

CABINET

At a meeting held on Tuesday, 16 March 2021

Present:-

Councillor S Siddons (Chairman) in the Chair;
Councillors Ms E Colling, Mrs J Jefferson, T Randerson, Ms M Donohue-Moncrieff
and C D Maw

1. DECLARATIONS OF INTEREST

Councillor Jefferson declared a personal interest in agenda item 6, Scarborough Town Centre Strategy update, since in her capacity as a local business owner and President of Scarborough Chamber of Trade and Commerce she had been involved in the consultation on the development of the Scarborough Town Centre Strategy.

Councillor Randerson declared a personal interest in agenda item 9, Better Homes Project - Consideration of objections to the sale of land for the development of affordable homes, since in his capacity as ward councillor of Eastfield he had reached a predetermined position in respect of this matter. Therefore he would speak to this matter but would not take part in the vote.

2. MINUTES

RESOLVED that the minutes of the meeting held on 16 February 2021 be approved as a correct record and signed by the Chairman.

3. PUBLIC QUESTION TIME

The Chairman reported the receipt of a public question by Mr James Corrigan in respect of Item 6, Scarborough Town Centre Strategy Update. The question and answer given are set out below.

Q. Para 3.18 refers to work continuing to develop and progress proposals on the Argos development for the Student Flats. I believe this means that the plans are being further revised and the planning application process will be required to restart the statutory consultation period. As that process has not yet begun it is unlikely that the planning application will be considered in committee before the May meeting. I would like to remind you that at Cabinet on 16 June 2020 Councillor Colling stated that planning permission was scheduled to be in place by the end of September 2020 to enable the project to meet the timescale for the University to occupy from September 2023. I would also like to remind you of the prospect of a Judicial Review challenge to the planning permission, about which I was told by Mr Bradley at the Overview and Scrutiny Board had not occurred in the last 12 months, yet it was clearly established that this Council had in fact had a planning permission quashed by the High Court following Judicial Review proceedings (in which this Council was the applicant for the permission that was quashed). With all this delay and risk of challenge is the delivery of the project on time a

possibility and if the deadlines are missed are there any penalty consequences on the Council?

A. Discussions between the Council, University and Wrenbridge are continuing and there are currently no penalty consequences.

4. FORWARD PLAN

The Cabinet considered the Forward Plan (Reference 21/51).

RESOLVED that 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 February.

6. SCARBOROUGH TOWN CENTRE STRATEGY UPDATE

The Cabinet considered a report by the Chief Executive (Reference 21/49) providing an update on the Scarborough Town Centre Strategy. Introducing the report, the Portfolio Holder, Councillor Colling wished to express her gratitude to the Town Centre Team who gave freely of their time and expertise in support of the Town Centre Strategy and she welcomed the Chair of the Town Centre Team, Mr Richard Grunwell to the meeting. The Economic Development Project Manager, Mr Richards then presented the report, noting how since adoption of the Scarborough Town Centre Strategy in 2019 the ongoing COVID pandemic had had a dramatic impact on the town centre highlighting many of the issues the strategy was designed to address: the pressures on traditional retail business, the future function of town centre property and the importance of high quality public and mixed use space within town centres. The vision and objectives of the Town Centre Strategy had never been more relevant and the need to deliver change had been brought into sharp focus over recent months. He then outlined the progress made against the seven strategic objectives:

- To make the Town a mixed use environment
 - To facilitate Scarborough becoming a Student Town
 - To enable and increase residential living within Scarborough Town Centre
 - To develop our night time (transitional) Economy
 - Build our identity, image and brand
 - Create an inviting public realm we can be proud of
 - Establish a collaborative and supportive Town Centre community
- noting that circa £1m of investment has already been committed since adoption of the Town Centre Strategy with a further £50m of investment planned for future years. Mr Richards concluded that subject to securing future funding opportunities and with the continued support of the business, stakeholders and the community, the Council was on track to deliver the vision and objectives laid down within the strategy.

At the invitation of the Chairman, Mr Grunwell then addressed the meeting commending the comprehensive report and highlighting two issues in particular that the Council and its partners needed to address to realise the

strategy's vision: getting the public realm in order and tackling anti-social behaviour. He also wished to make it clear that the Town Centre Team was not a lobby group, and although there may be differences in emphasis, the Town Centre Team remained fully supportive of the Council. The Chairman and other Cabinet Members then spoke, welcoming the skills, experience and expertise of the Town Centre Team, and concurring with Mr Grunwell's prioritisation of these two issues, whilst noting the work of the Scarborough Anti-Theft Group and other initiatives already in place to address anti-social behaviour. Asked further which Town Investment Plan priorities he felt were most important, Mr Grunwell highlighted the Station Gateway and ensuring the Brunswick Centre remained an upmarket destination which offered an enjoyable visitor experience. At the invitation of the Chairman, Councillor David Jeffels addressed the meeting, echoing the comments made about the Town Centre Team, and stressing the importance of attracting private sector investment and of securing physical improvements such as the new wooden tree boxes, in the same way that some years ago enhancements were made to Sandside. He suggested too that certain streets be made showcases for these improvements. The Chairman thanked Mr Grunwell for his attendance and for the ongoing efforts of the Town Centre Team.

