

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE  
MONDAY 27 JULY 2020**

**CABINET**  
Tuesday, 14 July 2020

**PRESENT** – Councillors Mrs H Scott (Chair), Clarke, Dulston, Johnson, Keir, Marshall, Mills and K Nicholson

**INVITEES** – Councillors Curry, Harker and Snedker

**APOLOGIES** – Councillors

**ABSENT** – Councillors

**ALSO IN ATTENDANCE** – Councillors

**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.**

In respect of Minute C10 below, representations were made by a Member and a member of the public.

**C3 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON  
TUESDAY, 3 MARCH 2020**

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 3 March 2020.

**RESOLVED** - That the Minutes be confirmed as a correct record.

**REASON** - They represent an accurate record of the meeting.

**C4 TO CONSIDER THE TIMING OF MEETINGS OF THIS CABINET FOR THE  
REMAINDER OF THE 2020/21 MUNICIPAL YEAR**

**RESOLVED** - That meetings of this Cabinet be held at 5.00 p.m. for the remainder of the 2020/21 Municipal Year.

**REASON** – To comply with the views of Cabinet.

**C5 MATTERS REFERRED TO CABINET**

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

**C6 ISSUES ARISING FROM SCRUTINY COMMITTEE**

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

**C7 KEY DECISIONS:-**

**(1) SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) CAPITAL PROJECTS - ADDITIONAL RELEASE OF FUNDS**

The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of Children and Adults Services (previously circulated) requesting that consideration be given to the release of government grant to fund the creation of additional school places for young people with Social, Emotional and Mental Health (SEMH) needs.

The submitted report stated that Cabinet had previously agreed the Special Educational Needs and Disabilities (SEND) Strategy (Minute C125/Mar/19 refers); a key element of the Strategy was to increase the provision of school places for young people with SEMH needs in order to allow more young people to be educated locally; two schools had agreed to work with the Council to provide additional places; and outlined the final designs and costs following consultation with the schools, completion of the planning process and final tenders.

It was reported that a number of the elements in producing the final designs and costs had been impacted by COVID-19 and that additional grant was requested to cover the final design costs of those projects.

Particular reference was made to the increase in costs, particularly for the scheme at Rise Carr College; the additional traffic that may be generated in residential streets around the Rise Carr College; and requesting that consideration be given to improving the processes in future to ensure that the estimates are more realistic. The Cabinet Member with the Children and Young People Portfolio responded thereon.

**RESOLVED** - That the remaining funding of £148,837 from the Special Provision Fund allocation and an additional £906,520 from the Basic Need Capital allocation, as detailed in the submitted report, be released, and the additional costs for individual projects as detailed below, be noted, namely:

- (a) Red Hall Primary additional £65,709; and
- (b) Rise Carr College additional £989,648.

**REASONS** - (a) Release of the additional funds will enable capital investment to be undertaken in the SEND areas identified with the greatest need.

(b) Development of the SEMH units will provide an important link in the escalation process for children and young with SEND to reduce the number who eventually progress into specialist provision, often out of area.

**(2) DARLINGTON SPORTS VILLAGE BUSINESS PLAN**

The Cabinet Member with the Health and Housing Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated)

updating Cabinet on Darlington Mowden Park's (DMP) proposal for a Darlington Sports Village (DSV) and seeking agreement to the approach as detailed in the submitted report.

The submitted report outlined the background to the proposal to develop the DSV and its funding; the proposals contained in the DMP business plan that had been received in October 2019; stated that the Council commissioned Grant Thornton to carry out a due diligence exercise to assess the deliverability of the scheme and test the key assumptions and the risks which could be potentially exposed to the Council; and outlined the areas analysed in relation to the development of the Sports Village including a financial analysis of DMP and two subsidiary companies, a review of key assumptions in the business plan and a valuation of tangible Joint Value inputs.

