

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 17 MARCH 2025**

CABINET

Tuesday, 4 March 2025

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

INVITEES – Councillor Snedker

APOLOGIES – Councillors Dulston and K Nicholson

ALSO IN ATTENDANCE – Councillors Mrs Culley, Henderson and M Nicholson

C114 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

C115 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.

C116 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 4 FEBRUARY 2025

Submitted – The Minutes (previously circulated) of the meeting of this Cabinet held on 4 February 2025.

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

REASON – They represent an accurate record of the meeting.

C117 MATTERS REFERRED TO CABINET

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

C118 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C119 KEY DECISION - DARLINGTON TRANSPORT PLAN - DELIVERY REPORT 2025

The Cabinet Member with Local Services Portfolio introduced the report (previously circulated) of the Executive Director of Environment, Highways and Community Services providing Members with an annual update on delivery of the Darlington Transport Plan, outlining delivery, performance and public satisfaction in 2024/25 and seeking approval for

the 2025/26 programme, including the release of funding.

The submitted report stated that in 2022/23 a new Transport Strategy for the Borough, a Town Centre Transport Plan and Parking Strategy were adopted and that work was continuing to implement the associated action plans; outlined the progress on the schemes delivered in 2024/25; the proposed programme of schemes for 2025/26; and stated that there had been good progress on the development and delivery of the transport capital programme including working in partnership with the Tees Valley Combined Authority (TVCA) to deliver elements of the strategic transport plan.

It was reported that the Tees Valley had been allocated £4.873m of additional highways maintenance funding; secured significant funding from Government, including the £310m City Region Sustainable Transport Settlement (CRSTS) programme and £6.851m Bus Service Improvement Plan (BSIP); and had notionally been allocated funding of £978m for the second round of the CRSTS which covered the period 2027/28 to 2031/32.

References was made to the government guidance on Local Transport Plans that had been delayed, however, it was anticipated to have a focus on decarbonisation; financial and legal implications of the proposals; and the outcome of the consultation undertaken.

Particular reference was made at the meeting to the need to prioritise those roads that were most in need; introduction of 20 mile per hour zones and the impact on road safety; decarbonisation; and inequalities in active travel.

RESOLVED – (a) That the progress in delivery of the Darlington Transport Plan, as detailed in the submitted report, be noted, and funding of £3,067,984 as outlined in Appendix C of the submitted report, be released, to deliver the 2025/26 proposed projects identified in Appendix A.

(b) That delegated authority be given to the Executive Director of Environment, Highways and Community Services, in consultation with the Portfolio Holder for Local Services, to agree and release funding for a programme of additional highway maintenance schemes funded from the new allocation of highway maintenance funding that has yet to be confirmed.

(c) That delegated authority be given to the Executive Director of Environment, Highways and Community Services, in consultation with the Portfolio Holder for Local Services, to explore opportunities to reprofile highway maintenance funding from future years to make most efficient use of resources and vary the delivery programme in year if required.

(d) That delegated authority be given to the Executive Director of Environment, Highways and Community Services in consultation with the Portfolio Holder, to agree bidding if required on external funding opportunities, and release funding from successful bids or Government grants, including:-

(i) the Bus Service Improvement Plan (BSIP);

(ii) schemes as detailed in the City Region Sustainable Transport Settlement (CRSTS) Delivery Plan;

- (iii) Active Travel Fund (ATF) – active travel capital;
- (iv) Local Electric Vehicle Infrastructure (LEVI) funding;
- (v) Traffic Signal Obsolescence Grant (TSOG); and
- (vi) any other relevant funding which is made available in 25/26.

(e) That the performance data relating to transport services, as detailed in Appendix D of the submitted report, be noted.

REASONS – (a) To continue to deliver Darlington’s Transport Strategy as set out in the Darlington Transport Plan, Town Centre Transport Plan and Parking Strategy 2022/30, which support the Tees Valley Strategic Transport Plan 2016/30 (STP).

(b) To maximise the opportunities to maintain highways assets for the benefit of all road users.

(c) To assist TVCA in the delivery of the City Region Sustainable Transport Settlement, Local Cycling and Walking Infrastructure Plan, and Bus Service Improvement Plan programmes and associated action plans, in line with Government guidance.

C120 PREVENTING HOMELESSNESS AND ROUGH SLEEPING STRATEGY 2025/30

The Cabinet Member with the Health and Housing Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance requesting that consideration be given to the Preventing Homelessness and Rough Sleeping Strategy 2025/30 (also previously circulated).

The submitted report stated that Section 1(1) of the Homelessness Act 2002 required housing authorities to carry out a homelessness review for their area and formulate and publish a homelessness strategy based on the results of that review, every five years; together with partners, the Council had an excellent track record in tackling homelessness and rough sleeping in Darlington; the previous strategy for 2019/24 successfully delivered a number of aims and objectives to reduce homelessness and deliver the requirements of the Homelessness Reduction Act 2017; and that there had been a significant increase in demand for homeless services over the last few years.

