

CABINET

At a meeting held on Tuesday, 16 February 2016

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

Councillor Plant declared a personal and prejudicial interest in agenda item 10, Future Provision of Tourist Information/Customer First Services in Whitby and Filey and Tourist Information at the Harbourside, Scarborough, since his brother-in-law worked in Customer First in Whitby.

Councillor Plant declared a personal and prejudicial interest in agenda item 13, Disposal of Land at Endeavour Wharf, since his future son-in-law worked for Dalby Offshore Services.

2. MINUTES

RESOLVED that the minutes of the meeting held on 19 January 2016 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

The Cabinet considered the Forward Plan (Reference 16/54) noting the following amendments:

- (i) Item 12 Business Delivery Zones should be listed under the Leader's and the Finance, Legal and Procurement portfolios in addition to Strategic Planning and Transformation;
- (ii) Item 23, Redevelopment Opportunities Whitby Upper Harbour had been deferred; and
- (iii) The Portfolio Holder for Harbours, Assets, Coast and Flood Protection should be given as the Lead Executive Councillor for Item 27, Whitby Shelters.

In relation to the new Garden Waste Collection Strategy, Councillor Chatt commented that thus far 7,100 licences had been sold. The offer of a refund for unused stocks of garden waste sacks purchased under the current scheme was assisting with the transition. Councillor Chatt would continue to monitor the situation.

RESOLVED that, subject to the above amendments, the Forward Plan be approved.

5. PROGRESS OF SCRUTINY OF EXECUTIVE DECISIONS

Members were advised that there had been no call-ins of executive decisions since the last meeting on 19 January.

6. **SCARBOROUGH SPA COAST PROTECTION SCHEME**

The Cabinet considered a report by the Chief Executive (Reference 16/49) in respect of the Scarborough Spa Coast Protection Scheme. In presenting the report, the Portfolio Holder for Harbours, Assets, Coast and Flood Protection, Councillor Cockerill proposed the following amendments: in recommendation (iv) to add the words 'up to' so it reads 'agree to provide a contribution of up to £1,877k from the Council towards the risk contingency...', and in paragraph 5.9, to replace the word 'would' with 'could', so it reads 'The second phase could consist of a rock revetment and associated foreshore works'. This reflected the potential use of rock armour in the second phase, which may not be the favoured method in several decades' time. Councillor Cockerill also wished to clarify that in paragraph 6.22 of the report, the Council's financial liability for deviation from the target cost was capped at an additional 20%. He congratulated officers for their work with the Environment Agency in identifying the funding for this project in austere times, and confirmed that financial contributions would be sought from the County Council and other organisations such as utility companies. The Chairman welcomed the report and requested that the South Cliff Community Group be consulted during the scheme.

RESOLVED that the Cabinet note that the cost of the revised phased scheme to maintain the Spa sea wall, and stabilise the cliff is £14,711k, which has received an offer of funding from the Environment Agency of £11,619k, and requires contributions from beneficiaries of £3,092k in order to proceed, and recommend to the Council to:

- i) approve the revised and updated Project Appraisal Report (PAR) which has been technically approved by the Environment Agency's Large Project Review Group (LPRG) and agree to adopt the phased approach within the report to deliver the project;
- ii) agree to accept £11,619k of Flood Defence Grant in Aid funding from the Environment Agency;
- iii) agree to accept a contribution of £1,215k from North Yorkshire County Council towards the risk contingency, if required, and seek to re-establish their commitment to fund 50%;
- iv) agree to provide a contribution of up to £1,877k from the Council towards the risk contingency, if required, to be underwritten from the £3,000k coast protection budget identified in the Council's Draft Revenue and Capital Budget 2016/17;
- v) agree to request contributions from utility company beneficiaries, and any such other major beneficiaries as approved by the project board;
- vi) subject to recommendations (i) to (iv) inclusive which will allow the scheme to proceed, approve entry into a contract and provide delegated authority to the Director of Democratic and Legal Services in consultation with the Portfolio holder for Harbours, Assets, Coast

and Flood Protection to agree the terms of an acceptable NEC3 ECC target cost construction contract with Balfour Beatty Civil Engineering Limited (formerly Birse Civils Limited) following satisfactory completion of their ECI contract;