It was reported that following receipt of the Due Diligence report officers had met with representatives of Darlington Mowden Park Rugby Club (DMPRC) and explained that due to the conclusions of that report, it was highly unlikely that the Joint Venture with DMPRC to develop the Sports Village would be supported; DMPRC had now confirmed that they had identified a new source of financial support which they had used to settle their outstanding debt; this had released the Council from the £2.1m guarantee had been agreed by Cabinet; and that this did not in any way compromise the ongoing interest the Council holds in the Arena land relating to overage payments and covenants on future use of the land.

Discussion ensued on how that funding could be used for the development and provision of sports facilities in the Borough.

**RESOLVED** - (a) That given the risks, as detailed within the due diligence report on the Sports Village Business Case, it be agreed that the plans for a Joint Venture with Darlington Mowden Park, on the development of a Sports Village, not be progressed.

(b) That the Council maintains its interest in the Arena and surrounding land in terms of overage payments and covenants relating to future land use.

**REASONS** - (a) The conclusions of the due diligence report highlight several financial and reputation risks to the Council which cannot be mitigated.

(b) Protects the Council from future financial implications and commitments.

### **(3) DRAFT CLIMATE CHANGE STRATEGY**

The Cabinet Member with the Economy Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to the Climate Change Strategy (also previously circulated) and the approach to staff and Member training.

The submitted report stated that Climate Change Strategy detailed the Council's approach to achieving the carbon neutral council target adopted in the motion passed by Full Council in July 2019 (Minute 19/Jul/19 refers); 2010/11 had been used as the baseline year, allowing the Council to demonstrate how it had been addressing its energy use and carbon emissions for some time; for the financial year 2018/19, the carbon footprint had reduced to 8197 tonnes CO<sub>2</sub>e; and that a zero carbon electricity

tariff had been chosen that reduced the Council's carbon footprint from 8197 tonnes to 5011 tonnes CO<sub>2</sub>e.

Particular references were made to the four principles contained within the Strategy which underpinned the proposed actions namely reducing overall energy consumption; reducing demand for fossil fuel based energy; contributing to a greener grid; and sequester carbon.

It was reported that an e-learning training module had been developed for staff and Members; quarterly update reports would be produced along with an annual report outlining progress made against the net zero target; lead officers would be tasked with producing plans for their own departments, which would form part of the overall Council action plan; and that the action plan would likely be a rolling three to five year plan, which would be reviewed every three years, to take advantage of new technologies, examples of good practice and any changes in government policy.

Discussion ensued on the ambition to be carbon neutral by 2050; the work of the Climate Change Cross Party Working Group; the need to obtain robust data on areas that are currently 'out of scope' of the strategy; and the importance of new builds being environmentally and energy efficient.

**RESOLVED** - (a) That the Climate Change Strategy, as appended to the submitted report, be adopted.

(b) That climate change training be included in compulsory training modules.

**REASON** - As with increasing public pressure to take action on climate change, the Council runs the risk of significant damage to its reputation if it does not deliver on its stated commitment to dealing with its contribution to climate change.

#### **(4) TEES VALLEY JOINT WASTE MANAGEMENT CONTRACT**

The Cabinet Member with the Local Services Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to entering into an Inter-Authority Agreement (IAA) with Middlesbrough Borough Council, Stockton Borough Council, Hartlepool Borough Council, Redcar and Cleveland Borough Council, Durham County Council and Newcastle City Council in respect of the Tees Valley Energy Recovery Facility (ERF) project; commencing the formal procurement for the project; and extending the existing waste management contract with Stonegrave Aggregates.

The submitted report provided an update on the ERF project including the IAA; the outline planning application for the ERF at South Tees Development Corporation (STDC); the proposed use of a local Authority Special Purpose Vehicle (SPV) for the management of the Project Agreement; negotiations for the Heads of Terms Agreement for the South Tees Development Corporation (STDC); the mandatory use of the Reference Site for the development of the ERF; and the proposed contract extension discussions with Stonegrave Aggregates.

Reference was made to the main changes to the project since the previous report to Cabinet (Minute C65/Nov/19 refers), particularly the inclusion of Durham County Council and Newcastle City Council in the project, the benefit of which was that the

ERF would increase from a 250,000 tonnes per annum facility to a 450,000 tonnes per annum facility, which in turn would reduce the cost of the contract through the gate fee to each authority and to the revision required to the IAA as a result of the two extra authorities joining the project.

