

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY, 22 SEPTEMBER 2025**

CABINET

Tuesday, 9 September 2025

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

INVITEES – Councillors Snedker and Dulston

APOLOGIES – Councillors Curry

ALSO IN ATTENDANCE – Councillors M Nicholson

C1 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

**C2 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.

C3 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 8 JULY 2025

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

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

REASON – They represent an accurate record of the meeting.

C4 MATTERS REFERRED TO CABINET

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

C5 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C6 KEY DECISIONS:-

C7 BLUE BADGE POLICY STATEMENT

The Leader introduced the report (previously circulated) of the Executive Director of People to update Members on the current issues which are affecting Blue Badge Applications and to agree the recommendations outlined in the report.

The report explained that the existing blue badge application process which is aligned with the government is experiencing backlog in applications and as a result there is an increase in complaints. This report outlined the revisions made to the process which included the introduction, changes to eligible conditions, procedures and revisions to the process that will address these issues in both the interim and moving forward.

RESOLVED – It is recommended that:

- (a) An automatic extension of the blue badge after expiry, or those that are soon to expire, meaning these can be used without risk of a fine.
- (b) New eligibility conditions.
- (c) Note the procedural revisions underway across the service. (d) Increase the Service Level Agreement from 20 days to 12 weeks.
- (d) Note the contents of the Equality Impact Assessment.

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

- (a) There is currently a high volume of backlog applications for blue badges and an increase in complaints because of this.
- (b) Existing eligibility conditions have not been refreshed for several years.
- (c) Revisions to internal procedures to further improve the application process

C8 CLIMATE CHANGE AND NATURE RESTORATION STRATEGY

The Cabinet Member with the Economy Portfolio introduced a report (previously circulated) of the Executive Director of Economy and Public Protection to seek approval of the combined Climate Change and Nature Restoration Strategy.

The report explained that in May 2025, Council passed a resolution declaring a nature restoration emergency and combined it within the Council's existing climate change emergency. It stated the need to create wider variety of habitats in Darlington which would increase the resilience of our wildlife to Climate Change, human pressures and natural threats.

The report detailed how the target of a net zero Council by 2040 will remain and separate action plans will be developed for the climate change and nature restoration actions, with clear linkages where an action will benefit both sides of the emergency declaration. The existing Cross Party Climate Change Working Group will be explained to provide supportive review of the nature restoration actions.

RESOLVED - Cabinet recommends that Council approves the adoption of the attached Climate Change and Nature Restoration Strategy.

REASON - The recommendations are supported by the increasing public pressure to act on climate change and on nature loss, we run the risk of significant damage to our reputation if we do not deliver on our stated commitments.

C9 DOLPHIN CENTRE ASSET MANAGEMENT AND INVESTMENT OPPORTUNITIES

The Cabinet Member with the Health and Housing Portfolio introduced a report (previously circulated) of the Executive Director of Environment, Highways and Community Services to provide an update on the ongoing asset management programme for the Dolphin Centre and the investment opportunities to further enhance the facility.

The report explained that the Dolphin Centre is the Council's only indoor leisure facility and is key asset in contributing to the vision in the Council Plan and ambition for our residents to live well and stay healthy. It was explained that the Dolphin Centre is now over 43 years old and encompasses the much older central hall listed building, as with any building there is a need to undertake periodic investment to keep buildings operating and compliant with statutory requirements. The report included an update on the asset management programme for the centre and to seek approval with progression on the essential repairs programme.

The report detailed how the recent repairs to the pool had seen an increase in swimming and investment and DC Bowl has strengthened the provisions of the centre. The two new options for investment in the dolphin centre, the provision of an indoor golf and interactive darts and shuffleboard area and the new spinning studio and fitness studio refurbishment.

RESOLVED - It is recommended that Cabinet:-

- a) Approve the proposed asset management programme outlined in the report and recommend to Council approval and release of £6.742M to continue the programme of repairs and maintenance.
- b) Note that if Council approve the programme there will be a revenue pressure of £0.041M in 25/26 and £0.133M in 26/27 associated with closure of various services for various periods whilst work is undertaken.
- c) Approve the indoor golf, interactive darts and shuffleboard project as detailed in this report and recommend to Council approval and release of £1.456M for the project on the basis this will generate a surplus of funding from income.
- d) Approve the new spinning studio and fitness studio refurbishment project and recommend to Council approval and release of £0.752M on the basis this will generate a surplus of funding from income.