It was reported that the strategy had been developed with the support of local partners and organisations and that it aimed to be, not just a Council document, but one that was owned by partners and the people of Darlington. Particular reference was made to the long-term vision for the strategy which was to work in partnership to end homelessness in Darlington; that every resident in Darlington had a secure, affordable place to call home; that the right support was in place at the right time; and that where homelessness occurred it was rare, brief and non-recurrent.

Reference was made at the meeting to the investment required to tackle homelessness; the length of time people were in temporary accommodation; and the supply strategy.

RESOLVED – (a) That the content of the report, be noted.

(b) That the Preventing Homelessness and Rough Sleeping Strategy 2025/30, as appended to the submitted report, be approved.

REASONS – (a) To ensure Darlington has a strategic and joined up approach to preventing and tackling homelessness and rough sleeping.

(b) The Homelessness Act 2002 requires housing authorities to carry out a homelessness review for their area and formulate and publish a homelessness strategy.

C121 CONSULTATION ON THE RENEWAL OF THE TOWN CENTRE PUBLIC SPACE PROTECTION ORDER AND INTRODUCTION OF A BOROUGH WIDE PUBLIC SPACE PROTECTION ORDER

The Cabinet Member with the Stronger Communities Portfolio introduced the report (previously circulated) of the Executive Director of Environment, Highways and Community Services requesting that consideration be given to consulting on the renewal of a revised Town Centre Public Space Protection Order (PSPO) and to consult on a Borough wide PSPO.

The submitted report stated that PSPO's allowed local areas to try and counter unreasonable and persistent behaviour that affected the quality of life of its residents and businesses; issuing Fixed Penalty Notices (FPN) would only generally be considered when other means of addressing behaviour had not been successful; the town centre PSPO had been in place since 2019 and was last renewed in 2022; the order lasted for three years; and that a review must be undertaken if it was to be renewed.

It was reported that the order had been reviewed and it was proposed to consult on its renewal as it was considered necessary to retain the powers in the PSPO to assist in managing antisocial behaviour, when it occurred. As part of the renewal process it was proposed that the defined area that the PSPO covered and some of the wording of the existing powers, be amended, to improve the effectiveness of the order; to consult on some new powers that could be included in the order relating to feeding of wild birds in the town centre and the anti-social use of bicycles, scooters, skates and skateboards; and to consult on the introduction of a new Borough wide PSPO and on additional powers across the Borough.

Reference was made at the meeting to the possibility of introducing measures on cycling / skating within the town centre, at different times of the day, and including electric bikes, within the order.

RESOLVED – That consultation be approved on:-

(a) the renewal of a revised Town Centre Public Space Protection Order, as outlined in the submitted report; and

(b) the introduction of a Borough wide Public Space Protection Order, as outlined in the submitted report.

REASONS – (a) To provide powers to officers, including Police, PCSOs and Civic Enforcement

Officers, to manage various types of anti-social behaviour.

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

C122 LAND AT CONISCLIFFE ROAD, DARLINGTON

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Chief Executive requesting that consideration be given to acquiring a house, house plot and orchard, as shown on the plan appended to the submitted report and seeking approval to the release of funding, to enable a detailed planning application to be submitted by the Council's Joint Venture partner Homes by ESH Ltd., for development of the site for housing.

The submitted report stated that the Council owned circa 5.7 Ha (14.12 acres) of land at Coniscliffe Road; that there was no viable access and egress to this land; acquiring the house and plot would enable the land to be considered for potential development; subject to the proposed acquisition and subject to planning permission, the Council's Joint Venture partner could bring the land forward for residential development; and that the owners of the house and plot had agreed to sell to the Council.

It was reported that a further report would be submitted to Cabinet for consideration with the sale terms to Homes by ESH Ltd and seeking authority for the establishment of a new Joint Venture company. This would be accompanied by a detailed site layout plan showing the actual number of houses proposed.

Reference was made at the meeting to the need to provide affordable housing on the site.

RESOLVED – (a) That the acquisition of the house, house plot and orchard on Coniscliffe Road, as shown on the plan appended to the submitted report, be approved, subject to planning permission being obtained for residential development on the site, together with the release of funding so that a detailed planning application can be submitted by Homes by ESH Ltd, on the terms, as set out in Appendix 2 Part III of the submitted report.

(b) That the Assistant Director for Law and Governance be authorised to complete the transfers of land accordingly.

(c) That the Chief Executive and/or Executive Director of Economy and Public Protection be given delegated approval to negotiate terms in line with the report.

REASONS – (a) To secure land for future residential development.