**RESOLVED** - (a) That the IAA with Middlesbrough Borough Council, Stockton Borough Council, Hartlepool Borough Council, Redcar and Cleveland Borough Council, Durham County Council and Newcastle City Council, as appended to the submitted report, be approved.

(b) That the procurement process, as detailed in the submitted report, be approved.

(c) That the Director of Economic Growth and Neighbourhood Services, be authorised in consultation with the Assistant Director – Resources, Assistant Director – Law and Governance and the Cabinet Member with the Local Services Portfolio, to accept minor changes to the IAA.

(d) That the extension of the existing waste management contract, in line with the details contained within paragraphs 28 to 30 of the Part III report, as appended to Annex 1 of the submitted report, be approved.

(e) That the lease for the Household Waste Recycling Centre be extended to tie in with the extension to the waste management contract.

**REASONS** - (a) To enable the procurement of the Tees Valley Energy Recovery Facility.

(b) To put in place a contingency plan for waste management in case of any delay to the delivery of the ERF and have continuity of service going forward.

## **(5) ANNUAL PROCUREMENT PLAN**

The Cabinet Member with the Resources Portfolio introduced the report of the Managing Director (previously circulated) requesting that consideration be given to the Annual Procurement Plan (also previously circulated) including the assessment of contracts that are considered to be strategic or non-strategic and updating Members on the outcomes of procurement(s) previously designated as Strategic; the decisions taken by the Procurement Board to waive the Contract Procedure Rules; and Savings and Social Value measures achieved in the previous financial year.

**RESOLVED** - (a) That the assessment of strategic and non-strategic contracts as presented in Appendix 1 of the submitted report, be approved and it be agreed that:

- (i) further reports/updates on the procurement process for those contracts designated as strategic (including decisions made by the Procurement Board) be brought to Cabinet;
- (ii) the contract award decisions for the contracts designated as non-strategic be delegated to the appropriate Director as listed in the plan at Appendix 1 of the submitted report; and

- (iii) the contract award decisions for the contracts designated as strategic, as listed in the plan at Appendix 1 of the submitted report, be delegated to the Procurement Board to approve and be reported back to Cabinet.

(b) That the contents of the submitted report, in respect of the update of strategic procurements, Procurement Board waiver decisions, Savings Register and Social Value Register for 2019/20, be noted.

**REASONS** - (a) In respect of strategic/non-strategic contracts, the recommendations are supported by the following reasons: -

- (i) the Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic and non-strategic;
- (ii) contracts designated strategic are of high value and high significance in respect of the impact on residents, Health and Safety and public safety; and
- (iii) the contracts designated non-strategic are of a lower value and lower significance in respect of the impact on residents and public safety.

(b) In respect of Procurement Board waiver decisions, the recommendations are supported by the following reasons: -

- (i) in order to comply with the Contract Procedure Rules; and
- (ii) to provide Cabinet with information about the decisions made by the Procurement Board.

(c) To supplement the reports that are taken to Cabinet about proposed spend over £100,000, that are set out in the Annual Procurement Plan and the in-year update to that report.

## **C8 COVID-19 UPDATE REPORT AND NEXT STEPS**

The Leader introduced the report of the Chief Officers Executive (previously circulated) informing Members on the response of the Council to the COVID-19 Pandemic, and to note decisions taken by officers, in consultation with Cabinet during the pandemic.

The submitted report outlined the background to the report; a number of key dates; partners and work of the Local Resilience Forum (LRF); the impact on the Council's employees; financial implications; work in establishing the Darlington Community Support Hub; public health response; children and adult social care provision; support to businesses; hardship relief and the role of the voluntary sector; neighbourhood, housing, homeless and lifeline services; recovery planning; and decision making throughout the pandemic.

In presenting the report, the Leader acknowledged the support of Cabinet, Members and staff at all levels of the organisation, highlighting in particular those staff who worked in the 'hub' and those who provided front-line services. It was reported that sadly there had been 84 reported deaths, to date, as a result of COVID-19 in the

Borough and it was proposed to purchase and plant 84 locally sourced trees, across the Borough, to commemorate each of those lives.

