

CABINET

At a meeting held on Tuesday, 15 December 2015

Present:-

Councillor D J Bastiman (Chairman) in the Chair;
Councillors G A Backhouse, W Chatt, M J Cockerill, Ms M Donohue-Moncrieff,
A Jenkinson, Mrs H F Mallory and J Plant

1. DECLARATIONS OF INTEREST

No declarations of interest were received.

2. MINUTES

The Cabinet considered the minutes of the meeting held on 17 November 2015. In response to a query by the Chairman, the Director, Mr Edwards explained that in respect of Minute 5A Garden Waste Collection Strategy, for those members of the public who had purchased large stocks of garden waste sacks under current arrangements, there would not only be a grace period for the first two months of the new scheme during which they could use their sacks, but also an offer of a refund for large unused stocks.

RESOLVED that the minutes of the meeting held on 17 November 2015 be approved as a correct record and signed by the Chairman.

3. PUBLIC QUESTION TIME

The Chairman reported that no public questions had been received.

4. FORWARD PLAN

RESOLVED that the Forward Plan (Reference 15/348) be approved.

5. PROGRESS OF SCRUTINY OF EXECUTIVE DECISIONS

Members were advised that the Cabinet's decision dated 20 October 2015 that '(i) the living wage pay supplement be continued; and (ii) the current rate of £7.65 per hour be retained, noting the issues raised in the report', was called in for scrutiny and considered by the Resources Scrutiny Committee on 24 November. At that meeting, the scrutiny committee resolved 'that Cabinet be asked to reconsider its decision in respect of the annual Living Wage review, taken on 20 October 2015, and looks to increase the Council's minimum wage rate to that of £8.25 per hour, become an Accredited Living Wage Employer and take a leading role in the Borough as an advocate of the UK Living Wage.' In response to the scrutiny committee's recommendation, the Portfolio Holder for Human Resources and Performance, Councillor Jenkinson commented that many of the councillors' constituents were not paid as much as the Cabinet's agreed Living Wage rate of £7.65 per hour; the Council provided benefits to its employees in other ways, such as the staff pension scheme, holiday scheme and sick pay scheme; to accept the scrutiny committee's recommendation would increase the number of eligible staff for the Living Wage supplement to 146 and cost the Council an additional £60,120 a year, whilst entailing that staff in some positions would be paid just over 1p an hour more than the staff they supervised – an absurd state of

affairs which would affect recruitment. Councillor Jenkinson therefore proposed that the Cabinet reject the scrutiny committee's recommendation. **RESOLVED** that the Cabinet uphold its original decision.

6. LOCAL SUPPORT FOR COUNCIL TAX (LSCT) SCHEME 2016/17

The Cabinet considered a report by the Director (LD) (Reference 15/340) in respect of the proposed Local Support for Council Tax Scheme 2016/17 which had been drawn up by a Member/Officer Working Group following extensive consultation with other preceptors and the public. Members were advised that the proposals including the new maximum Council Tax liability level took into account difficulty in Council Tax collection, the impact on the local economy and overall disadvantage to residents.

RESOLVED that the Cabinet recommends that full Council adopts the LSCT scheme for 2016/17 in accordance with Schedule 1A Section 13A of the Local Government Finance Act 1992 (Council Tax Reduction Schemes) with amendments to the current scheme as detailed below:

- Amend the maximum Council Tax liability used in the calculation from the current 90% to 87.5%
- Restrict Backdating of LSCT to 1 month in line with amendments to changes in the Housing Benefit regulations from 1 April 2016.
- Remove the family premium for new claims and new families from 1 May 2016 in line with amendments to changes in the Housing Benefit regulations.

Reasons

The Council approved and implemented a one year LSCT scheme for 2015/16 and has to agree and set a scheme for providing support for Council Tax in 2016/17 by 31 January 2016 which means that approval will be sought from full Council on 11 January 2016.

The Welfare Reform/LSCT task group has been working on scheme options and considered the latest budget situation in reaching the recommended scheme.

Resources Scrutiny Committee on 24 November 2015 supported the changes outlined above.

7. REVISION OF THE COUNCIL'S GAMBLING POLICY

The Cabinet considered a report by the Director (TW) (Reference 15/315) in respect of the Council's revised Gambling Policy.

