

DURHAM COUNTY COUNCIL

CABINET

AT A MEETING of the **CABINET** held at the County Hall, Durham on **THURSDAY 20 NOVEMBER 2008** at **10.00 a.m.**

PRESENT

COUNCILLOR HENIG in the Chair

Cabinet Members:

Councillors Foster, E Huntington, Robson, Stephens, Vasey and B Young.

Other Members:

Councillors Armstrong, Arthur, Bailey, Blakey, Carr, Chaplow, Hancock, Holroyd, G Huntington, Johnson, Jopling, Moran, Morgan, B Myers, Shuttleworth, Stradling, Temple, Todd, Tomlinson, Wilkes, Wilkinson and Williams.

An apology for absence was received from Councillor Hodgson.

A1 Minutes

The Minutes of the meeting held on 6 November 2008 were confirmed as a correct record and signed by the Chairman.

A2 Declarations of interest

Councillor Henig in his capacity as a Chester-le-Street District Council representative on Park View Community Association (Minute A6).

A3 LGR Update

The Cabinet considered a Report of the Chief Executive (for copy see file of Minutes) providing an update on the LGR programme and highlighting the progress that had been made relating to senior management recruitment, the development of Area action Partnerships (AAPs), the new Constitution and the "must have" projects.

Resolved:

That the report be noted.

A4 Council Tax and Business Rates Recovery Timetables and Enforcements, Council Tax on Second Homes and Benefit Fraud

The Cabinet considered a Joint Report of the County Treasurer and the Acting Chief Executive Wear Valley District Council (for copy see file of Minutes) seeking approval for policies/procedures in respect of:

Council Tax and Business Rates Recovery timetables and Enforcements.

Council Tax and Second Homes.

Benefit Fraud.

Resolved:

That the recommendation in the Report be agreed.

A5 The Work of Corporate Risk Management in the Quarter period July 2008 – September 2008

The Cabinet considered a Report of the County Treasurer on behalf of the Corporate Risk Management Group (for copy see file of Minutes) providing an insight into the work carried out by the Corporate Risk Manager and the Corporate Risk Management Group during the period July – September 2008. The report also positively responds to the Key Lines of Enquiry in the Use of Resources element of the Comprehensive Performance Assessment.

Resolved:

That the report be noted.

At this juncture Councillor Henig vacated the Chair and left the meeting.

Councillor Robson in the Chair

A6 Park View Community Association - Funding Agreement

The Cabinet considered a Joint Report of the Acting Director of Corporate Services and the Corporate Director, Children and Young People's Services (for copy see file of Minutes) about the replacement of the original Shared Use Trust Deed associated with Park View Community School and Park View Community Association (PVCA) with a Transfer of Control Agreement (TOCA) and seeking an extension of the term of the current Funding Agreement associated with the TOCA from two to seven years.

Resolved:

That the recommendation in the Report be agreed.

Councillor Henig resumed the Chair

A7 Extension to the Pilot for Two Year Old's Programme

The Cabinet considered a Report of the Corporate Director, Children and Young People's Services (for copy see file of Minutes) about the extension to the 'Pilot for Two-year olds' programme following the Government's announcement to offer approximately 20,000 free early education places over the next three years (2008-11), and seeking agreement on the criteria to be used to determine access to the programme.

Resolved:

That the recommendation in the Report be agreed.

**A8 County Durham Local Development Framework: Local Development Scheme
[Key Decision Env/EN/10/08]**

The Cabinet considered a Report of the Corporate Director, Environment (for copy see file of Minutes) seeking approval for the Local Development Scheme for the new County Durham Local Development Framework, which the Council is required to submit to the Government before the 31st December 2008. The recommendation to the report was revised as follows –

- (i) That Members agree the attached Local Development Scheme.*
- (ii) That Cabinet delegate to the Chief Executive the authority to formally submit the scheme to the Government on behalf of the Authority following enactment of the Local Government (Structure Changes) (Transitional Arrangements) Regulations 2008.*

Resolved:

That the recommendations in the Report, as revised, be agreed.

A9 Licensing Arrangements

The Cabinet considered a Report of the Corporate Director, Environment (for copy see file of Minutes) about the preparations which have been undertaken in respect of the licensing function which the Council will be responsible for from 1 April 2009 (Vesting day) in respect of taxis, the Licensing Act 2003 and the Gambling Act 2005 and seeking consent for the draft policies in respect of taxis, Licensing Act 2005 and Gambling Act 2005 to be consulted upon.

A decision was also sought in respect of the future arrangements for taxis.

Resolved:

1. That the recommendations, as detailed in paragraphs 10.1.1 to 10.1.3 of the Report be agreed.

2. That with regard to taxi licensing zones it be agreed the Council consult, with the assistance of an external facilitator, on:
 - a) Retaining the 7 taxi licensing zones currently in existence from the 1st April 2009;
 - b) Whether 7 taxi licensing zones should continue for a specified period of time post Vesting day;
 - c) Stakeholder views on the limitations on numbers of taxis within the zones;
 - d) The appetite for having a single taxi licensing zone;
 - e) De-regulating the number of taxi licences in the area.

A10 Exclusion of the Public

Resolved:

That under Section 100 A (4) of the Local Government Act 1972, the public be exclude from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Schedule 12 A to the said Act.

B11 Industrial learning Centre, Heighington Lane Industrial Estate, Newt Mitigation Work

The Cabinet considered a Report of the Acting Director of Acting Director of Corporate Services (for copy see file of Minutes) seeking approval to the proposed refunding of costs relating to newt mitigation work in connection with the sale of land for the Vocational Learning Centre.

Resolved:

That the recommendation in the Report be agreed.

B12 A688 Wheatley Hill to Bowburn Link Acquisition, Licence and Tenant Compensation – Advance Payment

The Cabinet considered a Report of the Acting Director of Corporate Services (for copy see file of Minutes) about terms which have been agreed for acquisition and licence of land required in connection with the A688 Wheatley Hill to Bowburn scheme, together with the payment of tenant compensation.

Resolved:

That the recommendations in the Report be agreed.

B13 A688 Wheatley Hill to Bowburn Link Road – Advance Payment

The Cabinet considered a Report of the Acting Director of Corporate Services (for copy see file of Minutes) about terms which have been agreed for the

acquisition of land required for the A688 Wheatley Hill to Bowburn scheme, together with the payment of tenant compensation.

Resolved:

That the recommendations in the Report be agreed.

B14 Local Authority School Governors Ferryhill Business and Enterprise College –

The Cabinet considered a Report of the Corporate Director, Children and Young People's Services (for copy see file of Minutes) about the appointment of one Local Authority Governor to Ferryhill Business and Enterprise College using the process agreed by Cabinet on 18 July 2008.

Resolved:

That Mr. R. Pratchett be appointed as the Local Authority Governor at Ferryhill Business and Enterprise College.

B15 Surface Dressing Contract 2009/10

The Cabinet considered a Report of the Corporate Director, Environment (for copy see file of Minutes) seeking authority to award Service Direct the contract for the surface dressing of carriageways at various locations within the County for the 2009/10 season.

Resolved:

That the recommendation in the Report be agreed.