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

- a) To enable the asset management programme of essential works on the Dolphin Centre to continue.
- b) To enable the indoor golf, interactive darts and shuffleboard project and the new spinning studio and fitness studio refurbishment project to progress, which will increase the facilities at the Dolphin centre for residents of the Borough, contribute to the vision and ambition of the Council Plan and reduce the

overall subsidy to the Dolphin Centre from the Medium-Term Financial Plan (MTFP).

C10 ANNUAL REVIEW OF THE INVESTMENT FUND

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance updating Cabinet on progress against the agreed investments being funded through the Investment Fund.

The submitted report stated that in November 2016 the Council established an Investment Fund to be used for innovative investment opportunities beyond the traditional Treasury Management Strategy in order to achieve greater returns given the low returns on investment; the fund provision of £50m was being utilised as envisaged facilitating wide economic benefits as well as a direct impact on the Council's financial position; the £50m fund had a commitment against it of £35.81m leaving a balance of £14.19m uncommitted; the Investment Fund had been used for 17 schemes to date, six of which had been recycled back into the fund; and that returns on JV's were anticipated to be over £8.4m.

RESOLVED - It is recommended that Cabinet note the use of the Investment Fund and the returns achieved through the Joint Venture vehicles

REASONS - The recommendation is supported by the following reasons:-

- a) To keep Cabinet informed of progress made on opportunities undertaken and investment returns.
- b) To increase development opportunities and income for the Council.

C11 COMPLAINTS, COMPLIMENTS AND COMMENTS ANNUAL REPORT 2024/25

The Cabinet Member with the Resources Portfolio introduced the report (previously circulating) of the Executive Director of Resources and Governance providing Cabinet with the 2024/25 Complaints, Compliments and Comments Annual Reports for Adult Social Care, Children's Social Care, Corporate, Housing and Public Health (all also previously circulated).

The submitted report stated that in 2024/25 a total number of 747 complaints had been received, an increase from 746 in 2023/24, 219 compliments had been received, an increase from 231 in 2023/24; and 45 comments had been received, a decrease from 77 in 2023/24.

RESOLVED - It is recommended that :-

- a) That Cabinet notes the content of the attached reports.
- b) That Cabinet endorses the further recommendations made in the Corporate, Children's and Housing Complaints, Compliments and Comments Annual Reports.

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

- a. To make Cabinet aware of the number and nature of the complaints, compliments and comments received by the Council and the resulting organisational learning.
- b. To ensure the Council is:
 - b) Complying with the Children Act 1989 Representation Procedure (England) Regulations 2006;

- (ii) Complying with the Housing Ombudsman's Complaint Handling Code;
- (iii) Complying with the Local Government and Social Care Ombudsman's Complaint Handling Code;
- (iv) Complying with the Council's Complaints, Compliments and Comments Procedures; and
- (v) To improve satisfaction with complaints handling

C12 COMPLAINTS MADE TO THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN AND THE HOUSING OMBUDSMAN SERVICE

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance providing an update of the outcome of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS) since the preparation of the previous report to Cabinet on 10 December 2024 (providing the Annual Review Letter (also previously circulated)).

The submitted report set out in abbreviated form the decisions reached by the LGSCO and the HOS between 1 April 2024 and 31 March 2025 and outlined the actions taken as a result of those complaints.

RESOLVED - It is recommended that the contents of the report be noted.

REASON - The recommendations are supported by the following reason; it is important that Members are aware of the outcome of complaints made to the LGSCO and the HOS in respect of the Council's activities.

C13 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING QUARTER 1 2025/26

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 a summary of the latest Capital resource and commitment position, to inform monitoring of the affordability and funding of the Council's capital programme; an update on 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 the programme.

The submitted report stated that the projected outturn of the current Capital Programme was £354.868m against an approved programme of £354.982m; the investment was delivering a wide range of improvements to the Council's assets and services; the programme, including commitments, remained affordable within the Medium Term Financial Plan (MTFP) for 2025/2 to 2028/29; the Council had 19 live projects, with an overall projected outturn value of £131.234m, the majority of which were running to time, cost and quality expectations, but were being monitored given the current pressures on resources in the construction sector nationally; and that the projects were managed either by the Council's in-house management team, a Framework Partner or by Consultants source via an open/OJEU tender process.

RESOLVED – (a) That the status position on construction projects, 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 21 of the submitted report, be approved.

