

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 24 OCTOBER 2022**

CABINET

Tuesday, 11 October 2022

PRESENT – Councillors Keir (Chair), Clarke, Durham, Marshall and Tostevin

INVITEES – Councillors Curry, Harker and Snedker

APOLOGIES – Councillors Dulston, K Nicholson, Renton and Wright.

C189 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

**C190 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.

**C191 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON TUESDAY, 6
SEPTEMBER 2022.**

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on Tuesday 6 September 2022.

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

REASON – They represent an accurate record of the meeting

C192 MATTERS REFERRED TO CABINET

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

C193 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C194 KEY DECISIONS:-

There were no Key Decisions made at the meeting.

C195 CORPORATE PEER REVIEW REPORT AND ACTION PLAN

The Deputy Leader introduced the report of the Chief Executive (previously circulated) providing details of the Corporate Peer Review that was requested by the Council and

conducted by the Local Government Association (LGA) in June 2022; presenting the LGA Corporate Peer Challenge Feedback Report; and requesting that consideration be given to the action plan (also previously circulated) that was developed in response to the recommendations made by the LGA following the Review.

It was reported that Corporate Peer Reviews were seen as good practice within the local government sector and that they typically looked at five main areas, namely:- local priorities and outcomes; organisational and place leadership; governance and culture; financial planning and management; and capacity for improvement. The Council invited the LGA to undertake a Peer Review, and in addition to the 5 main areas it requested the team also assessed 'the Council's customer/citizen engagement and how it interacted with them to see if there were improvements to be made within the context of resources available.'

The submitted report stated that in advance of the review the Council had produced a position statement that was shared with the Peer Review Team; the self-assessment of the Council and Borough as a whole was used by the team to inform areas of analysis throughout the review; the team had had an organised tour of the Borough; and that over 120 people were interviewed across 38 meetings, which included staff, Members and a wide range of external stakeholders.

Reference was made to the six recommendations contained within the feedback report which had been proposed to help the Council develop and learn and to the action plan that had been developed to meet those objectives.

Particular references were made at the meeting to Recommendations 1, 3 and 5, and in doing so highlighted the inequalities that currently existed; the role of the refreshed strategic partnership in tackling those inequalities; the impact of national policy on inequalities; the uncertainty around Social Care; and the issues that the Council faces in meeting the needs of those people leaving Social Care as a result of short term funding. The Deputy Leader responded thereon.

RESOLVED – (a) That the Local Government Association (LGA) Corporate Peer Review Feedback Report, as appended to the submitted report, be noted and accepted.

(b) That the action plan developed in response to the recommendations of the Peer Review, as detailed in the submitted report, be approved.

(c) That the Peer Review team be thanked for their work in conducting the review and for the production of a helpful report.

REASONS – (a) The Council is required to develop an action plan in response to the LGA Corporate Peer Review report.

(b) The Council wishes to develop and learn as an organisation and the recommendations in the report will help to achieve this objective.

The Cabinet Member with the Children and Young People Portfolio introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to the programme of support to deliver the second extension of the Government funded Household Support Fund (HSF) for the period 1 October 2022 to 31 March 2023.

The submitted report stated that on 26 May 2022, the Chancellor announced, as part of a number of measures to provide help with global inflationary challenges and the significantly rising cost of living, that the Household Support Fund (HSF) would be extended from 1 October 2022 to 31 March 2023; the guidance was received at the beginning of September; Darlington's draft allocation of £913,853 was received on 22 September 2022; plans for delivery had to be submitted to government no later than the 28 October 2022; and that they needed to be made publicly available, including details of any application processes.

Particular reference was made to the proposed elements for inclusion in the programme which included:- food vouchers to families with children on free school meals; fuel vouchers through The Bread and Butter Thing (TBBT); support for the Food Bank; support for Care Leavers; support for the elderly; and support for vulnerable groups through the voluntary and community sector.

Reference was made at the meeting to the amount of funding that each family could receive; the amount of money taken out of the economy by changes to universal credit which was impacting both families and businesses; the rise in the number of people relying on foodbanks; the number of children living in poverty from working families; and to the number of people and families that were struggling. Clarity was also sought at the meeting on the amount of food vouchers available to families with children on free school meals. The Cabinet Member with the Children and Young People Portfolio and the Group Director of Operations responded thereon.

RESOLVED – (a) That the proposed programme and estimated costings, as outlined in the submitted report, be approved.

(b) That delegated authority be given to the Chief Executive, in conjunction with the Portfolio Holder for Children and Young People, to amend funding pots as necessary to ensure full utilisation of the grant within the time period.

(c) That a submission to government be made based on the programme, as outlined in the submitted report.

REASONS – (a) To address the criteria laid down in the guidance.

(b) In order to secure the grant funding.

C197 TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN PRUDENTIAL INDICATORS 2021/22

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) providing important information regarding the regulation and management of the Council's borrowing, investments and cash-flow; treasury activity for 2020/21; and seeking approval of the Prudential Indicator results for 2020/21 in

accordance with the Prudential Code.