- vii) approve a budget of up to £50k to enable the submission of a Stage 1 bid to the Heritage Lottery Fund by the Council's existing consultant to provide environmental enhancements over and above the like-for-like reinstatement provided by the scheme to the whole of the South Cliff Gardens, to be funded from the £3,000k coast protection budget identified in the Council's Draft Revenue and Capital Budget 2016/17.

Reasons

To address the identified problems within the Spa area.

7. FINANCIAL STRATEGY

The Cabinet considered a report by the Director (NE) (Reference 16/52) in respect of the draft Financial Strategy 2016-2026. In presenting the report, the Portfolio Holder for Finance, Procurement and Legal, Councillor Mallory acknowledged the contributions of officers, Cabinet Members, other Council Members, and the wider public towards completing the challenging task of setting a balanced budget for 2016/17. Following the Health and Wellbeing Scrutiny Committee's recommendation to the Cabinet to consider continue funding Create Arts Development Ltd in light of the cultural and economic benefits this organisation brought to the Borough, Councillor Mallory proposed that recommendation (iv) be amended to instruct that the Council enter into dialogue with Create and that a one-off budget within the 2016/17 budget be earmarked to support Create subject to confidence being gained that their long term financial sustainability can be achieved without ongoing direct financial support from the Council, and that authority to enter into terms with Create for 2016/17 be delegated to the Portfolio Holder for Finance, Procurement and Legal and the relevant Director. Councillor Mallory also noted the recommendation in the report to increase Council Tax for a Band D property by £5 per year. This equated to an additional 81 pence per year for a Band D Property compared to the original proposed increase of 1.99%, and would be the first time that the Council had raised Council Tax since 2010. The increase would enable an extra £150k to be generated for the Borough. Members were then given an overview of the key aspects of the strategy. The Director, Mr Edwards apologised for the late publication of the report, whilst noting that the Council's final settlement from Government had only been announced the previous week. Members were reminded that when the draft budget was presented to the Cabinet the previous month as a basis for public consultation, there was still £169k to find to balance the budget. Public feedback obtained through the consultation exercise was largely supportive of the proposals. The savings shortfall had increased to £196k for the reasons given in paragraph 3.2.2. However, a number of savings options were now proposed (outlined in paragraph 3.2.3) for inclusion in the final budget to bridge the funding gap. Despite the increasingly difficult financial circumstances, Mr Edwards noted the many positives in the draft budget, including the creation of a one-off £630k 'Investment Fund' to invest in

schemes that would drive forward future revenue budget savings, the additional one-off funding of £369k in key areas, and the substantial capital investment planned for 2016/17. The budget reflected the Council's approach of not only survival, but ensuring the Borough was the best it could be for residents and visitors. Mr Edwards alluded to the unfairness of the final Local Government Finance Settlement for 2016/17 for this authority in terms of additional Transitional Grant and Rural Services Delivery Grant (£22k in total), when compared with Hambleton which received £470k and Ryedale which received £452k. Councillor Mallory added that the day before she had made strong representations about the Council's LGFS in a meeting with local MP, Mr Goodwill, who would be pursuing the matter. The Chairman and other Cabinet Members thanked Mr Edwards and his team for their work in preparing the report and commended the budget proposals. Councillor Cockerill queried whether there was scope to increase any of the Environment and Regulation service charges set out in Appendix C. The Director, Mr Watson commented that many charges were dictated by statute, but undertook to review them with the Environment and Regulation Manager and the Portfolio Holder, Councillor Chatt, before the budget was finalised and approved at full Council. The Chairman invited Councillor Jefferson to address the Cabinet. Councillor Jefferson commented on the success of the recent Coastival festival and supported the Council's continuing support for Create Arts Development Ltd.