References were also made to others that had contributed to caring and helping people through the pandemic including care home staff, volunteers and neighbours; lack of capacity within the early years provision; the lessons learnt from managing the pandemic; and the importance of adhering to public health guidelines.

**RESOLVED** - (a) That the actions and decisions taken to date in respect of the Council's response to the pandemic, as detailed in the submitted report, be noted.

(b) That all staff, partners and volunteers be thanked for their significant contributions during the pandemic so far.

(c) That the tragic loss of life in the Borough and across the Country, be acknowledged.

(d) That further reports on the response to the pandemic and recovery plans, be reviewed.

(e) That free car parking in the town centre be retained until the end of September 2020 at an anticipated cost of £342,000 and receive a further report be submitted to the September Cabinet meeting.

**REASONS** - (a) To enable Cabinet to formally receive an update and to pass on thanks to key players in the response and acknowledge the loss of life in the Borough.

(b) To support the town centre economy by encouraging more visitors to the town.

## **C9 DARLINGTON LOCAL OUTBREAK CONTROL PLAN**

The Cabinet Member with the Health and Housing Portfolio introduced the report of the Director of Children and Adults Services (previously circulated) requesting that consideration be given to the Local Outbreak Control Plan (also previously circulated) that was published at the end of June 2020.

It was reported that the Plan was a working document and would be updated regularly to reflect changes required to ensure it remained up to date and could be successfully implemented during outbreaks.

The submitted report outlined the background to the production of the Local Outbreak Control Plan; stated that the Plan built on existing health protection plans and partnerships already in place; the Plan was centred around the seven key themes highlighted by the Department of Health and Social Care (DHSC); outlined the role of contract tracing; governance arrangements; and how the Plan would be triggered.

**RESOLVED** - That the Darlington Outbreak Control Plan, as appended to the submitted report, be received.

**REASON** - All Local Authorities in England are required by the Department of Health

and Social Care to have a local COVID19 outbreak control plan in place.

## **C10 REPLACEMENT OF DOG CONTROL ORDERS WITH PUBLIC SPACE PROTECTION ORDERS**

Pursuant to Minute C66/Nov/19, the Cabinet Member with the Stronger Communities Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to the responses received (also previously circulated) to the consultation exercise undertaken on the proposed introduction of Public Space Protection Orders (PSPOs) to replace existing Dog Control Orders and introducing wider powers concerning the walking and supervision of dogs.

The submitted report stated that the consultation exercise on the implementation of PSPO's for the control of dogs had initially run for eight weeks, however due to public interest in the orders, it was extended for a further four weeks and it had ran from November 2019 to February 2020; PSPOs were introduced in the Anti-Social Behaviour, Crime and Policing Act 2014; a PSPO was designed to deal with a particular nuisance or problem in an area; the behaviour must be having a detrimental effect on the quality of life of those in the community and it must be persistent or continuing and it must be unreasonable; and that should the Council wish to continue enforcing the provisions within the existing Dog Control Orders, which lapsed under legislation in October 2017 and had to be replaced by 20 October 2020, then they would need to be replaced with a PSPO.

In presenting the report the Cabinet Member with the Stronger Communities Portfolio stated that the draft PSPO had been amended since the report was first published, as originally consulted on, the draft PSPO set out the East, North and West Cemetery as being areas subject to a ban on dog walking (with them included in the list Schedule 2 of areas with dog walking bans), however, following the consultation the proposal was that dogs would be permitted on leads in the cemeteries and an amendment was made to move the 3 cemeteries from Schedule 2 to Schedule 3 (which dealt with areas where dog walking on leads was permitted).

