

CABINET

At a meeting held on Tuesday, 15 May 2018

Present:-

Councillor D J Bastiman (Chairman) in the Chair;
Councillors W Chatt, M J Cockerill, A Jenkinson, Mrs H F Mallory, J Nock, J Plant
and Mrs S Turner

1. DECLARATIONS OF INTEREST

No declarations of interests were received.

2. MINUTES

RESOLVED that the minutes of the meeting held on 17 April 2018 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 18/103). Councillor Mallory reported a new item under her portfolio: Loan Strategy to be considered in June. Various other matters were raised under the portfolios. In respect of the Council's ongoing efforts to recover the £10k legal costs from Save the Futurist Ltd, Councillor Nock reported that the company's solicitors continued to fail to respond to the Council's communications. However, in taking steps to recover this debt, the Council could take action against individuals if it were found that the company acted improperly in administering its funds following the making of the court order. In relation to the awaited report on the status of land at Whitby Harbour, Councillor Nock confirmed that the Council was in receipt of legal advice at the highest level on this very complex matter, but he was not at liberty to disclose any further details at this point. In respect of his successful motion at the Council meeting in March to lobby the Fisheries Minister to protect local sustainable beach net fishing for sea trout, Councillor Cockerill reported that the Environment Agency had determined to delay the introduction of the new byelaws for a year to enable them to consider properly the large volume of responses to their recent consultation.

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 17 April.

6. SELECTIVE LICENSING OF PRIVATE RENTED ACCOMMODATION

The Cabinet considered a report by the Director (NE) (Reference 18/97) in respect of the proposed introduction of Selective Licensing of Private Rented Accommodation in the area known as Scarborough Central following the

successful introduction of a similar scheme in the area known as Scarborough North. Members were advised that a detailed business case for the proposals in the report was set out in Appendix B of the report, and subject to Cabinet approval, would then go out to public consultation. A review of the first designation in Scarborough North had already demonstrated the effectiveness of the scheme which it was intended to roll out to other areas in a phased approach. The Housing Strategy and Development Officer advised that although the licence fee for the new area was still to be determined, it was likely to be the same as for the existing area.

RESOLVED that the Cabinet:

- i Approve the business case for the introduction of Selective Licensing in the area known as Scarborough Central (**Appendix B**) and instruct officers to commence a detailed programme of public consultation on this business case in accordance with the consultation plan set out within the report (**Appendix C**).
- ii Instruct officers to bring a further report to Cabinet on conclusion of the consultation. 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. It can 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.

7. REPLACEMENT OF THE ARTIFICIAL GRASS PITCH AT PINDAR LEISURE CENTRE

The Cabinet considered a report by the Director (RB) (Reference 18/96) in respect of the replacement of the artificial grass pitch at Pindar Leisure Centre with a new 3G surface to be funded in part by s106 monies arising from the partial loss of nearby playing fields.

RESOLVED that the Cabinet approve that:

- i The existing football pitch at Pindar Leisure Centre is upgraded to a 3G pitch on the existing footprint; and
- ii The Council continues with its appointment of Robinson Low Francis Construction and Property Consultants (RLF) from the Football Foundation's Framework to undertake the project management and supervision of the works; and
- iii The Council appoints Support in Sport (UK) Limited (SIS) from the Football Foundation's Supplier Framework to undertake the works; and
- iv The Council enters into a licence agreement with Pindar school facilitating the undertaking of these works.

Reasons

The playing pitch at Pindar Leisure Centre is at the end of its lifespan. A decision and funding is already in place to replace the surface on a like for like sand basis. However, since this decision was made additional funding has been made available, including a significant s.106 contribution to mitigate for the partial loss of a nearby sports field. This additional funding provides an option to replace the pitch with a 3G surface, which would provide an improved facility for community use.

8. JOINT WORKING - COUNTYWIDE CIVIL PARKING ENFORCEMENT AND REVENUES

The Cabinet considered a joint report by the Director (LD) and Director (NE) (Reference 18/104) in respect of proposed joint working arrangements with Ryedale, Hambleton and Richmondshire District Councils in civil parking enforcement and with Ryedale District Council in the Revenues service.

RESOLVED that the Cabinet:

- i Approve authorisation to enter into separate service level agreements to continue to manage the off street parking enforcement and back office provision by Scarborough for Ryedale, Hambleton and Richmondshire District Councils. The agreements to be renewed for a three year period with an option to extend by officer decision for a period of two years;
- ii Approve authorisation to enter into a 3 year joint working agreement with Ryedale District Council for the Revenues service, and delegate the authority to enter into the agreement to the Director (LD).

Reasons

To enable off street enforcement to continue in Ryedale, Hambleton and Richmondshire on 30 May 2018 and allow a joint Revenues team to be established for Scarborough and Ryedale with effect from 1 June 2018.

