

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 20 JANUARY 2024**

CABINET

Tuesday, 7 January 2025

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

INVITEES – Councillors Snedker

APOLOGIES – Councillors Dulston and K Nicholson

C83 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

C84 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.

C85 ANNUAL STATEMENT OF ACCOUNTS 2022/23

The Cabinet Member with the Resources Portfolio introduced the report of the Executive Director – Resources and Governance (previously circulated) presenting the Completion Report for Those Charged with Governance (also previously circulated) by the Council's external auditors, Ernst and Young LLP (EY), on the audit for the year ended 31 March 2023.

In presenting the Completion Report, a representative from Ernst and Young LLP (EY), stated that there had been a nationwide delay in signing off accounts; legislation had been made to deal with the backlog; a full Value for Money (VFM) assessment had been undertaken on the Council's accounts; as part of the process no significant weaknesses had been identified; and that as a result, the Council had been issued with a clean VFM conclusion for the 2022/23 financial year.

The submitted report stated that in accordance with the Accounts and Audit (Amendment) Regulations 2023, all local authorities were required to produce the draft annual Statement of Accounts by 31 May 2023 and an audited set by 30 September 2023; due to national issues the auditors were not in a position to deliver the audit by the statutory deadline; and to provide a solution the Accounts and Audit (Amendment) Regulations 2024 provided statutory 'backstop' dates to help clear the backlog the first of which was 13 December 2024 and applied to all outstanding audits; and that as EY had not been able to complete a full audit, the Council had been issued with a Disclaimer of Opinion for the 2022/23 accounts.

RESOLVED - That the Auditor's Completion Report for Those Charged with Governance, as

appended to the submitted report, for the Council's 2022/23 financial statements, be noted.

REASON – To enable Cabinet to receive the results of external audit work carried out.

C86 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 3 DECEMBER 2024

Submitted – The Minutes (previously circulated) of the meeting of this Cabinet held on 3 December 2024.

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

REASON – They represent an accurate record of the meeting.

C87 MATTERS REFERRED TO CABINET

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

C88 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C89 KEY DECISION - ENVIRONMENT ACT 2021 - HOUSEHOLD WASTE MANAGEMENT ARRANGEMENTS

The Cabinet Member with the Local Services Portfolio introduced the report (previously circulated) of the Executive Director – Environment, Highways and Community Services outlining the requirements of the Environment Act 2021 and providing details on options for improved dry recycling as part of the development of a new statutory weekly food waste collection service.

Reference was made to the main requirements of the Environment Act 2021 in relation to waste management, which included the requirement to introduce a weekly food waste collection service from March 2026; a new simpler recycling policy aimed at making recycling easier by making collections consistent for all households, businesses and relevant non-domestic premises; an Extended Producer Responsibility (EPR) scheme which placed the responsibility on packing producers to cover the full net cost of dealing with the packaging that they placed on the market; and the introduction of a Deposit Return Scheme, from October 2027, where individuals would receive a refund on the deposit paid when they returned polyethylene terephthalate (PET) bottles, steel and aluminium cans from 150ml to 3L in size.

The submitted report stated that the provision of a food waste collection service for residents would have implications for the Borough's local waste management; outlined the existing household waste collection, treatment and disposal services together with the associated costs; the annual tonnage from each of the waste streams; the results from the performance and benchmarking exercise that had been undertaken; and the implications of the Act on existing waste management services. An analysis of residual waste collected within Darlington had been undertaken which had identified that 34 per cent of the waste

collected was food waste; 3,775 tonnes of recyclable material was currently disposed of in the residual waste stream; and that 9.7 per cent of residual waste was found to be garden vegetation, which could have been recycled through the garden waste collection service.

Particular reference was made to the approach taken to develop options for a new food waste collection service; the major elements of the project for the Council to meet the statutory deadline; proposals for the collection of food waste within residential properties; options for food waste collection from the kerbside; option analysis and financial implications for each option; the pros and cons of each option; how the collected material would be treated; the key risks, issues and considerations; and the financial impact on the Medium Term Financial Plan of both the implementation and future years.

Reference was made at the meeting to the involvement of Scrutiny in the process; the delays; the importance of the waste collection service to the public; the omission of glass from the Deposit Return Scheme; the burden on manufacturers to deal with the net cost of dealing with the packaging they produced; and to the flexibility given by progressing Option 4, which was the preferred option.

RESOLVED – (a) That the arrangements for waste collection, identified as Option 4 in the submitted report, be progressed.

(b) That each household be issued with a 5-7L internal caddie and external 23L bin for food waste.

(c) That for the first year of the scheme each household be issued with 52 compostable liners at a cost of approximately £35,000.

(d) That the capital funding of £1,182,778 be released to enable the scheme to progress.

REASONS – (a) Option 4 provides the maximum flexibility to develop recycling performance once food waste recycling has been introduced and embedded.

(b) To enable the project to progress and procurement processes to commence for vehicle, caddies, bins and treatment of food waste.

(c) To enable the Council to undertake best endeavours to ensure food waste collections are in place by April 2026 or as soon as possible thereafter.

(d) To enable the funding to be utilised on scheme costs.

C90 COUNCIL PLAN 2024/27 PERFORMANCE REPORTING UPDATE

The Leader of the Council introduced the report (previously circulated) of the Chief Officers Executive outlining the performance of the new Council Plan 2024/27, summarising progress against the key commitments and deliverables in the plan.

