

## **CABINET**

At a meeting held on Tuesday, 14 July 2015

Present:-

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

### **1. DECLARATIONS OF INTEREST**

No declarations of interest were received.

### **2. MINUTES**

**RESOLVED** that the minutes of the meeting held on 16 June 2015 be approved as a correct record and signed by the Chairman.

### **3. PUBLIC QUESTION TIME**

The Chairman reported that no public questions had been received.

### **4. FORWARD PLAN**

The Cabinet considered the Forward Plan (Reference 15/192) agreeing the following amendments:

- (i) Item 10, Review of the Public Convenience Service, be placed under the correct portfolio of Leisure, Tourism and Culture (as previously indicated);
- (ii) An item on the redevelopment of Scarborough Market Hall be added to the portfolio of Public Health and Housing.

**RESOLVED** that, subject to the above, 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 16 June.

### **6. FINANCE & TREASURY OUTTURN REPORT 2014/15**

The Cabinet considered a report by the Director (NE) (Reference 15/191) which outlined the Council's financial and treasury outturn position 2014/15 and made recommendations in respect of the underspend on the revenue budget and the revised Prudential Indicators.

**RESOLVED** that the Cabinet:

(i) Note the report, and in particular:

- the £63k underspend on the revenue budget for 2014/15;
- the outturn position for capital schemes completed in the period and capital receipts for the 2014/15 year; and

- the outturn position of the Council's Treasury Management function for the 2014/2015 year.
- (ii) Approve that the revenue budget underspend be transferred to the Capital Development Reserve and note that projections show an overcommitted balance on the reserve of £755k over the ten year period.
- (iii) Recommend that Council approve the revised Prudential Indicators for Capital Expenditure and the Capital Financing Requirement.

### **Reasons**

(i) To utilise the year end surplus to ensure that priority projects are progressed whilst maintaining financial stability for the Authority.

(ii) To comply with the CIPFA Code of Practice of Treasury Management in Local Authorities by informing Cabinet of the Council's treasury management activities before 30 September following the end of the financial year that the report relates.

(iii) To keep Members informed of Treasury Management activities and performance.

## **7. LAND AT DANES DYKE, NEWBY**

The Cabinet considered a report by the Director (NE) (Reference 15/193) which outlined a series of options in respect of the future use of an area of Council owned public open space at Danes Dyke, Newby. The Chairman commented that although he had spoken against the application submitted by Home Group for the development of a Supported Housing Scheme for victims of domestic violence at the Planning and Development Committee on 12 March 2015 (which had been subsequently approved), he retained an open mind in regard to the question of whether and how to dispose of the site as described in the report. At the invitation of the Chairman, both the Mayor, Councillor Tom Fox and Councillor Dilys Cluer addressed the meeting in support of Option 1, that the Council grants final approval for the sale of the land to Home Group for the development of the Supported Housing Scheme. They and some Cabinet members alluded to the great social need for this scheme, the wider consequences of domestic violence on the local community, the time and money Home Group had already expended on this project, and that best value considerations should also take into account community and social benefits. However, the majority view of the Cabinet was that given the severe financial challenges facing the Council, Members' overriding duty was to seek the market value for the parcel of land, subject to planning permission.

**RESOLVED** that the Cabinet note the objections received by the Council in relation to the sale of 0.52 acres of public open space at Danes Dyke, Newby, Scarborough, and approve the marketing and subsequent tender of the site to be sold for its highest and best value subject to planning permission.

### **Reasons**

To obtain clarity on the future use of this land.

## **8. DRAFT HOMES IN MULTIPLE OCCUPATION SUPPLEMENTARY PLANNING DOCUMENT - CONSULTATION**

The Cabinet considered a report by the Planning Services Manager (Reference 15/175) in respect of a draft Houses in Multiple Occupation Supplementary Planning Document which proposed certain restrictions on the development of this form of dwelling type to inform the consideration of relevant planning applications.

**RESOLVED** that the Houses in Multiple Occupation – Draft Supplementary Planning Document be published for consultation setting out the policy guidelines for the consideration of planning applications for this form of dwelling type.

### **Reasons**

Since the feedback on the Draft Local Plan in summer 2014 which highlighted concern over the proliferation of Houses in Multiple Occupation, the Borough Council has sought to explore in detail the issues in relation to this form of housing. Taking into account that information and the responses of recent consultation on “Issues and Options”, draft supplementary policy has been developed to inform consideration of such proposals and provide policy that is up to date and effective when managing the supply and quality of Houses in Multiple Occupation.

