

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 24 SEPTEMBER 2018**

CABINET

11 September 2018

PRESENT – Councillor Harker (in the Chair); Councillors, C L B Hughes, McEwan, S Richmond, A J Scott and Wallis. (6)

INVITEES – Councillors Curry, Haszeldine and Mrs Scott. (3)

ALSO IN ATTENDANCE – Councillors Coultas, Knowles and C Taylor. (3)

C45. REPRESENTATIONS – In respect of Minutes C49 and C50(1) below, representations were made by Members and members of the public in attendance at the meeting.

C46. DECLARATIONS OF INTEREST – In respect of Minute C51(1) below, the Assistant Director Law and Governance reported at the meeting that the Managing Director, Darlington Borough Council, had granted all Cabinet Members, as they were trustees of the Crown Street Library, a dispensation, under Section 33(d) of the Localism Act 2011, to allow them to participate fully at meetings of Cabinet, when the Crown Street Library was being considered.

C47. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 10 July 2018.

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

REASON – They represent an accurate record of the meeting.

C48. MATTERS REFERRED TO CABINET - There were no matters referred back for re-consideration to this meeting.

C49. ISSUES ARISING FROM SCRUTINY - CHILD HEALTHY WEIGHT AND ORAL HYGIENE - The Chair of the Children and Young People Scrutiny Committee submitted a report (previously circulated) presenting the interim recommendations from the Joint Review Group, established by the Children and Young People Scrutiny Committee, to examine Child Healthy Weight and Oral Hygiene, and any associated Mental Health links, and seeking approval to those recommendations.

The submitted report outlined the background to the establishment of the Review Group, which was a joint review with the Health and Partnerships Scrutiny Committee; stated that the group was continuing to meet; and that following a series of briefings and information provided by dental health and public health professionals, the group had agreed to make an interim recommendation in relation to fluoridation.

The Chair of the Children and Young People Scrutiny Committee in presenting the report stated that a scoping exercise would be undertaken with other Local Authorities and bodies across the Tees Valley to inform any consideration of a water fluoridation scheme in Darlington and/or the Tees Valley, and that no decision was to be made at this stage.

The Cabinet Members with the Children and Young People Portfolio and the Health and Partnerships Portfolio thanked the Children and Young People Scrutiny Committee and the Health and Partnerships Scrutiny Committee for the work that had been undertaken to date and re-affirmed that approval was only being given to the undertaking a technical appraisal.

RESOLVED – That the report from the Children and Young People Scrutiny Committee, as appended to the submitted report, be noted, and it be agreed that a technical appraisal be carried out, to inform any consideration of a water fluoridation scheme in Darlington and/or the Tees Valley.

REASON - To enable a technical appraisal to be carried out to inform any consideration of a water fluoridation scheme in Darlington and/or Tees Valley.

C50. KEY DECISIONS - (1) Review of Decision to Relocate the Central Library Service – The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Managing Director and the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to the implications of not implementing the agreed decision to relocate the central library from Crown Street to the Dolphin Centre, in the context of the rapidly changing Town Centre environment and the better financial position of the Council in comparison to when the original decision was taken.

The submitted report provided an update on the relocation of the central library; stated that Cabinet had requested officers to look at options to the original decision to relocate the central library to the Dolphin Centre and develop, in outline, an alternative to the relocation; outlined the implications of not implementing the original decision; alternative uses for the space allocated for the library in the Dolphin Centre; financial and HR implications; risks; and outlined the outcome of the consultation undertaken.

In presenting the report the Cabinet Member with the Leisure and Local Environment Portfolio outlined the reasons for no longer relocating the central library and made particular reference to the changing Town Centre environment since the original decision was made.

Members of the public in attendance at the meeting welcomed the decision to no longer relocate the central library from Crown Street to the Dolphin Centre and requested to be involved in any future proposals for the library.

Discussion ensued on Cockerton Library; the need to improve facilities at the Dolphin Centre for relocated services; the Town Centre in general; the heritage of the Crown Street Library building; and the impact on Young People of the move not taking place.

RESOLVED – It was agreed that :-

- (a) the central library be retained at the Crown Street Building, and:-
- (i) the development of plans for the refurbishment of the Crown Street building and to refresh the internal design and service standards, be approved;
 - (ii) a consultation on the internal redesign and service standards for the Crown Street Library (to run in October/November 2018), be approved;
 - (iii) the space earmarked for a relocated central library service at the Dolphin Centre and Bennet House, be released, for other uses;
 - (iv) the development of a quick picks library service point at the Dolphin Centre, be approved; and
 - (v) it be noted that the Library Service Plan would need to be amended and updated to take account of the above proposals and that it was planned to bring a revised Library Service Plan to Cabinet in January 2019 and thereafter to take this to Council for approval; and
- (b) further reports be received about the library service as may be necessary.

REASONS – (a) To allow Cabinet to consider options relating to the library service.

(b) To meet the statutory obligation to provide a comprehensive and efficient library service.

(2) Introduction of Charging and Local Eligibility Criteria for the Self-Build Register – The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) advising Members of the statutory duties associated with the Self-Build and Custom Housebuilding Act 2015 (as Amended), one of the duties of which was a requirement to provide serviced self-build plots to meet an identified need.