A letter of representation was submitted to oppose allowing dog walking in Cemeteries, which was summarised by the Cabinet Member with the Stronger Communities Portfolio. The representation made reference to the history of the Victorian West Cemetery and North Cemetery and the appropriateness of dogs being allowed to access heritage settings; the consultation process which it was felt, should have been wider and included the Gardens Trust; plans for the West Cemetery Crematorium; dog walkers who unashamedly used the West Cemetery, despite the 'no dogs' signs; stated that a clear bye law forbidding dog-walking was required rather than a weak PSPO; there were other more appropriate places where people could walk dogs; dog bins would spoil the garden environment in the cemetery; dog owners would be an unnecessary nuisance and financial risk, as there may be the potential for legal claims with more people using West Cemetery when the crematorium works got underway; and the ability of council staff to police and enforce the PSPO.

A Member in attendance addressed the meeting in respect of allowing dog walking in the cemeteries and enforcement and asked a number of questions relating to whether the number of fines and dog bins were sufficient and whether there was sufficient resource within the enforcement team to enforce the PSPO. Discussion ensued the



original proposal to restrict the number of dogs that could be walked by one person; the impact on dog walking businesses; and the monitoring of the PSPO. The Cabinet Member with the Stronger Communities Portfolio responded thereon.

**RESOLVED** - (a) That the consultation feedback, as appended to the submitted report, the representations made at the meeting, and the contents of the submitted report, be noted.

(b) That the amended Public Spaces Protection Order, as set out in Appendix 2 of the submitted report, be made, to replace the current Dog Control Orders for:-

- (i) failure to remove dog faeces;
- (ii) not keeping a dog on a lead on specified land;
- (iii) not putting a dog on a lead and keeping on a lead when directed by an authorised officer;
- (iv)** permitting a dog to enter land from which dogs are excluded; and
- (v) not keeping a dog on a lead in East, North and West Cemeteries.

**REASONS** - (a) Current Dog Control Orders cease to exist by October 2020.

(b) For improved dog control/responsible dog ownership in Darlington.

(c) To improve the quality of life of persons visiting and working in the areas covered by the PSPO.

## **C11 TOWNS FUND**

The Leader introduced the report of the Managing Director (previously circulated) requesting that consideration be given to the Towns Fund Deal bid process and the proposed timetable for the forthcoming Town Investment Plan (TIP) which will form the application to the fund.

The submitted report outlined the background to the proposal; the strategic aims and ambitions of Darlington Towns Fund Deal bid; necessary actions; and the financial and legal implications of the bid.

**RESOLVED** - That the submission of a Towns Fund bid by 31 July 2020, as detailed in the submitted report, be agreed.

**REASON** - If successful and implemented it will contribute to the economic growth of the Borough

## **C12 REPRESENTATION ON OTHER BODIES 2020/21**

The Leader introduced the report of the Managing Director (previously circulated) requesting that consideration be given to this Council's representation on other bodies for the 2020/21 Municipal Year, to which Cabinet appoints.

**RESOLVED:-** That the appointment to the other bodies, as detailed below, for the 2020/21 Municipal year, be approved, namely:-

**Name of Body or Organisation    Nomination(s)**

Association of Rail North  
Partnership Authorities

Rail North Ltd.	Councillor Mrs H Scott (Leader of the Council)
Transport for the North	Councillor Mrs H Scott (Leader of the Council)
North East Rail Management Unit	Councillor Mrs H Scott Leader of the Council)
Community Library (Cockerton) Limited	Councillor Cossins
County Durham and Darlington Foundation Trust – Board of Governors	Councillor Tostevin
Creative Darlington	Councillor Keir (Cabinet Member with Local Services Portfolio) and (Chair of Communities and Local Services Scrutiny Committee as named substitute)
Crown Street Library Trustee Board	Councillor Mrs H Scott (Leader of the Council)
Darlington Cares	Councillor K Nicholson
Darlington Partnership Board	Councillor Mrs H Scott (Leader of the Council), Councillor K Nicholson (Cabinet Member with Health and Housing Portfolio), Councillor Clarke (Cabinet Member with Children and Young People Portfolio) and Councillor Harker (Leader of the Opposition)
Darlington Railway Museum Trust	Councillor Keir (Cabinet Member with Local Services Portfolio)
Darlington Town Centre Deal Bard	Councillor Mrs H Scott (Leader of the Council)
Durham County Pension Fund Committee	Councillor Johnson (Cabinet Member with Resources Portfolio) and Chair of Economy and Resources Scrutiny Committee
Family Help Organisation	Councillors Curry, Crumbie and Newall

