

SCARBOROUGH BOROUGH COUNCIL

CABINET

At a meeting to be held at **10.00 am** on **Tuesday, 17 May 2016**
at the Town Hall, Scarborough

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Borough Council's website on the internet – at the start of the meeting the Chairman will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council. Generally the public gallery is not filmed. However, by entering the Council Chamber and using the public seating area you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the Director (LD).

AGENDA

Section A - Administration

- 1. DECLARATIONS OF INTEREST** (Pages 1 - 2)
Members are reminded of the need to consider whether they have a personal or prejudicial interest, or a disclosable pecuniary interest, to declare in any of the items on this agenda. If so, the nature of the interest must be declared at the start of the meeting or as soon as the interest becomes apparent. In addition, the attached form must be completed and passed to the Committee Administrator. The Officers will be pleased to advise, if necessary, and any request for assistance should be made, in the first instance, to the Committee Administrator whose name appears at the end of this agenda. Ideally, such advice should be sought before the day of the meeting so that time is available to consider any uncertainty that might arise.
- 2. MINUTES** (Pages 3 - 8)
To approve as a correct record and sign the Minutes of the meeting held on 12 April 2016 attached.
- 3. PUBLIC QUESTION TIME**
Public questions of which due notice has been given and which are relevant to the business of the Cabinet.
- 4. FORWARD PLAN** (Pages 9 - 22)
To review the Cabinet's Forward Plan (reference 16/122) attached.
- 5. PROGRESS OF SCRUTINY OF EXECUTIVE DECISIONS**
To receive an oral report by the Chief Executive.

Section B - Executive Decisions

- 6. EASTSIDE ACTION PLAN - COMMUNITIES AND OPEN SPACE PROGRAMME - UPDATES AND PERMISSIONS** (Pages 23 - 32)
To consider a report by the Director (TW) (reference 16/120) attached.

(N.B. If you have any questions, need further information about the meeting or require special facilities in order to attend, please contact David Kitson, Town Hall, St. Nicholas Street, Scarborough – Tel: 01723 384319, Fax 08702384159 or email david.kitson@scarborough.gov.uk.)

MEMBERS' DECLARATIONS OF INTERESTS

Name:	
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Meeting:	
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Date:	
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Agenda No & Item	
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Nature of Interest:	
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If you are uncertain whether you have an interest, please seek officer advice before the meeting.

Is the interest:

a disclosable pecuniary interest?

personal and non-prejudicial?

personal and prejudicial?

(Please put an X against the appropriate interest and email to the Clerk for the meeting)

NOTES

CABINET

At a meeting held on Tuesday, 12 April 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 and Mrs H F Mallory

1. **DECLARATIONS OF INTEREST**

Councillor Donohue-Moncrieff declared a personal interest in agenda item 11, Renewal of Changing Lives Service Contract in her capacity as a Council representative on the Board of Yorkshire Coast Homes.

2. **MINUTES**

RESOLVED that the minutes of the meeting held on 15 March 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 16/107) noting the following amendment: under the Democracy, Neighbourhoods, Stronger and Safer Communities portfolio, the addition of a report on complaints and service standards at the July meeting. The Deputy Monitoring Officer, Mr Kitson commented on the lack of items under the Strategic Planning and Transformation portfolio, reminding the meeting that the Forward Plan comprised a specific category of decision - Key Decisions – and although at present there were no Key Decisions listed, there was plenty of other business taking place under this portfolio. Councillor Jenkinson commented on other aspects of his portfolio not included in the current Forward Plan: the comments obtained from the recent consultation with staff and trade unions on the revised proposals for car allowances and parking permits would shortly be considered by the Directors' Team; Service Unit Managers' revised job descriptions and grades came into effect on 1 April; employee appeals matters were currently taking up much officer time; and national agreement on the new local government pay award had still not been reached for 2016/17. **RESOLVED** that, subject to the above amendment, 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 15 March.

6. **REQUEST FOR ELECTORAL REVIEW**

The Cabinet considered a report by the Director (LD) (Reference 16/96) seeking Members' support to request the Local Government Boundary Commission for England (LGBCE) to carry out an electoral review of the

Borough of Scarborough. In presenting the report, the Portfolio Holder for Democracy, Neighbourhoods, Stronger and Safer Communities, highlighted the far reaching changes in the operation of the Council, and the significant technological advances since the last review in 1999, which justified a request for an electoral review to ensure that the total number of councillors and warding patterns were fit for purpose to manage the business of the authority and represent local communities effectively into the future. This would be an objective, evidence-based review undertaken by an independent body. The Chairman also welcomed the report, adding that he had discussed the issue with the Chair of the LGBCE and other district council leaders in North Yorkshire. He noted that Harrogate Borough Council was currently subject to a review, and that both Hambleton and Selby District Councils had reduced their number of councillors from 44 to 28, and from 41 to 31 respectively in 2015 as a result of electoral reviews. Councillor Cockerill commented that he did not feel the Council should pre-empt the outcome of the review by indicating a percentage reduction in councillors at this stage. This stance was supported by other Cabinet members who referred to the increases in population in some wards that may have a bearing on the number of councillors representing these wards and their boundaries. The Democratic Services Manager, Mr Harris then provided further explanation about the review process. The Council was being asked to propose an indicative number of councillors based on the reasons in the report. This number of councillors would serve as a hypothesis to be tested by the LGBCE in the subsequent review based on submissions from this Council and other parties to determine the size of the Council. The second phase of the LGBCE's review would then consider warding patterns based on the Council size they determined which would reflect community identities and interests and deliver high levels of electoral equality, by taking into account projected changes in the electorate up to five years after the review. The recommendations in the report were then put to the vote, and were carried by a majority of the Cabinet.