The submitted report stated that currently there was no fee to register which meant persons could have their name on more than one register in the tees valley or wider, which could result in an over-estimation of need in the wider area and ultimately place a burden on several local authorities to provide serviced plots which would not all be required; if left uncontrolled, the current arrangements could see wide interest in building self-build housing from persons with no local connection; and that the introduction of a charge, albeit modest, would allow the authority to recover a small part of the cost of managing the register and associated work involved.

Particular references were made to the launch of the self-build register in 2016, which met the initial duty of the Act; the duties placed on Local Authorities; the Self-Build Register; meeting the duty; policies in the Local Plan; undeveloped plots; self-build on proposed sites; and financial, legal and HR implications.

RESOLVED – (a) That the requirements of the Self-Build and Custom Housebuilding Act 2015 (as Amended), the need for the this Council to publish a self-build register and

meet its duty to grant planning permission for sufficient serviced plots within the Borough, as detailed within the submitted report, be noted.

(b) That the introduction of the charging schedule (to be reviewed on a regular basis), as set out in the submitted report, for inclusion on Part 1 of the Self-Build Register, be agreed.

(c) That the introduction of the eligibility criteria for inclusion on Part 1 of the Self-Build Register, as set out in the submitted report, be agreed.

REASONS – (a) The provision of self-build plots is a requirement as set out in the Self-Build and Custom Housebuilding Act 2015 (as Amended). In terms of the provision of such plots these should be directed towards genuine need within the Borough.

(b) The introduction of a charge, albeit modest, also allows the authority to recover a small part of the cost of managing the register and associated work involved.

(c) Housing land is a finite resource and it is considered that without restrictions on who can apply to be on the register, persons could have their name on more than one register in the Tees Valley or wider. This could result in an over-estimation of need in the wider area. If left uncontrolled, could see wide interest in building self-build housing from persons with no local connection.

C51. TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN PRUDENTIAL INDICATORS 2017/18 - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Managing Director (previously circulated) providing Members with important information regarding the regulation and management of the Council's borrowing, investments and cash-flow and seeking approval of the Prudential Indicators for 2017/18 in accordance with the Prudential Code.

It was reported that the financial year 2017/18 presented similar circumstances to 2016/17 with regard to treasury management and the main implications of this for this Council were included in the submitted report.

The submitted report summarised the capital expenditure and financing for 2017/18; the Council's underlying borrowing need; the Treasury position as at 31 March, 2018; prudential indicators and compliance issues; the economic background for 2017/18; treasury management activity during 2017/18; performance and risk benchmarking; and stated that the report had been examined by the Council's Audit Committee at its meeting on 26 July 2018.

It was also reported that the Council's treasury management activity during 2017/18 had been carried out in accordance with Council policy and legal limits, financing costs had been reduced during the year and a saving of £0.600 million had been achieved from the original Medium-Term Financial Plan due to the inclusion and purchase of property fund units in the investment portfolio, with the interest received reduced due to additional interest payments on debt and additional brokerage fees.

RESOLVED – (a) That the outturn 2017/18 Prudential Indicators, as detailed within the submitted report and those detailed in Appendix 1 of the submitted report, be noted.

(b) That the Treasury Management Annual Report for 2017/18, as detailed within the submitted report, be noted.

(c) That the report be forwarded to Council, in order for the 2017/18 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.

C52. TEES VALLEY WASTE MANAGEMENT STRATEGY - The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to entering into consultation on the Joint Waste Management Strategy (JWMS) (also previously circulated) for the Tees Valley.

The submitted report stated that the five Tees Valley Authorities were currently developing an outline business case for options on future waste treatment/disposal post 2025 when existing contractual arrangements would come to an end; as part of the process, the JWMS for Tees Valley needed to be reviewed, refreshed and updated to take account of current policy direction; the existing JWMS covered the period up to 2025; and that the Council had agreed that the new refreshed JWMS would cover the period from 2025 to 2035.

RESOLVED – (a) That the draft Joint Waste Management Strategy (JWMS) and supporting documents, as appended to the submitted report, be endorsed.

(b) That public consultation be approved from 1 October 2018 for eight weeks.

REASON - To enable the Council to consult on the JWMS.

C53. MEMBERSHIP CHANGES – There were no membership changes reported at the meeting.

C54. EXCLUSION OF THE PUBLIC - RESOLVED - That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 3 of Part I of Schedule 12A to the Act.

C55. DELIVERY OF NEW HOMES AT STAG HOUSE FARM - JOINT VENTURE PROPOSAL AND LAND DISPOSAL (EXCLUSION PARAGRAPH NO 3) - The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Managing Director and the Director of Economic Growth and Neighbourhood Services (previously circulated) advising Members of the proposed changes to the

disposal terms of Stag House Farm and seeking approval from Members to proceed with the disposal.

RESOLVED – (a) That the changes to the sale terms, as detailed in the submitted report, be noted.

(b) That the disposals, on the revised terms as outlined in the submitted report, be agreed, and the Director of Economic Growth and Neighbourhood Services be granted Delegated Authority in consultation with the Portfolio holders to finalise negotiations in line with the terms reported.

REASONS – (a) To deliver a Capital Receipt and income for the Council.

(b) To assist in the delivery of the Economic Strategy by accelerating the building of new homes.

**DECISIONS DATED –
FRIDAY 14 SEPTEMBER 2018**