

## **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**