9. PRESS ADVERTISING

The Cabinet considered a verbal report by the Portfolio Holder, Councillor Turner on the Council's use of the press to advertise statutory notices, and how efficiency savings were being achieved. Members were reminded that the local authority was required by statute to place public notices in respect of its functions in at least one local newspaper circulating in the relevant geographical area. Historically, the Council had done this directly with Johnston Media, the proprietor of both Scarborough News and Whitby Gazette. In the previous three years, the Council's spend on public notices with Johnston Media had been £33,506 (2015), £35,751 (2016) and £56,419 (2017). However, officers had now identified an alternative procurement option which allowed the Council still to meet its statutory obligations in terms of press advertising and to make cost savings. This was a new framework contract called the Local Government Resourcing Partnership which was launched in October 2017 and had been let via the Yorkshire Purchasing Organisation. The framework contract covered the Council's requirements for laying out public notices in the most space efficient manner from copy supplied, placing the work into the Council's preferred publications via a

national media booking company (thus using their buying power to attract a discounted column rate) – and handling the process for the Council from beginning to end. The Council had engaged with supplier TMP through this framework who had achieved a reduction in the number of column centimetres by 25-30% generating potential savings of over £23k. Further significant savings were also being realised by placing Scarborough and Filey based notices in the Scarborough Review which was a monthly free to buy newspapers. Members welcomed these efficiency measures which would be kept under review.

RESOLVED that the report be received.

**10. REVIEW OF FISHING SECTOR AT SCARBOROUGH HARBOUR
(OVERVIEW AND SCRUTINY BOARD)**

The Cabinet considered a report by the Director (LD) (Reference 18/99) in respect of a review of the fishing sector at Scarborough Harbour commissioned by the Overview and Scrutiny Board and set within the context of the Strategic Business Plan for Scarborough Harbour approved by the Cabinet in September 2017. Member of the Task Group, Councillor Paul Cross introduced the report. The Portfolio Holder for Major Projects, Councillor Cockerill then commented on the report's recommendations. He noted that although it was under his portfolio he had not been consulted on the proposals. In respect of (i), he noted that Scarborough Harbour had seen many changes over the years from predominantly being for the benefit of the fishing and cargo sectors to now including commercial and personal leisure. He believed that any development needed to be considered from a holistic viewpoint rather than in terms of just one sector. However, appropriate investment and maintenance would continue where a viable business case was made. In respect of (ii), he commented he would be willing to investigate the provision of an additional davit. He added that problems with previous equipment a few years ago had led to the installation of two new davits the specification of which had been discussed, modified and agreed with the main users. It would assist if a suggested use, location and specification had been included. He agreed that maintaining suitable HGV access was essential, and that further scrutiny reports into the other sectors of harbour activity would allow an overall masterplan to be developed. He undertook to investigate the practicality and funding for improved boat maintenance facilities as recommended. In respect of the recommended reconfiguration of buildings on the West Pier, the development of a local shellfish brand and a lobster hatchery, Councillor Cockerill commented that the future configuration of West Pier was a vital aspect in the life of the harbour. However, any development needed to be considered holistically. He reported positive discussions about the potential expansion of the shellfish processing sector through the creation of additional space for one of the harbour's tenants. A local fisherman was also working on developing a local shellfish brand as shown on a recent TV programme. He noted that the idea of a lobster hatchery was investigated some years ago but not found to be a viable proposition. However, he was willing to instruct officers to, once again look into the practicality and viability of local branding and a lobster hatchery. Finally, Councillor Cockerill commented that he was not consulted during the preparation of the Task Group's report, and that whilst not necessarily disagreeing with the main

thrust of the report, he recommended that the Cabinet receive the report and look forward to similar documents relating to the other aspects of Scarborough Harbour to allow a holistic review to take place and that this be undertaken in consultation with relevant Portfolio Holders. In the meantime, he would continue to progress the maintenance of existing infrastructure and facilities, investigate ways to enhance the necessary infrastructure and facilities for all sectors using the harbour, and to consider the potential for additional and alternative harbour users, each proposal to be supported by a robust business case. The Chairman and other Members of the Cabinet commented on the report. They concurred with Councillor Cockerill that a more holistic approach was warranted to support the development of a masterplan for Scarborough Harbour, and that the fishing industry, although important, was just one sector. They felt this review should involve all the relevant Portfolio Holders. Councillor Paul Cross commented that the review had engaged with other harbour users and stakeholders who had recognised the cultural and economic importance of the fishing industry and had been very supportive of its continued presence in the harbour. The Chairman thanked Councillor Cross and the Task Group for their efforts, but regarded the report as preparatory to a larger and more holistic review in support of a masterplan for Scarborough Harbour.

RESOLVED that:

- (i) The report be received;
- (ii) A proposed larger and more holistic review of Scarborough Harbour be referred back to the Overview and Scrutiny Board to consider and commission in consultation with the relevant Portfolio Holders.

Reasons

To enable a holistic approach to the development of Scarborough Harbour in accordance with the Strategic Business Plan.

11. EXCLUSION OF THE PUBLIC

The Chairman noted that the last report on the agenda included a private and confidential appendix which might necessitate moving into private session should Members wish to discuss the sensitive information therein. In the event, this item was considered in public.

12. SALE OF STAKESBY DEPOT, WHITBY

The Cabinet considered a report by the Director (RB) (Reference 18/95) in respect of the freehold disposal of the Stakesby Depot site to bidder 'A' as a special purchaser. This status was justified by the fact that bidder 'A', as the adjoining owner, would be able to utilise a second access through the existing development and therefore pay a marriage value premium above what the wider market would pay.

RESOLVED that the Cabinet:

- i accept the offer from Bidder 'A' as special purchaser detailed in the private and confidential document (Appendix P&C1) and grant final approval for the freehold disposal of the site edged red on the attached plan (Appendix 1);

- ii approve a marketing fee and disposal budget of 2% of the sale price to be funded from the capital development reserve.

Reasons

- To accept the financial offer for the land.
- To achieve a capital receipt from the sale;
- To release the site for a proposed housing use;
- To approve the disposal costs incurred.

Chairman