RESOLVED that the Cabinet:

- i. Note the outcome of the final Local Government Finance Settlement;
- ii. Note that following an increase in the referendum threshold announced in the final Local Government Finance Settlement the recommended level of Council Tax increase for a Band D equivalent property in 2016/17 is £5.00 (2.37%) for this Council, rather than the 1.99% increase previously reported;
- iii. Note the feedback from the budget consultation;
- iv. Instruct that the Council enter into dialogue with Create and that a one-off budget within the 2016/17 budget be earmarked to support Create subject to confidence being gained that their long term financial sustainability can be achieved without ongoing direct financial support from the Council, and that authority to enter into terms with Create for 2016/17 be delegated to the Portfolio Holder for Finance, Procurement and Legal and the relevant Director;
- v. Note the updated Treasury Management Strategy for 2016/17, with the principal amendments being:
 - Increased maximum investment limit per individual Local Authority from £5 million to £7 million;
 - Increased maximum investment limit for Nationwide Building Society from £5 million to £7 million;
 - Introduction of a third tier of building societies, with a credit rating of A- Long Term and F1 Short Term, with a maximum investment limit of £2.5 million;
 - Inclusion of Police and Fire Authorities on the Council's lending list, with a maximum investment limit per individual Authority of £2 million;

- Increased maximum Group lending limit from £7 million to £10 million;
- Increased maximum Group investment limit for nationalised banking institutions from £7 million to £15 million;
- Inclusion of the Municipal Bonds Agency as a source of borrowing.

That the Cabinet recommend to the Council:

- vi. The approval of the Financial Strategy, specifically:
 - the Revenue Budget for 2016/17;
 - a Council Tax increase of £5 for a Band D property (2.37%);
 - the Capital Budget and proposed new schemes for 2016/17;
 - the optimum levels of reserves and use of reserves in 2016/17;
 - the Treasury Management Strategy and Prudential Indicators.
 - the Council's Pay Policy Statement contained, as required under Section 38 (1) of the Localism Act 2011;
- vii. The fees and charges administered by the Council's Environment and Regulation service, as itemised in Appendix C, which will come into effect on 1 April 2016;
- viii. That responsibility for the acceptance of a four-year settlement be delegated to Cabinet.

Reasons

Full Council must approve the 2016/17 budget and associated Council Tax level and fees and charges, which are incorporated within the Financial Strategy, at its meeting on 26 February 2016.

8. SCARBOROUGH AND WHITBY BUSINESS DEVELOPMENT ZONES AND LOCAL DISCRETIONARY BUSINESS RATE RELIEFS

The Cabinet considered a report by the Director (TW) (Reference 16/40) which proposed the establishment of Business Development Zones at Scarborough and Whitby Business Parks. Members were advised that the proposals in the report were a key element of the Council's growth strategy to develop both housing and jobs, support the new sectors of offshore wind and potash, obtain a return on the Council's significant investment in both Business Parks, and send a clear signal to investors and developers that the Borough was open for business.

RESOLVED that the Cabinet recommend to the Council to

- i approve the establishment of two Business Development Zones in Scarborough Borough, at Scarborough and Whitby Business Parks, to help maximise inward investment with a particular focus on the potash, offshore wind and manufacturing and engineering supply chains, and to deliver new employment opportunities for local people.
- ii approve the Local Discretionary National Non Domestic Rates (NNDR) Relief Policy for the Business Development Zones, which will target the above industry types and offer qualifying businesses with NNDR reliefs equivalent to those offered by Government approved Enterprise Zones;

- iii approve the General Local Discretionary NNDR Relief Policy, which will provide an opportunity to grant NNDR reliefs for exceptional applications that will result in tangible benefits to local residents and, in particular, the attraction of businesses, investment, jobs or amenities to the Borough;
- iv delegate authority to approve the above NNDR reliefs to the Council's Section 151 Officer in consultation with the Portfolio Holder for Finance, Procurement and Legal.