The submitted report stated that Council Plan had been approved by Council on 18 July 2024; outlined the Council's long-term ambitions for Darlington and priorities for action over the next three years; and stated that the Plan gave strategic direction to the Council and council

services, defining priorities, identifying key actions and shaping delivery.

Reference was made to the fundamental link between health, wellbeing and the economy; the six priorities of economy, homes, living well, children and young people, communities and the local environment; and to the three core principles which shaped the delivery of the plan of addressing inequalities, tackling climate change and efficient and effective use of resources.

The Cabinet Member with the Children and Young People Portfolio addressed the meeting and stated that there had been a strong start in meeting the challenges faced by the Council but there was a lot more work to be done and made particular reference to a number of areas including the number of 'looked after' children; the strong performance in relation to foster carers; and the 'good' Ofsted rating.

RESOLVED - That the progress made in the delivery of the Council Plan, as detailed in the submitted report, be noted and the report be approved.

REASON - The report and appendix provide a summary of key actions undertaken by the Council, highlight key issues and progress.

C91 CLIMATE CHANGE PROGRESS

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) of the Chief Executive updating Cabinet on progress made towards the Council's net zero target.

The submitted report stated that the Climate Emergency Declaration agreed that a six-month interim report be produced; there was no emissions data as this was gathered annually; a Climate Change Seminar for Members was held in September; the Darlington Eco Fair was held in June with more than 5,000 people passing through the marquee; the Highway Asset Management annual maintenance programme for 2023/24 demonstrated a total reduction of over 348 tonnes in CO2 emissions; some delivery data of actions had been reviewed; work had been undertaken to calculate the carbon sequestration potential of council land; and that the Housing Service was bidding for Wave 3 of the Social Housing Decarbonisation Fund, which would benefit 1,600 council properties.

Reference was made to emissions up to the end of 2023/24; electricity generation from the solar panels on the roof of the Town Hall; emissions trajectory; and the status of the action points.

Particular reference was made at the meeting to the work of the Climate Change Working Group, Climate Change Officers and the Communications Team, and the possibility of holding a rolling programme of briefings to Members on the Action Plan. The Cabinet Member with the Economy Portfolio responded thereon.

RESOLVED - That the report be noted.

REASON – Due to the increasing public pressure to act on climate change, the Council will run the risk of significant damage to its reputation if it does not deliver on its stated

commitment to dealing with the Council's contribution to climate change.

C92 MAINTAINED SCHOOLS CAPITAL PROGRAMME SUMMER 2025

The Cabinet Member with the Children and Young People Portfolio introduced the report of the Executive Director of People (previously circulated) requesting that consideration be given to releasing the 2024/25 School Condition Allocation of £72,042, for the schools' summer works programme 2025, and 2024/25 Devolved Formula Capital of £32,425, to the maintained schools.

The submitted stated that the 2024/25 School Condition Allocation (SCA) funding would be used to undertake a programme of works across the maintained schools in Darlington during summer 2025 including, electrical and mechanical surveys and works identified as a priority and any urgent works arising; and that the Devolved Formula Capital (DFC) was a formula-based grant provided to all maintained schools to help support their ongoing capital needs.

RESOLVED – (a) That the 2024/25 School Condition Allocation of £72,042, be formally released, to support the 2025 maintained schools' summer works programme.

(b) That the 2024/25 Devolved Formula Capital (DFC) of £32,425, be formally released.

REASON - Release of the School Condition Allocation and Devolved Formula Capital will enable capital investment to be undertaken in the areas identified with the greatest need, in terms of asset management priorities.

C93 RELEASE OF CAPITAL FOR CHILDREN'S PLAY AREA - WEST PARK

The Cabinet Member with the Local Services Portfolio introduced the report (previously circulated) of the Executive Director – Environment, Highways and Community Services requesting that consideration be given to the release of capital from the Section 106 Mount Pleasant and Stag House Farm agreement for the provision of a children's play area, as part of the West Park development.

The submitted report stated that through the Section 106 agreement for the West Park development, a capital allocation of £333,565 had been received for a new children's play area at Crow Green, as shown on the plan appended to the submitted report; the land would be transferred free of charge to the Council by BAPL who currently owned the land; the area would be a mixture of landscaping and play equipment that would fit into the overall design for the development; and outlined the financial and legal implications.

RESOLVED - That the £333,565 capital allocation for West Park play area, as detailed in the submitted report, be released.

REASON - To enable the section 106 funding to be spent on the provision of a new play area.

C94 COUNCIL TAX CALCULATION OF TAX BASE 2025/26

The Executive Director – Resources and Governance submitted a report (previously circulated) requesting that consideration be given to determining the Council's tax base for

2025/26.

The submitted report stated that, in accordance with Section 33 of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the Council had to decide its tax base by 31 January in the year preceding that for which the tax base applied; the tax base had to be notified to any precepting authorities; and that it was used in the calculation of the Council Tax.

RESOLVED – That it be recommended to Council that:-

(a) the calculation of the Council's tax base for the year 2025/26, as detailed in the submitted report, be approved; and

(b) the tax base for the Council of 35,904.5 and the individual tax base for the parishes, as set out in Appendix 2 of the submitted report, be approved.

REASON - To comply with statutory requirements, enabling the Council Tax for 2024/25 to be set by Council in February 2024.

C95 SCHEDULE OF TRANSACTIONS

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Chief Executive 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.

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

C96 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C97 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

**DECISIONS DATED –
FRIDAY 10 JANUARY 2024**