RESOLVED that the Cabinet:

- (i) Agrees an indicative number of councillors to sit on this authority as proposed in paragraph 5.8 of the report to serve as the basis of a request to the LGBCE to undertake an electoral review and of the Borough and as the starting point for that review for the reasons given in the report; and
- (ii) Recommends that the Council:
 - a) Supports this request to the LGBCE to undertake an electoral review of the Borough of Scarborough based on this indicative number of councillors for the reasons given in the report; and
 - b) In the event that the LGBCE accepts the Council's request to undertake an electoral review, delegates to Cabinet in consultation with the Governance Working Group, the Council's submissions to the LGBCE.

Reasons

- The last review of the Council's electoral arrangements was carried out in 1999 prior to the introduction of the Local Government Act 2000 and the implementation of executive arrangements, which have brought significant changes to the way the Council operates. The Localism Act 2011 has introduced further changes which have streamlined Council's decision making e.g. in standards
- Considerable technological advances have also affected councillors' representative role highlighting further the need for a review

7. THE COUNCIL'S CORPORATE PLAN

The Cabinet considered a report by the Director (LD) (Reference 16/92) in respect of the Council's new Corporate Plan 'Towards 2030'. In introducing the report, the Portfolio Holder for Human Resources and Performance commented that the consultation on the draft Plan demonstrated a high level of agreement with the Council's aims and ambitions. He referred to only two minor amendments to the listed priorities. The new simpler and more concise document was considerably cheaper to produce than the previous Plan. The Performance and Admin Manager confirmed that information on progress against targets in relation to the Plan would be provided in the Council's Annual Report and Improvement Plan.

RESOLVED that the Cabinet recommends that the Council approve the Corporate Plan as set out within Appendix 1 of the report.

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 was due to be completed by 31 March 2016 and a new plan covering the period 2016 onwards is now required.

8. CONSULTATION ON SELECTIVE LICENSING OF PRIVATE RENTED ACCOMMODATION

The Cabinet considered a report by the Director (TW) (Reference 16/98) in respect of a selective licensing scheme of private rented accommodation in the Borough. Members were advised that there was overwhelming evidence supporting the introduction of such a scheme in specific pockets of the Borough, but to implement it properly, the scheme needed to be right, based on detailed consultation with local stakeholders which would help refine the proposals. The Housing Manager also referred to the ongoing review of Environmental Health Services, in part designed to create a platform to enable the scheme to be delivered. One model under consideration was a single residential enforcement unit, as witnessed in operation in Blackpool. The Chairman suggested that the Borough's other MP (covering Filey and Hertford wards) also be included in the consultation.

RESOLVED that the Cabinet:

- 1) Note the evidence base to support the introduction of Selective Licensing of private rented accommodation within certain parts of the Borough.

- 2) Give agreement to the consideration of a phased approach to the introduction of Selective Licensing in three separately designated areas within the Borough. These areas are:

Area A – Scarborough North (made up of parts of Castle and North Bay Wards)

Area B – Scarborough Central (made up of parts of the Castle and Central Wards)

Area C – Scarborough South (made up of parts of the Ramshill Ward)

Plans of these proposed areas are included within **Appendix A** of the report.

- 3) Approve a business case for the first of these areas relating to Area A/ Scarborough North. (**Appendix B**) and instruct officers to commence a detailed programme of public consultation on this business case in accordance with the consultation plan as set out within the report (**Appendix C**).
- 4) Bring a further report to Cabinet on conclusion of this exercise. That report will inform Cabinet of the outcomes of this consultation along with further recommendations as required.

Reasons

Selective Licensing is a useful tool to help better regulate management standards within private rented accommodation. Its proposed introduction could help complement and support the Council's wider vision for the regeneration of the Borough.

Taking forward any such scheme needs to be carefully considered and various affected parties must be fully consulted. The need, justification and potential benefits of such a scheme need to be considered as part of a business case. In addition a comprehensive programme of consultation is required before any final decision can be made.

9. RENEWAL OF A FRAMEWORK AGREEMENT FOR CONTRACTORS CARRYING OUT DISABLED ADAPTATIONS

The Cabinet considered a report by the Director (TW) (Reference 16/83) in respect of the renewal of a framework agreement for contractors carrying out disabled adaptations. Members were advised that the current framework had realised considerable savings, reducing the administrative burden of selecting contractors and delivering value for money through an open and transparent procurement process. In reply to a Member query about being open to alternative options, the Housing Manager confirmed that for the larger jobs, for example, extensions, the Home Improvement Agency would undertake a separate tendering exercise outside the framework.

RESOLVED that the Cabinet approves:

- i The offer for tender of a framework contract, to those contractors identified through a compliant pre-qualification process; and
- ii Entry into a framework contract with the successful tenderers.