Reasons

To incentivise business growth within the Borough and maximise future inward investment and job creation.

To increase the Council's future share of retained NNDR income, which will become the Council's primary source of core Local Government Finance Settlement funding by 2020.

9. REQUEST FROM THE HOME OFFICE REGARDING THE RESETTLEMENT OF SYRIAN REFUGEES

The Cabinet considered a report by the Director (TW) (Reference 16/36) in respect of the resettlement of Syrian refugees in the Borough. Members welcomed the report and commended the Housing Manager's work on this sensitive and important project.

RESOLVED that the Cabinet:

- 1) Note the request from the Home Office to all Councils to support the Government's commitment to resettle 20,000 Syrian refugees in the United Kingdom over the next 5 years.
- 2) Agree to support a North Yorkshire wide resettlement scheme. This scheme shall enable the resettlement of 200 Syrian refugees countywide over the next 5 years. This scheme forms part of a wider commitment being made by all Yorkshire Councils to support the resettlement of 1,500 Syrian refugees across the region.
- 3) Agree that the Council's commitment to this scheme shall be no more than 36 people (estimated to be around 10 families). This figure is a pro-rata proportion of the wider North Yorkshire commitment.
- 4) Give authority to enter into a Memorandum of Understanding with North Yorkshire County Council and the other District Councils concerning this scheme. Note the proposed Governance structure for the operation of the scheme.
- 5) Note that the key role of the Council within this scheme shall be sourcing suitable accommodation, either in the private rented or social housing sector. Costs associated with this shall be paid for by Government through Vulnerable Persons Resettlement Grant (VPRG).

- 6) Give delegated authority to the Housing Manager, in consultation with the Portfolio Holder for Public Health and Housing, to work in partnership with NYCC and the other Districts to use Home Office VPRG to procure a specialist support provider along with other ancillary services that are necessary for the smooth resettlement of refugees. Note that NYCC shall be the accountable body for the receipt of this grant and the procurement of such services.
- 7) Give authority to enter into agreement with Migration Yorkshire to enable overall regional co-ordination and support.
- 8) Give delegated authority to the Director (LD), in consultation with the Portfolio Holder for Public Health and Housing, to agree a variation to the Council's nomination deed with Yorkshire Coast Homes regarding the allocation of social housing to enable the allocation of homes to Syrian refugees. Note that the use of social housing to support the resettlement of Syrian refugees would be used as a last resort, and required only where suitable private rented accommodation cannot be sourced. Note that where social housing is required, lettings shall be made as 'direct matches'.

Reasons

To ensure the Council complies with its obligations to resettle Syrian refugees.

10. FUTURE PROVISION OF TOURIST INFORMATION/CUSTOMER FIRST SERVICES IN WHITBY AND FILEY AND TOURIST INFORMATION AT THE HARBOURSIDE, SCARBOROUGH

The Cabinet considered a report by the Director (TW) (Reference 16/45) in respect of the future provision of Tourist Information Centres (TIC) and Customer First (CF) services in Whitby and Filey, and Tourist Information at the Harbourside, Scarborough. In introducing the report, the Portfolio Holder for Harbours, Assets, Coast and Flood Protection, Councillor Cockerill commented on recent correspondence concerning proposals for TIC provision in Whitby. He was disappointed that much of this correspondence had been submitted at the eleventh hour, but pleased that the idea of a centre for the Sutcliffe Collection had been proposed – an attraction which the Council could not currently afford, but which merited further exploration, separate to the provision of TICs. However, even at this late time, Councillor Cockerill was grateful to Councillor Sandra Turner for having suggested to him an alternative site for the TIC. Her idea was to convert part of a redundant storage building which faced directly onto Dock End, into a TIC facility. He envisaged this option as a practical and beneficial alternative to relocating the TIC to the Harbour Office, which was worthy of investigation. In light of this new suggestion, Councillor Cockerill proposed various amendments to the recommendations in the report. The Portfolio Holder for Leisure, Tourism and Culture, Councillor Backhouse and other Cabinet Members echoed Councillor Cockerill's comments about the alternative site for the Whitby TIC and supported his proposed amendments. Councillor Backhouse reminded the meeting that whilst each set of recommendations was tailored to each resort,