REASONS – (a) To inform Cabinet of the current status of construction projects.

(b) To make Cabinet aware of the latest financial position of the Council.

(c) To maintain effective management of resources.

C14 REGULATORY INVESTIGATORY POWERS ACT (RIPA)

The Cabinet Member with the Resources Portfolio introduced the report of the Executive Director of Resources and Governance (previously circulated) informing and 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 March 2025 and requesting that consideration be given to the RIPA Policy (also previously circulated).

The submitted report stated that the RIPA Act 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 no RIPA directed surveillance applications or IPA communications data applications had been authorised since the last report to Cabinet. It was reported that Paragraph 4.47 of the Home Office, Covert Surveillance and Property Interference, Revised Code of Practice, August 2018, required each local authority to set the RIPA Policy at least once a year.

RESOLVED – (a) That the issues raised, as detailed in the submitted report, be noted. (b) That the Regulatory of Investigatory Powers Policy, as appended to the submitted report, be approved. (c) That further reports on the use of Regulation of Investigatory Powers Act (RIPA) and Investigatory Powers Act (IPA) and associated issues, be submitted to future meetings of Cabinet.

REASONS – (a) In order to ensure that the Council complies with the legal obligations under RIPA, IPA and national guidance. (b) As stated in the Home Office Code of Practice, the RIPA Policy should be approved by Members on an annual basis. (c) To help in giving transparency about the use of RIPA and IPA in the Council

C15 REVENUE BUDGET MONITORING 2025/26 - QUARTER 1

The Cabinet Member with the Resources Portfolio introduced the report of the Executive Director of Resources and Governance (previously circulated) providing an early forecast of the 2025/26 revenue budget outturn as part of the Council's continuous financial

management process.

The submitted report stated that it was the first revenue budget management report to Cabinet for 2025/26 and that the latest projections showed an overall decline of £2.166m on the 2025/29 Medium Term Financial Plan, which was due to £3.489m of departmental pressures and a decline in corporate resources of £0.166m, offset by £1.489m of additional balances following the 2024/25 outturn.

RESOLVED - (a) That the forecast revenue outturn for 2025/26, 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.

C16 SINGLE USE PLASTIC POLICY

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) of the Executive Director of Economy and Public Protection to propose an adoption of a single use plastic policy to Members.

The report explained that Global plastic production has increased significantly in recent decades with resulting increases in disposal costs. The UK Government has begun making strides to reduce single use plastic production. Council catering outlets are already working towards reducing their use of single use plastic. The report detailed the three principles which would help us reduce our dependence on single use plastic and encourage others to take action; Lead by example, work with suppliers and contractors and support Darlington.

RESOLVED - It is recommended that Cabinet approves the single use plastic policy

REASON - The recommendations are supported by the increasing public pressure to act on climate change and support our local environment. 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 and nature depletion.

C17 TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN PRUDENTIAL INDICATORS 2024/25

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance providing important information regarding the regulation and management of the Council's borrowing, investments and cash-flow; treasury activity for 2024/25; and seeking approval of the Prudential Indicator results for 2024/25 in accordance with the Prudential Code.

It was reported that the financial year 2024/25 was yet another unprecedented year with

regard to treasury management due to a number of issues including the continuing conflict in Ukraine; events in the Middle East; inflation taking time to recover; the cost of borrowing continuing to rise steadily throughout the early part of the year; and that although the returns for cash investments had increased to higher interest rates they still remained below the cost of borrowing. The Council had complied with its legislative and regulatory requirements.

The submitted report summarised the Council's external debt as of 31 March 2025 was £172.738m which is £19.860m more than the previous year, this increase relates to the progression of various capital schemes and the rise in cost of the schemes due to inflationary pressures.

RESOLVED - (a) That the outturn 2023/24 Prudential Indicators, as detailed within the submitted report and in Appendix 1 to the submitted report, be noted.

(b) That the Treasury Management Annual Report for 2023/24, as detailed in the submitted report, be noted.

(c) That the report be forwarded to Council, in order for the 2023/24 Prudential Indicators to be noted.

REASONS - (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities.

(b) To inform Members of the Performance of the Treasury Management function.

(c) To comply with the requirements of the Local Government Act 2003.

C18 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C19 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

C20 QUESTIONS.

**DECISIONS DATED –
FRIDAY 12 SEPTEMBER 2025**