Reasons

To:

1. Comply with EU Procurement Rules and the Council's Financial and Contract Procedure Rules.
2. Ensure that there are competent contractors approved to carry out adaptations for grant applicants.
3. Achieve a consistent standard of service from contractors.
4. Provide an efficient means of carrying out adaptations

10. USE OF COMMUTED SUMS TO SUPPORT DEVELOPMENT OF SUPPORTED HOUSING SCHEME FOR YOUNG PERSONS IN SCARBOROUGH

The Cabinet considered a report by the Director (TW) (Reference 16/85) seeking approval of use of commuted sums to support development of a Supported Housing Scheme for Young Persons in Scarborough. Members commended the report and the work of Foundation Housing in this field.

RESOLVED that the Cabinet approve the use, subject to planning approval, of £150,000 of Affordable Housing Commuted Sum monies to enable Foundation Housing to convert their existing offices in Scarborough into 6 units of supported housing for young persons and to delegate authority to the Director (LD) in consultation with the Portfolio Holder for Finance, Procurement and Legal to agree the terms of, and entry into, an appropriate funding agreement with Foundation Housing.

Reasons

To ensure that the proposed conversion of their offices into affordable housing for young persons can be taken forward and assist in preventing youth homelessness.

11. RENEWAL OF CHANGING LIVES SERVICE CONTRACT

The Cabinet considered a report by the Director (TW) (Reference 16/84) in respect of the renewal of the service contract for this jointly commissioned service aimed at changing the lives of the most chaotic homeless people within the Borough. The Portfolio Holder for Public Health and Housing commented on the success of the scheme so far, and hoped the Council would continue to support it. The Housing Manager noted an amendment to the report: Yorkshire Coast Homes had agreed to continue to support the scheme, providing £22k pa, not £25k pa for three years. This did not affect the Council's proposed contribution.

RESOLVED that the Cabinet:

1. Agree to extend the Council's funding contribution into the commissioning pot for the Changing Lives service for a period of three years.
2. Note that the Council's total liability is £186,000 over this period however note that this funding contribution is offset by an on-going commitment from Yorkshire Coast Homes to pay the Council £66,000 over the full period to support the continuation of the service.

3. Note that the Council's net contribution is therefore £40,000 per annum and that provision for these funds has been made within the Council's homelessness budget.
4. Approve entry into the relevant agreements required to document these arrangements.

Reasons

To ensure that the service is sustained.

12. 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).

13. MERCHANT ACQUIRING SERVICES CONTRACT

The Cabinet considered a report by the Director (NE) (Reference 16/97) seeking authority to enter into contract with a new provider for Merchant Acquiring Services (processing of payment cards) following a competitive EU tender process.

RESOLVED that the Cabinet:

- (i) approve the appointment of Lloyds Bank Cardnet as the Council's Merchant Acquiring Services provider in accordance with the tender documentation for a four year period, with the option to extend for three years, from a date to be agreed;
- (ii) provide the authority to enter into contract for Merchant Acquiring Services with Lloyds Bank Cardnet.

Reasons

1. Merchant Acquiring Services form an integral part of the Council's service delivery.
2. As the aggregated value of the contract, which is already expenditure incurred under the current arrangements, exceeds the European Union thresholds Cabinet authority is required to enter into contract with the successful tenderer.

Chairman



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KEY DECISIONS LIST

Key Decisions proposed to be made by Cabinet – 16/122

The following is a list of Key Decisions which the Authority proposes to take in the next few months

Most KEY DECISIONS are taken by Cabinet and are those which are likely to result in one or more of the following:

- Any expenditure or savings which are significant (ie. in excess of £100,000) in relation to the Council's budget for the service function to which the decision relates;
- Anything affecting communities living or working in an area comprising two or more wards in the borough;
- Anything significantly affecting communities within one ward (where practicable);

If a decision affects the budget and/or policy framework set by the Council this is classed as a key and A decision. It will be heard by Cabinet but the final decision will be made by full Council.

The Key Decisions List will be updated and published on the Council's website on a monthly basis.

If you have any queries on this Key Decisions List, please contact David Kitson on 01723 384319 or by e-mail to david.kitson@scarborough.gov.uk

Decisions which the Cabinet intends to make in private

The Cabinet hereby gives notice that it intends to meet in private after its public meeting to consider reports which may contain confidential or exempt information. The private meeting of the Cabinet is open only to Members of the Cabinet, other Councillors and Council officers.

Reports relating to decisions which the Cabinet will take at its private meeting are indicated in the list of Key Decisions below, with the reasons for the decision being made in private. Any person is able to make representations to the Cabinet if he/she believes the decision should instead be made in the public Cabinet meeting. If you want to make such representations, please e-mail David Kitson at david.kitson@scarborough.gov.uk You will then be sent a response in reply to your representations.

Access to Cabinet reports and other relevant documents

Reports and documents relevant to matters to be considered at the Cabinet's public meeting will be available on the Council's website (www.scarborough.gov.uk) 5 working days before the meeting.

Decisions

All decisions taken by Cabinet may be implemented 5 working days after the publication of the minutes of the relevant Cabinet meeting, unless called in by Councillors.