(b) To give the Council control of a large area of land for future residential development.

C123 DIGITAL DARLINGTON STRATEGY 2025-30

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance requesting that consideration be given to the Digital Darlington Strategy 2025/30 (also previously circulated).

The submitted report stated that the Digital Darlington Strategy was aligned to the Customer Services Strategy 2025/30; the focus of the strategy was to maximise the productivity and efficiency that could be achieved from technology through customer access to services and via back office systems; the strategy adopted a 'digital first' approach in accessing council services by those who could do so, allowing resources to be allocated to support those people who could not; and that having a clear understanding of digital exclusion and those affected by it enabled the Council to explore potential interventions and ensure that no-one was left unable to access services.

It was reported that the strategy drew together several existing work strands together with some new ones into a single strategy and action plan based on four themes of customer focused; digital exclusion; encourage adoption of digital channels; and maximising the benefits of existing ICT systems, and explore, assess, and implement emerging technologies

RESOLVED – That Digital Darlington Strategy 2025/30 and associated action plan, as appended to the submitted report, be approved.

REASONS – (a) This will provide the Council with a structured approach to the consideration and adoption emerging technology.

(b) There will be a clear understanding of digital exclusion locally, and this knowledge will be used to inform the development of online services, and to signpost people to support so they can develop skills and access services digitally.

(c) Supports the Council's drive for improved efficiency and productivity.

C124 CUSTOMER SERVICES STRATEGY 2025/30

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance requesting that consideration be given to the Customer Services Strategy 2025/30 (also previously circulated).

The submitted report stated that the Customer Services Strategy 2025/30 set out the Council's vision for delivering excellent services to its customers and in particular, how those customers would be supported to access Council services who, for whatever reason, were unable to use the on-line services; the strategy included Customer Standards, which set out the timescales and standards customers would expect from all Council services; a public consultation exercise had been undertaken on the strategy; and outlined the feedback from that consultation.

RESOLVED – (a) That the content of the report be noted.

(b) That the Customer Services Strategy 2025/30, as appended to the submitted report, be approved.

Reason – (a) To ensure residents receive a consistent level of customer service from all Council services, no matter how they contact us.

(b) To ensure that advice, assistance and support is given to anyone who is digitally excluded, to maximise the productivity and efficiency that can be achieved from technology in accordance with the Digital Darlington Strategy 2025-30.

C125 REGULATORY INVESTIGATORY POWERS ACT (RIPA)

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance informing and updating Members on issues relevant to the use of the Regulation of Investigatory Powers Act (RIPA) 2000 and developments that have taken place since the last report to Cabinet in September 2024 (Minute C43/Sep/24 refers).

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.

RESOLVED – (a) That issues raised, as detailed in the submitted report, be noted.

(b) That further reports on the use of Regulation of Investigatory Powers (RIPA) and Investigatory Powers (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) To help in raising awareness and giving transparency about the use of RIPA and IPA in the Council

C126 LAND AT FAVERDALE - BURTREE GARDEN VILLAGE - PROPOSED INFRASTRUCTURE DEVELOPMENT AGREEMENT (IDA)

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) of the Chief Executive requesting that consideration be given to the Council entering into an Infrastructure Development Agreement (IDA) with Homes England.

The submitted report stated that at the meeting of Cabinet held in March 2020, approval was obtained to sign a Memorandum of Understanding to grant an option or access rights to Homes England for the construction and adoption of a spine road over the Council's land and provision of strategic infrastructure to facilitate the Burtree Garden Village Masterplan proposals; a hybrid planning application had been submitted by Homes England for Phase 1 of the Burtree Garden Village which had subsequently been approved by the Council's Planning Committee; outlined the details of that planning application; stated that Homes by ESH Ltd, the Council's Joint Venture partner was currently working up proposals to submit a reserved matter planning application; and that a further report to Cabinet would be

submitted seeking approval for Homes by Esh Ltd to build the homes.

RESOLVED – (a) That it be agreed that the Council enter into the Infrastructure Development Agreement with Homes England in line with the terms, as set out in Appendix 2 Part III of the submitted report.

(b) That Delegated Authority be given to the Chief Executive and Executive Director Economy and Public Protection, in consultation with respective portfolio holders, to negotiate the IDA substantively in line with the terms, as set out in Appendix 2 of the submitted report, together with any other approvals and agreements required to facilitate the work covered by the submitted report.

(c) That the Assistant Director Law and Governance be authorised to document and complete the IDA accordingly.

REASONS – (a) To promote new development and Economic Growth on Burtree Garden Village.

(b) The provision of roads and strategic infrastructure should allow the Council to bring forward its land for residential development.

C127 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C128 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

**DECISIONS DATED –
FRIDAY 7 MARCH 2025**