the drivers behind the recommendations were the same: the increasing costs of delivering TICs which could not be sustained, significant shift in the way people accessed tourist information towards digital channels, the need to retain some face to face access to core Council services in Whitby and Filey reflecting patterns of demand and new methods to access services, the need to ensure the ongoing sustainability of the core tourism destination marketing service and events development, to mainstream the Council's annual financial contribution to the Welcome to Yorkshire Partnership, and to maximise the value generated by the Council's property assets. Councillor Cockerill also commented on the proposals for Filey. He was concerned that ticket sales for summer shows could suffer as a consequence of the current recommendations, and proposed an additional recommendation to explore the option of deploying part-time staff at busy times in the high season to provide tourist information. He further noted that the use of the term 'disposal' in recommendation 4 had raised alarm bells in the local community and sought clarification that the existing TIC in Filey would not be sold. The Director, Mrs Dixon explained that the term 'disposal' covered a range of options including a leasehold agreement. Councillor Backhouse noted Councillor Cockerill's suggestion about the deployment of part-time staff, which both Members agreed would be explored under recommendation 7. The Chairman then invited other Members of the Council to address the Cabinet. Councillor Abbott noted that in the year 2000, some 640,000 people visited Whitby TIC, more than the combined total of the other TICs in the Borough. He disputed the decline in visitor numbers outlined in the report, contending that the counter at the TIC had been faulty for 18 months. He criticised the poor accessibility of the Jobcentre in Whitby, the unsuitability of the Harbour Office to accommodate the TIC, and proposed instead that the Council's Customer First and TIC services be co-located in a central hub, the current TIC site. He referred to email correspondence from Whitby representatives which criticised the recommended term of the leasehold interest of less than 25 years in recommendation 1 which would preclude a community asset transfer of the existing TIC/Customer First site. Councillor Abbott proposed that the matter be referred to the new Overview and Scrutiny Board to undertake a review. The Chairman replied that, subject to the Council's approval, the new Board would not be established until June, which would inevitably delay any review. Councillor Backhouse defended the visitor numbers for Whitby TIC detailed in the report, noting that during 2012/13 the counter at the TIC had been out of order during its refurbishment. The year 2012/13 was a poor year in terms of visitor numbers and spend across the Borough, and the figures for Whitby TIC were calculated based on the numbers at other sites, with appropriate adjustments. The Customers, Communities and Partnerships Manager explained that the Jobcentre in Whitby had disabled access and the idea was to bring together all of the Council's Customer First services in a single location. Councillor Backhouse added that the Cabinet report had previously been deferred to enable further consultation on the proposals, including a constructive meeting with Whitby Town Council and other local representatives in January. All Members of the Council had been given the opportunity to give their views during this consultation. Councillor Jefferson then addressed the meeting. She noted the high volume of visitors at the Harbourside TIC in Scarborough, a facility

which had been funded by external regeneration grant for that purpose, and expressed concern at its replacement by an unstaffed TIC point within the new Lifeboat facility. The Director, Mrs Dixon commented that she was not aware of any covenant on the Harbourside TIC which would affect its disposal. Councillor Backhouse added that the RNLI was keen to accommodate some Tourist Information provision in the iconic new building, an idea which had been welcomed by South Bay Traders. He reminded the meeting that the proposals in the report were about disseminating tourist information in an alternative, more cost-effective way, for example, through the Council's outdoor leisure staff in recommendation 11.