Making your Views Heard

You can ask a question about any of the reports to be considered at a Cabinet meeting if the question is submitted to the Chief Executive in writing or by email at least 2 working days before the meeting. For further details about this please contact David Kitson at david.kitson@scarborough.gov.uk

SCARBOROUGH BOROUGH COUNCIL: CABINET 2015

Leader

Cabinet Member for Finance, Procurement and Legal:

Cabinet Member for Public Health & Housing:

Cabinet Member for Strategic Planning & Transformation

Cabinet Member for Democracy, Neighbourhoods,

Stronger and Safer Communities:

Cabinet Member for Leisure, Tourism & Culture:

**Cabinet Member for Human Resources, Performance
and ICT:**

**Cabinet Member for Harbours, Assets, Coast and
Flood Protection**

Cllr Derek Bastiman

Cllr Helen Mallory

Cllr Bill Chatt

Cllr Joe Plant

Cllr Michelle Donohue Moncrieff

Cllr Andrew Backhouse

Cllr Andrew Jenkinson

Cllr Mike Cockerill

LIST OF KEY DECISIONS FOR CABINET

*Where column 4 shows a report as **EXEMPT**, the report for this proposed decision will be considered at the private Cabinet meeting. Anybody may make representations to the Cabinet to the effect that the report should be considered at the open Cabinet meeting*

* All these decisions may be called in by Councillors; If a decision is called in, it will not be capable of implementation until a final decision is made.

Key Decision A or K	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet <i>(other relevant documents may be submitted)</i>
The Leader					
1 K Item	The Yorkshire Coast Growth Plan	14 Jun 2016	Leader	Open	The Yorkshire Coast Growth Plan
			Ward(s): All Wards		
			Contact officer: Mr David Kelly Tel: 01723 232321 david.kelly@scarborough.gov.uk		
2 K Item	Futurist Redevelopment	12 Jul 2016	Leader	Private This report is exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972	Futurist Redevelopment
			Ward(s): Castle		
			Contact officer: Mr Nick Edwards Tel: 01723 232410 Nick.Edwards@scarborough.gov.uk		

Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
				and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	
Finance, Procurement and Legal					
3 K Item	Business Plan for Delivery of Services	14 Jun 2016	Portfolio Holder for Finance, Procurement and Legal Ward(s): All Wards Contact officer: Mrs Lisa Dixon Tel: 01723 232350 Lisa.dixon@scarborough.gov.uk	Private This report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Business Plan for Delivery of Services
4 A Item	Discretionary Rate Relief	14 Jun 2016 4 Jul 2016	Portfolio Holder for Finance, Procurement and Legal	Open	Discretionary Rate Relief

Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
			Ward(s): All Wards		
			Contact officer: Mr Nick Edwards Tel: 01723 232410 Nick.Edwards@scarborough.gov.uk		
5 K Item	Financial and Treasury Outturn Report 2015/16	12 Jul 2016	Portfolio Holder for Finance, Procurement and Legal	Open	Quarter 4 Monitoring Report 2015/16
			Ward(s): All Wards		
			Contact officer: Mr Neil Hughes neil.hughes@scarborough.gov.uk		
6 K Item	Quarter 1 Monitoring Report 2016/17	12 Jul 2016	Portfolio Holder for Finance, Procurement and Legal	Open	Quarter 1 Monitoring Report 2016/17
			Ward(s): All Wards		
			Contact officer: Mr Neil Hughes neil.hughes@scarborough.gov.uk		
7 K Item	Quarter 2 Monitoring Report 2016/17	18 Oct 2016	Portfolio Holder for Finance, Procurement and Legal	Open	Quarter 2 Monitoring Report 2016/17
			Ward(s): All Wards		
			Contact officer: Mr Neil Hughes neil.hughes@scarborough.gov.uk		

Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
8 A Item	Local Support for Council Tax	13 Dec 2016	Portfolio Holder for Finance, Procurement and Legal	Open	Local Support for Council Tax
		9 Jan 2017	Ward(s): All Wards		
		Contact officer: Mr Guy Shrimpton guy.shrimpton@scarborough.gov.uk			
9 K Item	Quarter 3 Monitoring Report 2016/17	14 Feb 2017	Portfolio Holder for Finance, Procurement and Legal	Open	Quarter 3 Monitoring Report 2016/17
			Ward(s): All Wards		
		Contact officer: Mr Neil Hughes neil.hughes@scarborough.gov.uk			
10 K Item	Financial and Treasury Outturn Report 2016/17	16 May 2017	Portfolio Holder for Finance, Procurement and Legal	Open	Quarter 4 Monitoring Report 2016/17
			Ward(s): All Wards		
		Contact officer: Mr Neil Hughes neil.hughes@scarborough.gov.uk			
Public Health & Housing					
11 A Item	Better Care Funding Allocation	14 Jun 2016	Portfolio Holder for Public Health and Housing	Open	Receipt of Better Care Fund Monies and Additional Flexibility

Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
		4 Jul 2016	Ward(s): All Wards Contact officer: Mr Andrew Rowe Andrew.Rowe@scarborough.gov.uk		Regarding the Delivery of Disabled Facilities Grants
Strategic Planning and Transformation					
Leisure, Tourism and Culture					
12 K Item	Tree and Woodland Strategy	14 Jun 2016	Portfolio Holder for Leisure, Tourism and Culture Ward(s): All Wards Contact officer: Mr Paul Thompson paul.thompson@scarborough.gov.uk	Open	Tree and Woodland Strategy (Consultation Draft)
13 A Item	Public Conveniences	14 Jun 2016 4 Jul 2016	Portfolio Holder for Leisure, Tourism and Culture Ward(s): All Wards Contact officer: Mr Paul Thompson paul.thompson@scarborough.gov.uk	Open	Public Conveniences
14	Khyber Pass Toilets -	14 Jun	Portfolio Holder for Leisure,	Private	Kyber Pass Toilets -

Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
A Item	Provision/Redevelopment	2016 4 Jul 2016	<p>Tourism and Culture, Portfolio Holder for Harbours, Assets, Coast and Flood Protection</p> <p>Ward(s): Streonshalh; Whitby West Cliff</p> <p>Contact officer: Mr Nick Edwards Tel: 01723 232410 Nick.Edwards@scarborough.gov.uk</p>	This report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Provision/Redevelopment
Human Resources, Performance and ICT					
15 K Item	Performance Management Framework - Quarter 4 Report 2015/16	14 Jun 2016	<p>Portfolio Holder for Human Resources and Performance</p> <p>Ward(s): All Wards</p> <p>Contact officer: Miss Petra Jackson petra.jackson@scarborough.gov.uk</p>	Open. Appendix 2 to this report is exempt from disclosure on the grounds that it contains information relating to individuals under paragraph 2 of Schedule 12A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	PERFORMANCE MANAGEMENT FRAMEWORK - QUARTER 2 REPORT 2015/16

Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
16 K Item	Performance Management Framework - Quarter 1 Report 2016/17	13 Sep 2016	Portfolio Holder for Human Resources and Performance Ward(s): All Wards Contact officer: Miss Petra Jackson petra.jackson@scarborough.gov.uk	Open. Appendix 2 to this report is exempt from disclosure on the grounds that it contains information relating to individuals under paragraph 2 of Schedule 12A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	PERFORMANCE MANAGEMENT FRAMEWORK - QUARTER 2 REPORT 2015/16
17 K Item	Performance Management Framework - Quarter 2 Report 2016/17	13 Dec 2016	Portfolio Holder for Human Resources and Performance Ward(s): All Wards Contact officer: Miss Petra Jackson petra.jackson@scarborough.gov.uk	Open. Appendix 2 to this report is exempt from disclosure on the grounds that it contains information relating to individuals under paragraph 2 of Schedule 12A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	PERFORMANCE MANAGEMENT FRAMEWORK - QUARTER 2 REPORT 2016/17


Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
18 K Item	Performance Management Framework - Quarter 3 Report 2016/17	14 Mar 2017	Portfolio Holder for Human Resources and Performance Ward(s): All Wards Contact officer: Miss Petra Jackson petra.jackson@scarborough.gov.uk	Open. Appendix 2 to this report is exempt from disclosure on the grounds that it contains information relating to individuals under paragraph 2 of Schedule 12A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Performance Management Framework - Quarter 3 Report 2016/17
19 K Item	Performance Management Framework - Quarter 4 Report 2016/17	16 May 2017	Portfolio Holder for Human Resources and Performance Ward(s): All Wards Contact officer: Miss Petra Jackson petra.jackson@scarborough.gov.uk	Open. Appendix 2 to this report is exempt from disclosure on the grounds that it contains information relating to individuals under paragraph 2 of Schedule 12A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Performance Management Framework - Quarter 4 Report 2016/17
Democracy, Neighbourhoods, Stronger and Safer Communities					

Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
20 K Item	Eastside Action Plan - Communities and Open Space Programme - Updates and Permissions	17 May 2016	Portfolio Holder for Democracy, Neighbourhoods, Stronger and Safer Communities	Open	Eastside Action Plan - Communities and Open Space Programme - Updates and Permissions
			Ward(s):		
			Contact officer: Ms Jo Ireland Jo.ireland@scarborough.gov.uk		
21 K Item	Groundwork North Yorkshire	14 Jun 2016	Portfolio Holder for Democracy, Neighbourhoods, Stronger and Safer Communities	Private This report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Groundwork North Yorkshire
			Ward(s): All Wards		
			Contact officer: Mrs Lisa Dixon Tel: 01723 232350 Lisa.dixon@scarborough.gov.uk		
22 K Item	Complaints and Service Standards	12 Jul 2016	Portfolio Holder for Democracy, Neighbourhoods, Stronger and Safer Communities		Complaints and Service Standards

Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
			Ward(s): All Wards Contact officer: Ms Jo Ireland, Miss Petra Jackson Jo.ireland@scarborough.gov.uk, petra.jackson@scarborough.gov.uk		
Harbours, Assets, Coast and Flood Protection					
23 K Item	Coast Protection Finance Strategy	14 Jun 2016	Portfolio Holder for Harbours, Assets, Coast and Flood Protection Ward(s): All Wards Contact officer: Mr Chris Bourne Chris.bourne@scarborough.gov.uk	Open	Coast Protection Finance Strategy
24 A Item	Draft 2016-2021 Flamborough Head EMS Management Plan	14 Jun 2016 4 Jul 2016	Portfolio Holder for Harbours, Assets, Coast and Flood Protection Ward(s): Contact officer: Mr Stewart Rowe stewart.rowe@scarborough.gov.uk	Open	Draft 2016-2021 Flamborough Head EMS Management Plan
25	Shelters, Whitby	12 Jul	Portfolio Holder for Leisure,	Open	Shelters, Whitby

Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet <i>(other relevant documents may be submitted)</i>
K Item		2016	Tourism and Culture Ward(s): Streonshalh; Whitby West Cliff Contact officer: Mr Nick Edwards Tel: 01723 232410 Nick.Edwards@scarborough.gov.uk		
26 A Item	Dean Road/Manor Road Depots	12 Jul 2016 5 Sep 2016	Portfolio Holder for Harbours, Assets, Coast and Flood Protection Ward(s): North Bay; Woodlands Contact officer: Mr Nick Edwards Tel: 01723 232410 Nick.Edwards@scarborough.gov.uk	Private This report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Dean Road/Manor Road Depots
			Contact officer:		

Key Decision Reason	Proposed Key Decision	Proposed Key Decision date	Lead Executive Councillor(s), Wards Affected, and Officer to contact for further information or relevant documents	Open or private meeting	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
			Contact officer:		

	REPORT TO CABINET TO BE HELD ON 17 MAY 2016	
	Key Decision	No
Corporate Priority Safe and Healthy Inclusive and Vibrant	Forward Plan Ref No Cabinet Portfolio Holder	Cllr. Michelle Donohue Moncrieff Cllr. Andrew Backhouse

REPORT OF: DIRECTOR (TW) – 16/120

WARDS AFFECTED: STREONSHALH

**SUBJECT: EASTSIDE COMMUNITY AND OPEN SPACE
IMPROVEMENT PROGRAMME**

RECOMMENDATION (S):

The Council has already agreed in principle approval for the use of capital receipt monies and s.106 from Eskdale Park to support the delivery of the Eastside Community and Open Space programme, subject to further approvals and permissions as schemes develop.

Cabinet is recommended to:

- i) Approve the undertaking of surface improvement works to the **Abbey Footpath** at a total cost of £27,000.
- ii) Approve the use of £24,000 of capital receipt funding for the Abbey Footpath scheme, with £3000 match funding being provided by Whitby Town Council.
- iii) Note the increase in match funding for the **Calla Beck** Improvement Scheme from £500 to £3915 from North Yorkshire County Council (Stronger Communities), with a total scheme value of £20,015.
- iv) Approve a revised and larger scheme to create a play and seating area on the **Green Lane Field**, to a total value of £57,000, subject to planning permission and appropriate maintenance arrangements being agreed.
- v) Note the increase in match funding secured for the Green Lane scheme from £2500 to £39,254 (inclusive of maintenance and Yorwaste contribution).
- vi) Delegate to the Director (LD) the authority to agree appropriate maintenance arrangements with Whitby Town Council for a 10 year period for the Abbey Footpath and Green Lane Field.

REASON FOR RECOMMENDATION (S):

To enable improvements to community and open spaces within the Eastside of Whitby to be progressed.

HIGHLIGHTED RISKS:

- Loss of external funding to support improved facilities in East Whitby, an area of significant disadvantage.
- Planning permission not granted for the Green lane scheme, this would result in some delays whilst the scheme is reworked to address any concerns.
- Maintenance arrangements are still to be formally agreed for Green Lane and the Abbey Footpath. Initial discussions regarding maintenance arrangements are positive, however, in the event that funding and agreements cannot be secured the works will be delayed and additional funding sources explored.

1. INTRODUCTION

- 1.1 The Council has previously supported the delivery of the Action Eastside Action Plan 2013-2018 and granted “in principle” approval for the use of capital receipt and s.106 funding to support delivery of the Eastside community and open space improvement programme. In June 2015 first phase proposals were agreed by Cabinet. This report sets out further details of these first phase schemes and seeks further approvals necessary now schemes are further advanced.

2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN

- 2.1 The improvements set out in this report will support delivery of the “Inclusive and Vibrant” and “Safe and Healthy” aims of the Corporate Plan and Community Strategy.

3. BACKGROUND AND ISSUES

- 3.1 On 18 June 2013 Cabinet approved the adoption of the Action Eastside Action Plan 2013-2018 as an aspirational vision for the future of East Whitby and to support delivery of the Plan, through using it to influence the planning and delivery of Council Services in East Whitby
- 3.2 The Plan was developed through a partnership between the local community and organisations that deliver services in the area. Organisations involved included Groundwork North Yorkshire, Eastside Community Centre, The Borough Council, Yorkshire Coast Homes, Whitby Town Council, North Yorkshire County Council, Coast and Vale Community Action, Age UK and the Gateway Group.