RESOLVED that the Cabinet recommends approval of the Council's revised draft Gambling Licensing Policy post public consultation.

Reasons

In accordance with the requirements of the Gambling Act 2005 the Licensing Authority is required to publish a statement of policy every successive 3-year period. Following the conclusion of formal public consultation, the Policy has now been revised to cover the next successive 3-year period, i.e. 2016 to 2019.

8. THE COUNCIL'S CORPORATE PLAN

The Cabinet considered a report by the Director (LD) (Reference 15/332) in respect of the Council's new draft Corporate Plan from 2016 onwards. Members were advised that the new draft document had been made simpler and more concise, focusing on the Vision/ Mission Statement of 'Towards a prosperous Borough, with a high quality of life for all', underpinned by four key aims.

RESOLVED that the Cabinet approves the Corporate Plan as set out within Appendix 1, as a draft for further consultation, with the final version to be submitted to Cabinet/ Council for approval in April 2016.

Reasons

The Council's current Corporate Plan covers the period 2011-2016. The Corporate Plan is a key document which sets out a framework and context for the work of the Council over a 5 year period. The current Plan is due to be completed by March 31 2016 and a new plan covering the period 2016 onwards is now required.

9. CAR PARKING FEES AND CHARGES

The Cabinet considered a report by the Director (TW) (Reference 15/349) in respect of a review of parking charges for off-street car parks for implementation in 2016/17. Members were advised that the report sought to increase charges for certain bands in line with the Council's competitors, introduce new tariffs to encourage longer stays, and introduce winter charging for the Council's car parks. The Portfolio Holder for Leisure, Tourism and Culture, Councillor Backhouse commented that the proposals still represented good value and reflected the all year round visitor economy. Councillor Cockerill in turn commented that despite the Council's financial circumstances which had necessitated the review, he felt that some of the proposed rises in charges were too draconian and could prove counter-productive, arguing instead for more gradual increases over several years. He therefore asked Councillor Backhouse to reconsider those proposed increases which were well above the current tariffs. Councillor Backhouse accepted this suggestion and undertook to include his further amendments to the proposed charges with the minutes for circulation.

RESOLVED that the Cabinet delegate authority to the Portfolio Holder for Leisure, Tourism and Culture to decide upon fees and charges based on the proposals set out in Appendix B, C and F and to approve these for advertisement by Notice of Variation with a view to implementation no earlier than 1 March 2016 and approve the charges outlined in Appendix D and E for advertisement by Public Notice for formal consultation.

Reasons

To ensure that the Council is able to deliver a balanced parking budget and contribute towards the Council's overall budget strategy.

10. TOWARDS 2030 - AN ERA OF OPPORTUNITY - AN EMPLOYMENT AND SKILLS PLAN FOR SCARBOROUGH BOROUGH

The Cabinet considered a report by the Director (TW) (Reference 15/331) in respect of a new Employment and Skills Plan for the Borough which was

underpinned by the two-pronged approach of economic growth and education/skills to ensure the right curriculum was being delivered to enable young people to access the new jobs created by this unprecedented investment in the Borough. The Chairman commended the Council's continuing achievements in this sphere.

RESOLVED that the Cabinet recommends to full Council that Members approve the Employment and Skills Plan for adoption as part of the Council's policy framework and delegates authority to the Director (TW) in consultation with the relevant Portfolio Holder to make minor amendments to the Plan as may be necessary for the effective operation of the Plan.

Reasons

To provide the Council with an approved strategic framework within which it can develop partnerships across the public, private and third sectors, create joint delivery mechanisms and maximise regeneration funding opportunities to deliver the ongoing regeneration and economic diversification of the Yorkshire coast economy.

11. YORKSHIRE COAST COMMUNITIES - COMMUNITY LED LOCAL DEVELOPMENT (CLLD) PROGRAMME

The Cabinet considered a report by the Director (TW) (Reference 15/338) in respect of a new locally driven approach to development in disadvantaged areas funded through the European Social Fund and the European Regional Development Fund. Members were advised that the programme was a collaborative effort with East Riding of Yorkshire Council to build capacity in local communities to promote economic growth and social inclusion. The Customers, Communities and Partnerships Manager confirmed that affected parish and town councils would be involved in the extensive consultation in tandem with the proposed preparatory stage1 bid.