Fostering Panel	Councillor Layton
Maidendale Nature and Fishing Reserve (Associate Member)	Councillor Tait (Ward Member)
North East Ambulance Service	Councillor K Nicholson (Chair of Health and Well Being Board)
North East Child Poverty Commission	Councillor Clarke (Cabinet Member with Children and Young People Portfolio)
North East Regional Employers Organisation	Councillor Johnson (Cabinet Member with Resources Portfolio), Chair of Economy and Resources Scrutiny Committee and Vice Chair of Economy and Resources Scrutiny Committee
Executive Committee	Councillor Johnson (Cabinet Member with Resources Portfolio)
North East Strategic Migration Partnership	Councillor Clarke (Cabinet Member with the Children and Young People Portfolio) (Councillor Mrs H Scott (Leader of the Council as named substitute))
Northern Housing Consortium	Councillor K Nicholson (Cabinet Member with Health and Housing Portfolio)
Northumbrian Regional Flood and Coastal Committee	Councillor Snedker
Poor Moor Fund	Councillor Marshall (Cabinet Member with Economy Portfolio)
RELATE North East	Councillors Curry and Layton
Teesside International Airport Limited - Board	Councillor Mrs D Jones (to be appointed as Director) (Councillor Culley as named substitute Director)
Teesside International Airport Limited - Consultative Committee	Councillor Keir (Cabinet Member with Local Services Portfolio)
Tees Valley Local Access Forum	Chair of Communities and Local Services Scrutiny Committee
Tidy North Regional Consultative Committee	Councillor Keir (Cabinet Member with Local Services Portfolio)

**RESOLVED** - That the appointments to the other bodies, as detailed in the submitted report, for the 2020/21 Municipal Year, be approved.

**REASON** - To comply with the nominations received from the Political Groups.

**C13 XENTRALL SHARED SERVICES ANNUAL REPORT 2019/20**

The Cabinet Member with the Resources Portfolio introduced the report of the Managing Director (previously circulated) requesting that consideration be given to reviewing the progress and performance of Xentrall Shared Services, the Stockton and Darlington Partnership.

The submitted report stated that Xentrall Shared Services, the Stockton and Darlington Partnership, was established in May 2008 and was now in its twelfth year; the agreement covered ICT (strategy and operations), Transactional HR, Transactional Finance and Design and Print; the initial savings that were identified were £7.4 m over a ten year period; and that those savings had been achieved plus additional efficiencies and benefits totalling £17.2m of savings; quality and performance of services had improved; and that in recognition of the success of the partnership it had been amended from the original ten year period into an on-going rolling agreement

**RESOLVED** - That the report be noted and the continuing success of Xentrall Shared Services and the £17.2m savings it had achieved over the twelve years since it was formed, be acknowledged.

**REASON** - To allow Members to receive information about the progress of the partnership.

**C14 RELEASE OF CAPITAL ALLOCATION IN THE MEDIUM TERM FINANCIAL PLAN (MTFP) : TOWN HALL FIRE ALARM SYSTEM AND TOWN HALL HEATING CONTROL SYSTEM CAPITALISED REPAIRS**

The Cabinet Member with the Resources Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to the release of funding allocated in the Capital Medium Term Financial Plan (MTFP) 2020/21 to replace the Fire Alarm and Heating Controls Systems in the Town Hall and to undertake Capitalised Repairs in corporate buildings.

The submitted report outlined the background to the proposals; financial and legal implications; and Corporate Landlord and Procurement advice.

**RESOLVED** - That the funds allocated in the Capital Medium Term Financial Plan (MTFP) for the Fire Alarm and Heating Controls Systems in the Town Hall and to undertake Capitalised Repairs in corporate buildings, be released, for essential work to progress.

**REASON** - To safeguard the condition of the Council's corporate buildings and to meet statutory and legal obligations.

