

CABINET

At a meeting held on Tuesday, 14 June 2016

Present:-

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

1. DECLARATIONS OF INTEREST

No declarations of interest were received.

2. MINUTES

RESOLVED that the minutes of the meeting held on 17 May 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 16/132) noting the following amendments:

(i) Item 29 Dean Road/Manor Road Depots should include Stepney ward.

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

5. PROGRESS OF SCRUTINY OF EXECUTIVE DECISIONS

Members were advised that the Portfolio Holder for Harbours, Assets, Coast and Flood Protection's decision dated 18 May in respect of the former Sandside Tourist Information Centre was called in and considered at a special meeting of the O&S Board on 2 June. The Board's recommendation that the Portfolio Holder reconsider his decision would be the subject of another report to the Portfolio Holder in due course.

6. PERFORMANCE MANAGEMENT FRAMEWORK - QUARTER 4 REPORT 2015/16

The Cabinet considered a report by the Director (LD) (Reference 16/127) in respect of the Council's performance at the end of the final quarter of 2015/16. Members were advised that under the new scrutiny arrangements, the Overview and Scrutiny Board was at liberty to consider performance management issues raised in the report without the need of the Cabinet's recommendation. Further, the performance target to re-let 75% of the stalls in the Market Hall following its redevelopment was an initial target. Longer term, the Council's ambition was to let 100% of the stalls. In Appendix 2, the corporate target to respond to 80% of complaints within 20 working days was to submit a full response in that time. With the permission of the Chairman, Councillor Cluer addressed the Cabinet, suggesting that in Appendix 2, under 'Place', the introduction of the new garden waste charging scheme did not contribute to environmental sustainability, but to financial viability. With the

Cabinet's approval, officers agreed to re-categorise this initiative as a Council target.

RESOLVED that the Cabinet, subject to the above amendment:

- (i) Note the results of the Performance Indicators for 2015/16
- (ii) Note the good/satisfactory levels of performance being achieved by services at the current time
- (iii) Note the performance against the Critical Success Factors for 2015/16
- (iv) Approve the Council's Critical Success Factors for 2016/17
- (v) Note the results for the monitoring of the Council's Significant Partnerships for 2015/16

Reasons

To provide information relating to Council performance for 2015/16 (inclusive), including monitoring of Performance Indicators, Critical Success Factors and Significant Partnerships.

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

To seek approval for the Council's Critical Success Factors for 2016/17.

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

7. TREE AND WOODLAND STRATEGY

This item was deferred to a future meeting.

8. REINSTATEMENT OF EDWARDIAN SHELTERS, WEST CLIFF, WHITBY

The Cabinet considered a report by the Director (NE) (Reference 16/130) in respect of the reinstatement of Edwardian shelters on the West Cliff in Whitby. Members welcomed this report and thanked officers for their efforts. The Asset and Risk Manager confirmed that the steel framework would be suitably galvanised to give protection from the elements.

RESOLVED that the Cabinet:

- (i) approve the construction of two replacement Edwardian shelters on West Cliff Whitby in accordance with the plans attached as Appendices 2 and 3;
- (ii) note that a budget of up to £80,000 for the replacement of the two shelters was approved as part of the Financial Strategy in February 2016;
- (iii) note that the architect that has drawn the plans for the replacement will be retained to obtain listed building consent for the two replacement shelters;
- (iv) authorise officers to tender for the works to construct the two replacement shelters;

- (v) subject to listed building consent being granted and the costings being within budget delegate authority to the Director (NE) in consultation with the Portfolio Holder for Strategic Planning and Transformation to enter into contract with the successful contractor(s) following the tender exercise;
- (vi) authorise any surplus budget to be used to paint the external of the Whitby Cliff Lift top station and the third West Cliff shelter to ensure they are within keeping with the two new shelters.

Reasons

- To obtain the support of Cabinet to re-construct the two historic shelters that suffered storm damage.
- To obtain authority to undertake the works required in terms of obtaining listed building consent and construction costs.
- To provide structurally improved and visually enhanced shelters for this popular area.
- To enhance the street scene in this location.

8.A LETTING OF UNIT 2, CHOLMLEY WAY, WHITBY

The Cabinet considered a report by the Director (NE) (Reference 16/140) in respect of the letting of Unit 2, Cholmley Way, Whitby. At the Portfolio Holder's request, the Director, Mrs Dixon agreed to review the financial thresholds for the disposal of land and property as part of a wider review of the Constitution.

RESOLVED that the Cabinet approve the property transaction detailed in the report.

Reasons

To finalise the transaction in accordance with the Council's Constitution.

9. 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).

10. KHYBER PASS TOILETS - PROVISION/REDEVELOPMENT

The Cabinet considered a report by the Director (NE) (Reference 16/129) in respect of the disposal and replacement of the existing public conveniences at Khyber Pass, Whitby. At the Portfolio Holder for Public Health and Housing's request, officers undertook to ensure that the new facility would meet a high standard of energy and water efficiency.

RESOLVED that the Cabinet recommend the full Council to:

- (i) approve in principle the freehold disposal of land and premises that form the existing public convenience at Khyber Pass, Whitby as edged red in Appendix 1 of the report;
- (ii) approve a disposal marketing budget of £6,500 to be funded from the Capital Development Reserve;
- (iii) approve in principle the development of a new pay on entry public convenience facility by extending the Shellfish Holding building off Pier Road, Whitby (Option 2 in the report) to be funded from the Council's capital resources;
- (iv) authorise the appointment of an architect to obtain planning permission for the new public convenience off Pier Road, Whitby (Option 2);
- (v) authorise Officers to tender for the works to develop the new public convenience facility off Pier Road, Whitby (Option 2);
- (vi) approve a budget of £5,000 to obtain planning permission and undertake the necessary tenders in respect of Option 2 to be funded, at risk, from the Capital Development Reserve;
- (vii) authorise Officers to design a scheme for the enhancement of the street scene adjoining the new public convenience facility;
- (viii) note that the Council will be undertaking the development of a new public convenience at financial risk as the new facility will need to be completed prior to obtaining a capital receipt for the freehold disposal of the existing Khyber Pass toilets;
- (ix) note that a further report will be presented to Cabinet/Council for final approval of the proposals following the completion of the marketing campaign for the sale of the existing site, and the planning application and tender exercise for the new public convenience facility.

Reasons

- To obtain the in principle support of Cabinet to dispose of the freehold interest of the existing public convenience site.
- To ensure the development opportunity for the existing site is widely and effectively marketed.
- To achieve a capital receipt from the disposal of the existing site and reduce the Council's on-going maintenance liability.
- To provide a regeneration opportunity for this prime sea view site.

- To obtain authority to commence the works required for the new public convenience facility in terms of obtaining planning permission and tendering for construction costs.
- To provide an improved public convenience facility for this busy seafront location.
- To enhance the street scene in this location.

Chairman