RESOLVED that the Cabinet:

Whitby

1. Approve the marketing of a leasehold interest in the existing TIC/Customer First site in Whitby for a term of less than 25 years, for either a) the exclusive use of the entire current site or b) for uses incorporating multiple occupants ancillary to the principal use of the site
2. Task officers to explore the potential to convert and incorporate a TIC facility within the existing redundant storage area facing directly onto Dock End and to delegate authority to the Leader in consultation with the Director (TW) to approve the final location of any future TIC facility. Approve that in the event that the entire current Whitby site is leased for exclusive use that the current Tourist Information Service be relocated to the Harbour Office, operating a 7 day service in summer and a 4 day service in winter, with services focused on core tourist information advice, with a very small retail function.
3. Upon completion of any disposal of the TIC site, approve the relocation of Whitby Customer Service functions to the JobCentre, to be delivered in conjunction with housing and benefits services that are already delivered from this site and undertake a further review of this combined service within the first year.

Filey

4. Approve the closure of the existing Tourist Information Centre, approve in principle the disposal of the property and the marketing of the existing site.
5. Approve the establishment of an unstaffed TIC point within the entrance to the Evron Centre Concert Hall in Filey. To incorporate 7 day direct phone access to the tourism bureau, access to on-line information and leaflets and information about local attractions and events.
6. To update the existing touch screen tourism information point to provide tourism product and destination information 24hours a day.
7. Explore the scope to utilise the Council's outdoor leisure sites and staff to support the provision of tourism information during the summer months.

8. Approve the relocation of the Filey Customer Services functions to the Filey Library, with Customer Services staff available on two days a week and courtesy phone and public access computers available at all other times, to be reviewed during the first year.

Scarborough

9. Approve the closure of the Tourist Information Centre at Harbourside, approve in principle the disposal of the property and the marketing of the building.
10. Explore options for an unstaffed TIC point within the new Lifeboat facility on Foreshore Road to include courtesy phone, literature racks and digital information kiosk.
11. Explore the scope to train Outdoor Leisure staff to support the provision of tourist information during the summer.
12. Train existing Open Air Theatre Box Office staff to provide some tourist information services either from within the existing site or as part of any proposed redevelopment of the facility.

And

13. Approve that £45,000 of the savings generated through this review are refocused to provide core funding for the Tourism Destination Marketing and Events team to focus on the development of destination marketing using digital technologies and event development in order to support the delivery of the Borough's Visitor Economy Strategy to increase visitor volume and value across the Borough. That £20,000 is refocused as a sustainable income stream for the Council's contribution to the Welcome to Yorkshire Partnership.

Reasons

To reduce the costs of delivering the current services and to consider new ways of delivering the TIC service, taking account of current trends in accessing tourism services/ information and the increased significance of on line channels.

To enable investment to ensure the continuation of the destination management service and the benefits obtained from the Council's contribution to the Welcome to Yorkshire partnership.

To enable the provision of some face to face core Council services within Whitby and Filey, taking into account patterns of demand and new methods of accessing services.

To maximise the value generated by the Council's property assets.

(In accordance with his declaration under Minute 1, Councillor Plant left the meeting during the debate and determination of the above item)

11. NORTH EAST STRATEGIC REGIONAL COASTAL MONITORING 2016-21

The Cabinet considered a report by the Chief Executive (Reference 16/50) in respect of a strategic coastal monitoring programme between Flamborough Head and the Scottish Borders. Members acknowledged the work of the Council's Senior Coastal Officer, Mr Siddle, at both a regional and a national level in this field, noting that he also led the successful £23m bid for monitoring the whole of the English coastline and that he chaired the national delivery meetings.