RESOLVED that the Cabinet:

- (i) Note and support the submission of the preparatory stage 1 application for a CLLD programme for the Yorkshire Coast, to include eligible areas within the Borough and the East Riding.
- (ii) Should the first stage application be approved to provide in principle approval for submission of a full application (Stage 2) to enable the programme to be implemented within eligible areas of the Borough.
- (iii) Approve the East Riding of Yorkshire Council to act as Accountable Body for the programme, with the Borough Council as Lead Delivery Partner.

Reasons

- The funding available through this programme will bring benefits to disadvantaged communities within the Borough and will support the delivery of the Council's economic and regeneration priorities.
- The CLLD programme encourages partners and communities to work together and there are benefits in working collaboratively along the coast, with the East Riding, where there are similar issues faced by disadvantaged communities.

- The East Riding of Yorkshire Council acting as the Accountable Body brings benefits in terms of their extensive technical experience in running CLLD programmes (Including the Leader programmes), in addition to other European funding programmes, and a larger infrastructure to manage this type of programme.

12. UPDATE ON SECTION 106 PLANNING OBLIGATIONS

The Cabinet considered a report by the Planning Services Manager (Reference 15/329) which provided an update on the implementation of Section 106 planning obligations since January 2014. In presenting the report, the Portfolio Holder for Strategic Planning and Transformation commented that there still seemed to be some confusion among councillors in respect of the allocation of Section 106 monies, and proposed that a training session for all Members be arranged. In response to a query about the long delay in adopting and claiming monies for the public open space and play area works at Pasture Crescent, Filey, the Major Projects Officer undertook to raise this matter with the relevant officers and report back to councillors.

RESOLVED that:

- (i) the updated information on Section 106 (S106) planning obligations be received and noted; and
- (ii) officers be requested to provide a training session for Members in relation to the monies which the Council is able to secure through Section 106 agreements.

Reasons

The monitoring of S106 planning obligations and the reporting of that information to Members is required to ensure that the process is transparent. Continued reporting of this information and the availability of reports on the Council's website enables the process of collecting, allocating and spending of commuted sums to be transparent and the Council more accountable to the electorate.

13. PERFORMANCE MANAGEMENT FRAMEWORK - QUARTER 2 REPORT 2015/16

The Cabinet considered the latest report by the Director (LD) (Reference 15/341) in respect of the Council's performance. Members were advised that only a small number of performance indicators met the criteria for 'at risk' for which detailed explanations were provided, but none were deemed significant enough to warrant a referral to scrutiny.

RESOLVED that the Cabinet:

- (i) Note the contents of this report and in particular the good/satisfactory levels of performance being achieved by services at the current time and consequently not refer any areas of performance to Overview and Scrutiny at the current time
- (ii) Approve the approach being taken to incorporate the monitoring of significant contracts and major events into the Council's Corporate Performance Management Framework

Reasons

To provide information relating to Council performance for a rolling 12 month period to the end of the second quarter of 2015/16, including monitoring of Performance Indicators, Critical Success Factors and Significant Partnerships.

To ensure that the Council's Corporate Service and Business planning processes are effective.

In accordance with Government guidelines, details on the performance of the Council and its services must be made available through as many mechanisms as possible.

14. EXCLUSION OF THE PUBLIC

RESOLVED that in accordance with Section 100A(4) of the Local Government Act 1972 (and subject to consideration of the public interest under Paragraph 10 of Part 2 of Schedule 12A of the Act) the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information (as defined in Part 1 of Schedule 12A of the Act), namely information;

- (a) relating to any individual;
- (b) which is likely to reveal the identity of an individual; and/or
- (c) relating to the financial or business affairs of any particular person (including the authority holding that information).

15. DISPOSAL OF ROYAL ALBERT DRIVE CAFE BUILDING

The Cabinet considered a report by the Director (NE) (Reference 15/350) in respect of the disposal of premises at Royal Albert Drive, Scarborough.

RESOLVED that the Cabinet:

- (i) approve the in-principle disposal of the long leasehold interest of land and premises that form the existing Café and retail units at Royal Albert Drive, Scarborough, as edged red in Appendix 1;
- (ii) approve a marketing budget of £5,000 to be funded from the Capital Development Reserve;
- (iii) note that the Council may be required to undertake remedial works to the cliff slope behind the premise as part of the development. This is estimated to cost £10,000.