- 3.3 Since the Plan was published the Action Eastside Group has worked to implement the Plan. A significant theme of the plan concerned the improvement of community and open spaces. In particular to address the need for improvements to existing spaces, to offset the loss of green spaces through development and respond to an increase in the resident population as a result of new housing developments.
- 3.4 As part of its support for the implementation of the plan on 17 February 2015 the Council agreed “in principle” approval for the use of s.106 and capital receipt money generated within East Whitby to support the programme. This was subject to further permissions and approvals being granted as the schemes were developed in more detail.
- 3.5 The schemes are being developed and progressed in phases. In June 2015 Cabinet gave further approvals for the first phase of schemes specifically:
- Eastside Park Feasibility and Planning Work
 - Calla Beck Improvement Works
 - Green Lane Play Area
 - Cinder Track Feasibility Study
- 3.6 This report seeks updated approvals in relation to revised schemes for Green Lane and Calla Beck schemes, following the securing of additional match funding. It also seeks approval for a new scheme to improve the Abbey Footpath, this was included in the Action Eastside Plan, however, was not initially included in the open space programme for which “in principle” approval has already been granted.

4. CONSULTATION

- 4.1 The Action Eastside Plan was undertaken following extensive consultation and set out a vision and priorities for East Whitby. This was approved by Cabinet in June 2013. The proposals in this report are all contained within the Action Eastside Plan.
- 4.2 Individual, initial consultations in relation to each scheme have already been undertaken as outlined below.

Calla Beck

- 4.3 This site is valued by local people and volunteering days have been supported by local people and organisations. The aim is to build on this, with “hands on” consultation through volunteers days and events for people to get involved in, with a view to this hands on management of the site continuing once the improvements are completed.
- 4.4 The most recent volunteer event was the construction of 90 planks of boardwalk to celebrate the Queen’s 90th birthday in April 2016. The Gateway

Group helped to organise the event, which gained some excellent publicity and local interest in the scheme.

Green Lane Fields

- 4.5 There is already a growing, local community group established to drive this project forwards and this group will continue to oversee its development and delivery, and to support the ongoing consultation activity.
- 4.6 The group have been fundraising and local support has helped in achieving additional funding for the scheme. One of the highlights for the group was winning the public vote in the Tesco Local Community Scheme, which secured £12,000 for the project and positive publicity.
- 4.7 The design brief was developed by local residents who were also involved in selecting the contractor.

Abbey Footpath

- 4.8 The need for general improvements to pedestrian infrastructure on the east side of Whitby, including the Abbey area was identified in the Eastside Action Plan. The need for improvement was also identified in the consultation undertaken for the Whitby Town Plan. Whitby Town Council are supportive of the project and has agreed £3000 of match funding and has agreed to undertake the ongoing maintenance of the path, once the resurfacing work is completed.
- 4.9 The improvements have strong support from local residents and specific support from local organisations and community groups including the Green Lane Community Group, Captain Cook Museum, Eastside Community Centre and the Coastal Communities Team for Whitby.

5. ASSESSMENT

- 5.1 The proposals set out form part of a comprehensive package of community and open space improvements in East Whitby. Residents and local organisations are already working together to develop and implement plans, through the Action Eastside Group and this provides a solid base from which to capture local enthusiasm and increase community engagement.
- 5.2 The programme as a whole represents a good use of capital receipt and s.106 funding generated in the area and brings added value through match funding from a variety of sources.

Calla Beck

- 5.3 This important wildlife and natural green space has seen a variety of small scale improvements over recent years and provides valuable habitats, being the only example of saltmarsh between the Tees and Humber.

- 5.4 The proposals aim to provide low ley improvements and repairs through local resident and volunteer involvement. Following earlier approvals work has already commenced to improve drainage, repair paths, clear litter and flytipping and prune back overgrown vegetation. A new boardwalk was recently constructed as part of the Queen's birthday events. The Community Payback Team has also assisted in undertaking some of the heavier tasks.
- 5.5 Community feedback has been good and interest in the area is growing. Local residents are now interested in learning more about wildlife in the area so a nature trail leaflet is being developed.
- 5.6 The original budget for this scheme was £16, 600, which included £500 match funding. The scheme value has now increased to £20,015 following the securing of a grant from NYCC (Stronger Communities). Much of the work will be delivered by volunteers and so the majority of the budget is being used for materials, equipment and volunteer supervision and development.
- 5.7 Volunteer activities will continue from May – August 2016 and the nature trail will be developed by August 2016. During September – March 2017 work will be ongoing to build ongoing sustainability of the community group and complete the project.

Green Lane Field

- 5.8 This open space and playing field is the only accessible green space for the community around The Ropery and St Mary's Crescent but is lacking in facilities other than two goalposts installed by Whitby in Bloom. For many years local residents have been asking for play facilities in this area. A community group has been established to drive this project forward and consultations have been carried out with families.
- 5.9 The proposed improvements will create a natural play area and seating. The design brief was developed by local residents, who also voted on the design proposals received from the tender process. Planning permission has been submitted and a decision is expected in mid May 2016.
- 5.10 The original budget for the scheme was £25, 000, including match funding of £2500. Significant additional match funding has been secured as set out in section 6 below, to enable a larger capital scheme to a value of £57,000 to be developed.
- 5.11 The annual maintenance cost of the new play area has been calculated at £1200 per annum. Officers have advised this can be undertaken by the Council subject to a £12,000 maintenance fund being established (£1200 per annum over 10 years). Almost £3000 has already been secured and Whitby Town Council has indicated they would be willing to underwrite the remaining costs, subject to fundraising efforts from the community group. Approval for the scheme is sought subject to formal agreement of maintenance arrangements, with authority for agreeing the maintenance delegated to the Director (LD).