RESOLVED that the Cabinet:

- i. Accept £2,902,600 FCDGiA (Flood and Coastal Defence Grant in Aid) which is financed 100% from the Environment Agency for the purpose of undertaking strategic coastal monitoring between Flamborough Head and the Scottish Borders. Note that no financial contribution is required from the Council.
- ii. Advise the Cabinet of the intention to procure the services of the specialist monitoring contractors from an EU compliant framework, nationally procured and pre-qualified by New Forest District Council on behalf of all regions via the 'South East Business Porthole' to allow mini competition tendering activities to be undertaken by the regions.
- iii. Approve entering into multiple contracts with the contractors offering the most economically advantageous tender following a mini tendering competition up to the amount of grant offered via the framework.

Reasons

To continue to collect valuable coastal monitoring data for the north east of England to compliment monitoring data due to be collected by five other strategic regions. The North East monitoring programme is part of a wider £23 million pound National Coastal Monitoring programme covering the whole of England.

To authorise officers to appoint contractors to undertake the required monitoring in a timely fashion to prevent data gaps. Coastal monitoring activities have been undertaken in a structured nationally holistic manner since 2008 through regional partnerships.

12. FINANCIAL MONITORING TO DECEMBER 2015 (3RD QUARTER)

The Cabinet considered a report by the Director (NE) (Reference 16/32) in respect of the Council's financial performance as at the end of the third quarter (December 2015).

RESOLVED that the Cabinet:

- i) Note the report and in particular that:
 - Despite the setting of an extremely challenging budget and, despite lower than expected levels of income in some areas, a year end surplus will be achieved.
 - The majority of income targets are being achieved but shortfalls will occur at the Open Air Theatre.

- Although a current year surplus is positive news it can be attributed to areas which are one-off in nature. There are a few remaining problem areas that need to be addressed during the remainder of the year to ensure that they do not cause budget growth / overspends in future years.
 - The capital programme continues to operate within the overall parameters set in terms of contingency levels.
 - The Capital Development Reserve is overcommitted over the ten year period however the 2016 Financial Strategy looks to address this shortfall. All other reserves are in line with their parameters and are considered adequate.
 - £40,000 of the anticipated year end surplus has already been earmarked towards funding the 2016 Tour de Yorkshire event and £350k transferred to the Capital Development Reserve as part of the actions to address the overcommitted balance. Any other surplus generated will also be transferred to the Capital Development Reserve to address the pressures on the reserve balance.
- ii) Accept the following grants:
- £57,780.30 from Environment Agency for additional works on the Filey Flood Alleviation Scheme.
 - £3,649.76 from Yorventure for the Manham Hill Play Area scheme.
 - £805.17 from North Yorkshire Moors National Park for additional works at Ayton Castle.

Reasons

To provide information relating to the Council's financial performance for the 2015/16 year.

13. DISPOSAL OF LAND AT ENDEAVOUR WHARF

The Cabinet considered a report by the Director (NE) (Reference 16/47) in respect of the disposal of land at Endeavour Wharf to develop the proposed Yorkshire Offshore Renewable Energy Operations and Management Centre. Members welcomed the report, the culmination of several years' hard work, and applauded the exciting design of the new Centre which would sit well in its locality. The Cabinet Member for Harbours, Assets, Coast and Flood Protection, Councillor Cockerill, noting the approval of the application to construct a windfarm off the coast at Hornsea, commented that there were also opportunities for Scarborough Harbour to support this developing industry, but currently a shortage of space at the harbour. He would take this matter to the Ports Development Group.

RESOLVED that the Cabinet:

- i. Note the outcome of public consultation.
- ii. Approve the design and function of proposed development.
- iii. Delegate authority to the Director (NE) in consultation with the Portfolio holder for Harbours, Assets, Coast and Flood Protection to enter into a

lease associated berthing licence and operational agreement with Dalby Offshore Services Ltd (DOSS) for the disposal and use of a portion of Endeavour Wharf, Whitby on the terms outlined in this report and contained within Appendix C.

- iv. Delegate authority to the Director (NE)) in consultation with the Portfolio holder for Harbours, Assets, Coast and Flood Protection to enter into a construction licence with DOSS to undertake site investigation works and implement the development in accordance with the approved design at ii.