It was reported that the financial year 2020/21 was an unprecedented year with regard to treasury management due to the ongoing Covid-19 pandemic; the cost of borrowing remained low throughout 2020/21; and that due to recent low returns for cash investments new ways to improve investment returns were continually being sought.

The submitted report summarised the capital expenditure and financing for 2020/21; the Council's overall borrowing need; the Treasury position as at 31 March 2021; prudential indicators and compliance issues; the economic background for 2020/21; treasury management activity during 2020/21; investment position; and performance and risk benchmarking.

It was also reported that the Council's treasury management activity during 2020/21 had been carried out in accordance with the Council policy and within legal limits; financing costs had been reduced during the year; and a saving of £0.366M had been achieved from the original Medium-Term Financial Plan.

RESOLVED - (a) That the outturn 2021/22 Prudential Indicators, as detailed within the submitted report and in Appendix 1, be noted.

(b) That the Treasury Management Annual Report for 2021/22, as detailed in the submitted report, be noted.

(c) That the report be forwarded to Council, in order for the 2021/22 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.

C198 OBJECTIONS TO THE EXPERIMENTAL TRAFFIC REGULATION ORDER ON CONISCLIFFE ROAD

The Cabinet Member with the Local Services Portfolio introduced the report of the Group Director of Services (previously circulated) advising Members of three objections received to a proposal for waiting restrictions on Coniscliffe Road and to seek a decision on whether to proceed with the proposal.

The submitted report stated that pavement cafés had been in place on Coniscliffe Road since the Summer of 2020; they were initially implemented as a response to the reopening of hospitality businesses after the first Covid-19 lockdown; Government enacted the Business and Planning Act 2020 on 22 July 2020 to enable local authorities to make provision for outdoor dining due to the restrictions on indoor eating and drinking; Coniscliffe Road was one of the areas identified where outdoor dining could be accommodated and that would be of benefit to the local hospitality businesses; the road was subsequently closed to enable tables and chairs to be placed on the carriageway; an experimental order was put in place to

facilitate the closure and associated changes to waiting and loading restrictions; the order was reviewed 12 months later; and that the outcome of the review was that the pavement cafés were well supported, but changes were put in place to enable the road to be partially reopened.

Discussion ensued at the meeting on the objections received and what support or alternatives, if any, that had been considered that may assist the businesses impacted by the proposal. The Cabinet Member with the Local Services Portfolio and the Group Director of Services responded thereon.

RESOLVED - That the objections, as detailed in the submitted report, be set aside and officers be authorised to make the changes permanent, as shown on the plan appended at Appendix 1 to the submitted report.

REASONS – (a) To support the provision of pavement cafés in accordance with the Town Centre Strategy and the Council’s pavement café policy.

(b) It will maintain traffic flow in accordance with our duty under the Road Traffic Regulation Act 1984.

C199 INGENIUM PARC – PROPOSED DEVELOPMENT UPDATE

The Cabinet Member with the Economy Portfolio introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to the sale of approximately 11.28 acres (4.56 hectares) of land at Ingenium Parc, Darlington, shown hatched on the plan (also previously circulated), subject to the grant of planning permission for development.

The submitted report stated that the Council owned land at Ingenium Parc which was available for inward investment/industrial development subject to enabling infrastructure to open up the site; an enquiry had been received from a developer with an occupier identified to acquire a site; as part of their proposals they had indicated, that subject to planning permission they would build a road to access their site that would in turn open up more of the Council’s land; and the development of the site would generate circa 220 jobs and would boost the economic growth and business profile of the Borough. The disposal of the land would only generate a modest capital receipt as the cost of the access road and associated infrastructure was significant and would need to be offset against the value of the land.

It was also reported that the enabling infrastructure work referred to would require the Council to repay Tees Valley Combined Authority 34 percent of any capital receipts received from the disposals of land at Ingenium Parc, up to a maximum of £1.6M.

RESOLVED – (a) That the sale of approximately 11.28 acres (4.56 hectares) of land at Ingenium Parc, as shown on the plan appended to the submitted report, be approved on the terms as set out in Appendix B of the submitted report.

(b) That the Assistant Director of Economic Growth be authorised, in consultation with the Resources Portfolio Holder, to agree terms in line with those as detailed in Appendix B of the submitted report, and the Assistant Director for Law and Governance be authorised to

document the sale of the property accordingly and associated matters.

(c) That Tees Valley Combined Authority's interest in the site be noted and the Assistant Director of Economic Growth be authorised to reimburse their portion of any receipt, accordingly.

REASONS – (a) To achieve development of further plots and new income through business rates.

(b) To assist business development and job creation in Darlington.

C200 SCHEDULE OF TRANSACTIONS

The Cabinet Member with the Resources Portfolio introduced the report of the Chief Executive (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 appendix to the submitted report, be approved, and the transactions be completed on the terms and conditions detailed therein.

REASONS – The terms negotiated require approval by Cabinet before binding itself contractually to a transaction.

C201 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

**DECISIONS DATED –
FRIDAY 14 OCTOBER 2022**