- 5.12 Subject to planning permission being granted construction will take place in July and August 2016, with additional landscaping undertaken to complete the project in November and December 2016.

Abbey Footpath

- 5.13 The proposal is to improve the path from the Abbey Car Park to Caedmon Trod using a non slip surface for the main part of the path with Yorkshire stone flags on the bottom section, adjacent to the old Abbey wall and links to the Caedmon Trod. This is well used by visitors and residents and has strong local support. The total value of the scheme is £27,000, with £3000 of match funding from Whitby Town Council. Whitby Town Council has also indicated their agreement to the ongoing maintenance of the path for a period of 10 years.
- 5.14 In addition there are two further schemes in the first phase programme:
- **Eastside Park** - £9,000 was approved in June 2015 for design work. The design process is progressing and has been well received by local residents during consultations. Detailed designs and submission of planning permission is scheduled for May – July 2016. Match funding will be sought during August – November 2016, with construction anticipated in early 2017. Further reports will be presented to Members as the detail of this scheme and the funding arrangements are developed.
 - **Cinder Track Feasibility Study** – Sustrans have completed the draft proposals and a final report is expected in June 2016. Additional significant funding through the Coastal Revival Fund has enabled larger scale feasibility work along the entire track (Scarborough to Whitby) and it is hoped this will increase opportunities for funding the works identified.

6. IMPLICATIONS

6.1 Policy

- 6.1.1 The content of this report is in accordance with the Council's policy framework.

6.2 Legal

- 6.2.1 Groundwork North Yorksire are project managing the Calla Beck and Green Lane schemes under an agreement approved in November 2015. Delegated authority is sought for appropriate legal agreements to be drawn up with Whitby Town Council in relation to the ongoing maintenance for the Green Lane and Abbey Footpath schemes.

6.3 Financial

- 6.3.1 The Council agreed "in principle" approval for the use of s.106 and capital receipt money generated within East Whitby to support the programme in

February 2015 and approvals for the first phase schemes in June 2015. The land sale in relation to Helredale and St. Peter's Road was completed on 29 May 2015 and the capital receipt to a total value of £380, 000 has been received by the Council.

6.3.2 The total value of each scheme and sources of funding are shown below.

Abbey Footpath

Capital receipt Helredale	£24,000.00
Whitby Town Council	<u>£3000.00*</u>
	<u>£27,000.00</u>

*Whitby Town Council have agreed to undertake ongoing maintenance of the path for a period of 10 years.

Calla Beck

Capital receipt Helredale	£16,100.00
NYCC Stronger Communities	<u>£3915.00</u>
	<u>£20,015.00</u>

Green Lane

Capital Receipt Helredale	£22,500.00
Yorventure	£18,000.00
Tesco Local Community Scheme	£12,000.00
Coastal Communities Team	£4000.00
Whitby Town Council	£2000.00
NYCC Locality Grant (Cllr Plant)	£2000.00
Green Lane Community Group	£1254.00
	<u>£61,754.00*</u>

*The capital build cost is £57,000. Costs in addition to this are £1800 third party liability reimbursement to Yorwaste and £12,000 maintenance fund. Whitby Town Council have indicated they would be willing to underwrite the additional funding required for the maintenance fund, subject to ongoing fundraising from the Green lane Community Group.

6.4 Crime and Disorder

6.4.1 The schemes will be designed to minimise crime and nuisance from the facility, with low maintenance equipment. The programme as a whole should help to reduce crime and disorder by providing enhanced public and open space, additional community involvement and more positive activities for young people.

6.5 Environmental

6.5.1 The proposals will improve the appearance of green and open spaces in the East Whitby area.

6.6 Planning

6.6.1 Planning permission has been submitted for Green Lane Play area and a decision is expected in May 2016.

6.7 Staffing

6.7.1 The schemes will be project managed by Groundwork North Yorkshire, under the existing agreement (updated in November 2015). The work is supported by staff from the Customers and Communities Unit. Liaison with relevant staff from other departments will take place as required. Ongoing maintenance will be undertaken by staff from the Parks Service, subject to the necessary agreements being drawn up.

6.8 Equalities and Diversity

6.8.1 The Green Lane scheme will improve facilities in an area of disadvantage and will improve provision for children and young people. The resurfacing of the Abbey Footpath will improve the accessibility of the path.

7. ACTION PLAN

7.1 A timetable for the undertaking of works is as follows:

Calla Beck	
Continue volunteer activities, develop nature trail leaflet	May – Aug 2016
Build sustainability of community group and complete project	September 2016 – March 2017
Green Lane Field	
Maintenance Agreement Agreed	May/June 2016
Construction of the park	July/August 2016
Opening event	September 2016
Landscaping	Nov/December 2016
Abbey Footpath	
Maintenance Agreement Agreed	May/June 2016
Works undertaken	July/August 2016



Trevor Watson
Director

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Background Papers:

None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT Jo Ireland ON 01723 384315, e-mail jo.ireland@scarborough.gov.uk

NOTES