Reasons

To facilitate the development of the proposed “Yorkshire Offshore Renewable Energy Operations and Management Centre” and the associated economic growth and job creation activity in Whitby Harbour.

(In accordance with his declaration under Minute 1, Councillor Plant left the meeting during the debate and determination of the above item)

14. DRAFT PLAN FOR THE PROVISION OF PUBLIC CONVENIENCES

The Cabinet considered a report by the Director (NE) (Reference 16/48) in respect of the future provision of public conveniences in the Borough. Members were reminded that a scrutiny review had reported to the Cabinet in October 2015 making a raft of recommendations in relation to the provision of this service. Although the principles underpinning the task group’s work were accepted, it was agreed that their proposals were not sustainable in light of the fiscal challenges facing the Council and a more comprehensive plan encompassing every facility in the Borough was required. The report before the Cabinet built on these principles and offered an enhanced plan in draft which reflected the Council’s financial position. A new operational model was proposed which encouraged partnership working, direct charging and private sector funding to secure a sustainable future for the Borough’s public conveniences. The Portfolio Holder for Leisure, Tourism and Culture, Councillor Backhouse confirmed that there were no plans to change the public convenience at the crematorium in Scarborough. Member of the Cabinet, Councillor Plant sought an assurance that the Khyber Pass facility in Whitby would be open in time for the summer season while the proposed plan was being implemented. The Operations, Transport, and Countryside Manager, Mr Thompson responded that this facility had some structural issues which needed to be resolved before it could be reopened, but officers would endeavour to do this in time for the summer season. Meanwhile, a report on the replacement for these toilets was scheduled to be submitted to Members in April. Councillor Cockerill welcomed the report and suggested that through the consultation process, parish and town council interest be gauged in running any of the Borough Council public conveniences. The Chairman then invited Councillor Allanson to address the meeting. As the Chair of the recent scrutiny review of public conveniences, Councillor Allanson commended the draft plan but was concerned about the future of the facility at Hunmanby Gap, especially since he had received assurances from officers, and conveyed those assurances to the parish council, that this facility would be

reinstated. The Director, Mr Edwards confirmed that he and the Portfolio Holder were committed to finding a solution for Hunmanby Gap. It was still to be determined how this would be provided, but the solution must be right for the location and for the Borough. Councillor Mortimer also addressed the Cabinet, expressing disappointment that the Robin Hoods Bay Station Car Park facility was to be offered to the parish council. She would be attending a meeting of the parish council that week, and requested usage data to take to that meeting.

RESOLVED that the Cabinet approve the draft Plan for the Provision of Public Conveniences for consultation.

Reasons

The plan and associated actions set out how the Borough Council's approach to the provision of public conveniences will be delivered over the next 5 years.

15. 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 item of business on the grounds that it involves 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).

16. PROVISION OF COMMUNICATIONS, ENGAGEMENT AND SUPPORT SERVICES TO SCARBOROUGH AND RYEDALE CLINICAL COMMISSIONING GROUP (SRCCG)

The Cabinet considered a report by the Director (TW) (Reference 16/10) seeking approval to enter into a contract to deliver communications, engagement and support services to Scarborough and Ryedale Clinical Commissioning Group.

RESOLVED that:

a) the Council enters into a contract with Scarborough and Ryedale Clinical Commissioning Group to deliver communications, engagement and patient liaison services, along with managing processes for dealing with complaints, MP correspondence and Freedom of Information requests

b) authority be delegated to the Director (LD) in consultation with the Portfolio Holder for Finance, Procurement and Legal to agree the terms of the contract with the SRCCG

Reasons

This agreement will provide an additional income stream for the Council. It supports wider objectives to achieve efficiencies across the public sector through sharing services and the arrangement builds on and supports effective partnership working between the Council and the SRCCG who are co-located within the Town Hall.

Chairman