POLICY FOR PURPOSE-BUILT BLOCKS OF FLATS, SHELTERED AND EXTRA CARE ACCOMMODATION 2025-2030

The Cabinet Member with the Health and Housing Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance for Cabinet Members to approve the Housing Service Fire Safety Policy for Purpose-Built Blocks of Flats, Sheltered and Extra Care Accommodation 2025-2030.

The report clarified that since the existing Housing Services Fire Safety Policy 2022-2027 was approved by Cabinet on the 6 December 2022, work has been ongoing to develop a fire

safety policy for Council owned purpose-built blocks of flats. It was explained that rather than a separate policy for Members to consider, a single policy covering all Council owned accommodation with communal areas has been developed, updated with the latest legislation and best practice guidance.

The Housing Services Fire Safety Policy for Purpose-Built Blocks of Flats, Sheltered and Extra Care Accommodation 2025-2030 demonstrated how the Council will provide staff, residents, visitors and partner organisations in these types of accommodation with clear guidelines as to how to prevent fires and what action to take in the event of a fire to protect themselves and others.

The report explained that the Tenant Panel had been consulted on the draft policy and they have given their full support. The report was considered by the Health and Housing Scrutiny Committee on the 18 June 2025 who agreed its onward submission to Cabinet for consideration.

RESOLVED - (a) Consider the contents of this report, and

(b) Approve the Housing Services Fire Safety Policy for Purpose-Built Blocks of Flats, Sheltered and Extra Care Accommodation 2025-2030 at Appendix 1.

REASON - (a) Darlington Borough Council has a duty to comply with fire safety legislation.

(b) The Social Housing Regulator's Consumer Standards places a duty on social housing landlords to provide their tenants with quality, safe accommodation.

(c) The adoption of a formal Fire Safety Policy is one of the ways to demonstrate how we will achieve both compliance with the legislation and the Social Housing Regulator's Consumer Standards

C22 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING OUTTURN 2024-25

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Environment, Highways and Community Services and the Executive Director of Resources and Governance providing information to Members on the delivery of the Council's Capital Programme; the financial outturn position as at 31st March 2025; proposed financing of the 2024/25 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 2024/25 totalled £51.712M; there were 22 live projects currently being managed by the Council with an overall value of £132.748M; 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 - It is recommended that Cabinet:

(a) Note the delivery and financial outturn of the 2024/25 Capital Programme

(b) Note projected capital expenditure and resources.

(c) Approve the adjustments to resources as detailed in paragraph 25

REASON - The recommendations are supported by the following reasons:

(a) The recommendations are supported to enable Members to note the progress of the 2024/25 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

C23 REVENUE OUTTURN 2024/25

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director Resources and Governance presenting the 2024/25 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 (HRA) outturn.

The submitted report stated that this was the final revenue budget management report for 2024/25; the year-end projection showed an overall improvement in the 2024/25 financial position of £0.264M; there was an improvement of £1.149M 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) The revenue outturn for 2024/25 be noted.

(b) The carry forward of resources referred to in paragraphs 17 - 19 be noted and approved.

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

(b) To continue to deliver services to agreed levels

C24 XENTRALL SHARED SERVICES ANNUAL REPORT

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance to update Cabinet Members on the progress and performance of Xentrall Shared Services.

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 - It is recommended that Cabinet note the report and acknowledge the continuing success of Xentrall over the sixteen years since it was formed.

REASON - The recommendation is supported allow Members to receive information about the progress of the partnership and acknowledge the continuing success of Xentrall and the savings it has achieved over the seventeen years since it was formed.

C25 PROCUREMENT OF DEVELOPMENT PARTNER UPDATE

The Cabinet Member with the Economic Portfolio and the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Economy and Public Protection to update Cabinet Members on the outcome of the procurement exercise to seek a development partner for the redevelopment of key town centre sites and seek Cabinet approval to appoint the preferred bidder as detailed in Part III document to this report.

The report clarified that on the 11 June 2024 Cabinet gave approval in principle to enter an agreement with a private sector development partner to bring forward development on several town centre sites. Cabinet also requested that the details of the agreement, the list of town centre sites be presented at a future Cabinet meeting for approval.

The report explained that to select a development partner a robust procurement exercise had been undertaken, the outcome of this has concluded the selection of a preferred partner. The report also detailed that should Cabinet approve the appointment of the development partner, both parties will then enter discussions to determine the detailed terms of a development agreement, once the discussions are concluded, the completed development agreement will be presented to Cabinet for approval at a future meeting.

RESOLVED - (a) Cabinet agrees the appointment of the preferred development partner to bring forward development on several town centre sites.

(b) Cabinet agrees to receive the development agreement, including the final list of sites, for approval in November 2025. This is a target date and could be subject to change dependent upon the length of the discussion period.

REASON - (a) That appointment of the preferred developer will allow the council to proceed to the next stage in bringing forward key town centre sites for redevelopment.

C26 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C27 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

C28 QUESTIONS.

**DECISIONS DATED –
FRIDAY, 11TH JULY 2025**