## **C15 REVENUE OUTTURN 2019/20**

The Cabinet Member with the Resources Portfolio introduced the report of the Managing Director (previously circulated) presenting the revenue outturn 2019/20 (subject to Audit), to allow Members to consider the results in light of the Council's Medium Term Financial Plan (MTFP) and also to consider the Collection Fund and Housing Revenue Account outturn.

The submitted report stated that the latest projection showed an overall improvement against the 2020/21 MTFP of £0.751m; £0.477m was required to fund the council tax collection fund deficit leaving £0.274m available for utilisation; outlined variances from the original budget along with changes since the quarter three position; stated that there were a number of carry forward requests totalling £0.466M; and that although the Coronavirus pandemic had had a significant impact on the Council's financial position in the Revenue Budget Quarter One 2020/21 report (see Minute C16 below) there was limited impact on the 2019/20 outturn, other than lost income from the leisure and culture facilities.

**RESOLVED** - (a) That the revenue outturn for 2019/20, as detailed in the submitted report, be noted.

(b) That the proposed carry forward of resources referred to in paragraphs 19 to 21 of the submitted report, be noted and approved.

(c) That £0.477m be earmarked against general fund reserves to fund the council tax collection fund deficit.

(d) That the earmarked reserves, requested in paragraphs 28 to 33 of the submitted report, be approved.

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

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

## **C16 REVENUE BUDGET MONITORING - QUARTER ONE 2020/21**

The Cabinet Member with the Resources Portfolio introduced the report of the Managing Director (previously circulated) providing an early forecast of the 2020/21 revenue budget outturn as part of the Council's continuous financial management process and informing Cabinet of the budget rebasing exercise carried out following the 2019/20 outturn results.

The submitted report stated that this was the first revenue budget management report for 2020/21; the impact of COVID-19 (CV19) was projected to be significant on both expenditure and income levels; to date the Government had provided a grant of £6.231m to assist with pressures however there remained a predicted CV19 deficit of £8.064M; on 2 July 2020 a further package of support to Councils was announced with a further £500m being distributed to Councils; following the budget rebasing exercise £0.897M was returned into general fund reserves; the year-end projection, taking into account the CV19 pressures showed an overall reduction in the 2020/21 financial position of £6.484m; and outlined a number of areas of uncertainty which

had not been included such as home to school transport, as it had not been possible to quantify the impacts, but they were on-going risks.

**RESOLVED** - (a) That the significant financial pressure in the forecast revenue outturn for 2020/21, 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.

## **C17 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING OUTTURN 2019/20**

The Cabinet Member with the Resources Portfolio introduced the report of the Managing Director and Director of Economic Growth and Neighbourhood Services (previously circulated) updating Members on the delivery of the Council's Capital Programme; the financial outturn position as at 31st March 2020; proposed financing of the 2019/20 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 the programme.

The submitted report stated that significant enhancements had been made to the Council's assets in 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 2019/20 totalled £42.939M; there were 42 live projects currently being managed by the Council with an overall value of £136.217M; 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 2019/20 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 25 of the submitted report, be approved.

**REASONS** - (a) The recommendations are supported to enable Members to note the progress of the 2019/20 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.

## **C18 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING -**

## **QUARTER ONE 2020/21**

The Cabinet Member with the Resources Portfolio and the Director of Economic Growth and Neighbourhood Services introduced the report of the Managing Director (previously circulated) 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 seeking approval for a number of changes to that programme.

The submitted report stated that the projected outturn of the current Capital Programme was £252.094m against an approved programme of £252.194m; the investment was delivering a wide range of improvements to the Council's assets and services; the programme remained affordable; the Council had 42 live projects, with an overall project outturn value of £136.217m, the majority of which were running to time; and that the projects were managed either by the Council's in-house management team, a Framework Partner or by Consultants 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 22 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.

## **C19 SCHEDULE OF TRANSACTIONS**

The Cabinet Member with the Resources Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (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 submitted report, be approved and the transactions completed on the terms and conditions detailed therein.

**REASON** - Terms negotiated require approval by Cabinet before binding itself contractually to a transaction.

## **C20 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.**

There were no membership changes reported at the meeting.

**C21 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-**

**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.

**DECISIONS DATED –  
FRIDAY 17 JULY 2020**