Reasons

- To achieve a capital receipt from the disposal and reduce the Council's maintenance liability.
- To provide a regeneration opportunity for this prime sea view site.
- To widely and effectively market this exciting opportunity.
- To provide reassurance to perspective developers in respect of the cliff stability.

16. RECYCLING CONTRACT 2016/17

The Cabinet considered a report by the Director (NE) (Reference 15/339) in respect of the proposed new recycling contract for 2016/17. Members were

advised that the agreement of the Chairman of the Environment and Economy Scrutiny Committee had been obtained to grant this matter the status of an urgent decision since the Council was obliged to enter into the contract on the terms proposed before the end of the month.

RESOLVED that the recommendations in the report be approved (with the amendment that the relevant Portfolio Holder be added to the delegation in recommendation 3), which are recorded in the Council's Restricted Minute Book.

Reasons

For the reasons given in the report and recorded in the Council's Restricted Minute Book.

17. REVIEW OF CAR ALLOWANCES AND PARKING PERMITS

The Cabinet considered a report by the Director (LD) (Reference 15/302) in respect of the review of the Council's car allowances and parking permits which had been undertaken originally by a Member/Officer working group to assess whether current arrangements were still fit for purpose and to identify any potential financial savings and/or operational efficiencies. The working group's recommendations had since undergone further amendment and refinement following detailed consultation with affected staff and trade unions.

RESOLVED that Cabinet approves the implementation of Proposals 1 and 7 in relation to car allowances and parking permits and delegates authority to the Chief Executive and Portfolio Holder for Human Resources and Performance to implement such changes to employees' terms and conditions and carry out such further consultation with trade unions and the workforce as is necessary to implement the proposals.

Reasons

For Members to be aware of the feedback received as a result of the consultation exercise that was undertaken with trade unions and the workforce in relation to the initial proposals to revise the current arrangements regarding car allowances and parking permits and to consider the revised proposals being put forward taking this feedback into account.

Chairman

NOTES

All Other Parking Permits

	Duration	Existing Charge	Proposed Charge	Change	Daily Equivalent
Albion Road, Scarborough	Annual	£316.00	£365.00	£49.00	£1.00
Friarsway, Scarborough	Annual	£401.00	£450.00	£49.00	£1.23
Westwood, Scarborough	Annual	£401.00	£450.00	£49.00	£1.23
William Street, Scarborough	Annual	£316.00	£365.00	£49.00	£1.00
Annual Permit (All days)	Annual	£458.00	£500.00	£42.00	£1.37
Annual Permit (Mon-Fri)	Annual	£418.00	£450.00	£32.00	£1.73
All Short Stay Car Parks	Annual	£1,485.00	£1,550.00	£65.00	£4.25
Monthly Long Stay	Monthly	£53.00	£55.00	£2.00	Only available to existing permit holders
Country Park, Filey	Annual	£94.00	£115.00	£21.00	£0.32
West Avenue, Filey	Annual	£94.00	£115.00	£21.00	£0.32
Old Council Offices Yard, Filey	Annual	£333.00	£365.00	£32.00	£1.00
Whitby Reserved Car Parks					
Khyber Pass	Annual	£627.00	£650.00	£23.00	£1.78
Midland Bank	Annual	£732.00	£750.00	£18.00	£2.05
St Hildas Terrace	Annual	£627.00	£650.00	£23.00	£1.78
Tin Ghaut	Annual	£732.00	£750.00	£18.00	£2.05
Upper Harbour *	Annual	£627.00	£650.00	£23.00	£1.78
Staithe Staith	Annual	£195.00	£225.00	£30.00	£0.62

	Duration	Existing Charge	Proposed Charge	Change	Daily Equivalent
Brickhills Robin Hoods Bay	Annual	£376.00	£387.00	£11.00	£1.06
West Cliff	Annual	£115.00	£150.00	£35.00	£0.41
Whitby Winter	Annual	£171.00	£200.00	£29.00	£0.55
Runswick Bay Householder	Annual	£105.00	£105.00	No change	£0.29
Summer Permit - Villages	Annual	£105.00	£105.00	No change	£0.29
Robin Hoods Bay Resident	Annual	£30.00	£52.00	£22.00	£0.14
Staithe Resident	Annual	£30.00	£52.00	£22.00	£0.14