## **9. LOCAL SUPPORT FOR COUNCIL TAX 2016/17**

The Cabinet considered a report by the Director (LD) (Reference 15/189) which sought approval to enter into a period of formal consultation on the Local Support for Council Tax (LSCT) scheme for 2016/17, including options to retain or alter the maximum 90% Council Tax liability, or to introduce cuts to the scheme for specific groups. Members were advised that Government welfare changes and budget pressures may well have implications for the scheme which would have to be considered by the cross-party Member Working Group. Nominations for the Working Group would be sought from Group Leaders.

**RESOLVED** that the Cabinet note the contents of the report and:

- (i) Approve Officers to enter into a period of formal consultation on the Local Support for Council Tax (LSCT) scheme for 2016/17:
  - Consideration towards retaining the key elements of the current scheme approved for 2015/16 with a maximum 90% Council Tax liability used to calculate support, noting that the current scheme is funded from reductions in general Council Tax Discounts and a Government Grant;
  - Consideration towards reducing the eligible Council Tax Liability used in the calculation to 87.5%, 85% or 80%.

- Consideration towards cuts to the scheme for specific groups for example:
  - Introducing minimum income for self employed earners
  - Reducing the ceiling for capital (savings) and reducing the lower capital threshold
  - Counting all maintenance from former partners(s) as income
  - Additional measures if required following Government budget announcement
- (ii) Invite the Group Leaders to make nominations to re-establish the cross-party Member Working Group to work up details of the LSCT scheme for 2016/17.

### **Reasons**

The Council approved a LSCT scheme on 12 January 2015 for the financial year 2015/16 only. As a billing authority we must approve our 2016/17 LSCT schemes by full Council by 11 January 2016.

The Council is facing continued financial pressures leading to the consideration of reducing the cost of the LSCT scheme

By considering a 'flat rate' maximum Council Tax liability used in the calculation for the LSCT scheme (90% in 2015/16) for all working age claimants the Council is not favouring or disadvantaging any specific groups. The proposed LSCT scheme utilises existing allowances, premiums and disregards to provide some protection for those deemed vulnerable.

Other options to be considered will affect only certain groups of claimants.

Part of the process includes formal consultation with the major preceptors – North Yorkshire County Council, North Yorkshire Police and North Yorkshire Fire and Rescue, and also general public consultation on the draft scheme.

## **10. RUNSWICK BAY COASTAL STRATEGY**

The Cabinet considered a report by the Director (LD) (Reference 15/170) which presented the Runswick Bay Coastal Strategy for approval.

**RESOLVED** that the Cabinet approve the Runswick Bay Coastal Strategy and adopt the policies and action plan at nil cost to the Council.

### **Reasons**

To aid the management of risks to people and the developed, natural and historic environment from sea flooding, coastal erosion and coastal instability over the next 100 years.

To identify the programme of necessary expenditure for essential upgrading of the coastal defence assets in Runswick Bay in order to assist in securing potential funding from central government and beneficiaries for future works.

To comply with Defra and Environment Agency best practice on coastal management, including taking into account contemporary guidance, studies and monitoring data including predicted rises in sea level, storm surges, coastal processes and slope stability.

**11. SCARBOROUGH SPA COAST PROTECTION SCHEME**

The Cabinet considered a joint report by the Chief Executive and Director (LD) (Reference 15/198) in respect of progress with the Scarborough Spa Coast Protection Scheme.

**RESOLVED** that the Cabinet:

- (i) note North Yorkshire County Council's agreement to underwrite up to £1.2m as financial contingency for the first phase of the Scarborough Spa Coast Protection Works;
- (ii) approve an exemption to the Council's Contract Procedure Rules and authorise the appointment of Peter Brett Associates LLP at the cost of up to £8k to carry out public engagement with the residents and businesses of South Cliff who may be affected by the risks; and that before any public consultation takes place and throughout the consultation process, detailed dialogue with the Portfolio Holder for Harbours, Assets, Coast and Flood Protection is commenced and maintained.

**Reasons**

To acknowledge that North Yorkshire County Council have agreed to this Council's request that they provide a financial contribution to the Scarborough Spa Coast Protection Works.

To commence consultation with residents and businesses of South Cliff who may be affected by the risks.

**Chairman**