RESOLVED that the report be noted.

7. TOWN DEALS FOR WHITBY AND SCARBOROUGH

The Chief Executive considered a report by the Chief Executive (Reference 21/50) in respect of the Town Deals for Whitby and Scarborough. Introducing the item, the Portfolio Holder, Councillor Colling was delighted to report the Council's success in attracting £37.3m of Town Deal funding for both Scarborough and Whitby, whilst commending the efforts of the Town Deal Boards, working groups and consultees, and of officers across the Council, particularly the Council's Regeneration Team. The Chief Executive, Mr Greene then presented the report, noting that the Council was at the vanguard of significant change in all three towns in the Borough, through the Town Deal Investment Plans for Scarborough and Whitby, and parallel work being undertaken in Filey outside the Town Deal framework. Here was the opportunity through such levels of investment (one of the highest allocations in the country for a Borough of this size) to drive major regeneration in the Borough post-COVID. He echoed Councillor Colling's praise for all the participants in this process, noting the strength of the multi-stakeholder partnership in the Town Deal Boards and their continuing community engagement to help shape the Town Investment Plans – the blueprint for investment and activity in Whitby and Scarborough over the next decade. The physical masterplans which complemented the Town Investment Plans were also in preparation, the first for Scarborough to be considered by the Cabinet in May. He added that it was always the intention that the projects outlined in the Town Investment Plans would exceed the Town Deal funding available, given the other possible funding streams such as the LEP and the Levelling Up Fund which could be pursued to support the projects which fell outside the Town Deal priority list. Lastly, Mr Greene referred to the work being undertaken to ensure the Council had the resources available to deliver on its ambitions including the Town Investment Plans, and to the good progress being made with a similar investment plan for Filey. In reply to

Cabinet Members' questions, Mr Richards explained the timeframe for the next steps: the two months to identify the Town Deal projects following the acceptance of the Heads of Terms; completion of a business case for each project within 12 months of the deal being agreed; and delivery of the projects by 2025. Mr Greene advised that he expected the projects in Filey to proceed more quickly since these would be funded internally and would seek to make transformational improvements to some of Filey's key assets. In terms of the prioritisation process, this was subject to a robust assessment framework with advice and support from both MHCLG and the LEP. Councillor Jefferson set the Town Deal work within the context of the Council's recently approved Financial Strategy and the new Local Investment Fund Strategy, whilst the Chairman ended the discussion by also referring to the wide package of investment in place for the Borough, not forgetting the Town Deal Fast Track Schemes approved at the December Cabinet meeting.

RESOLVED that the Cabinet delegate authority to the Chief Executive to sign Heads of Terms (HOT's) relating to the acceptance of:

1. twenty million, two hundred thousand pounds (£20.2m) of Town Deal funding from the Government's Town Fund from the Ministry of Housing Communities and Local Government (MHCLG) in relation to the delivery of the Scarborough Town Investment Plan and in accordance with the HOT's attached at Appendix 1.
2. seventeen million, one hundred thousand pounds (£17.1m) of Town Deal funding from the Government's Town Fund from MHCLG in relation to the delivery of the Whitby Town Investment Plan and in accordance with the HOT's attached at Appendix 2.

and; within eight weeks of signing the HOT's delegate authority to the Chief Executive to:

3. confirm details of projects being taken forward and present a plan for addressing key conditions relating to those projects and the overall Town Investment Plan to MHCLG.

Reasons

To allow progression of delivery of the Town Deals for Scarborough and Whitby

8. COVID-19 OPERATIONAL RECOVERY PLANNING ROADMAP

The Cabinet considered a report by the Director (NE) (Reference 21/47) in respect of the COVID-19 Operational Recovery Planning Roadmap. Introducing this item, the Portfolio Holder, Councillor Randerson paid tribute to members of the public who had adhered to government guidelines throughout the pandemic, and the staff and volunteers at the vaccination centre at Scarborough Rugby Club, as the Borough now looked forward to emerging from lockdown as outlined in the Council's Roadmap. Presenting his report, the Director, Mr Edwards acknowledged how difficult the previous twelve months had been, and explained how the Roadmap would enable the Council to plan and prepare carefully for the gradual re-opening of the Borough in a safe and welcoming manner through a series of steps aligned to the key dates

in the Government's Roadmap. He noted how hard the Council had worked to support local businesses during the lockdown and this support would continue through the recovery to ensure businesses and communities felt safe and confident in welcoming back visitors to the Borough. Members were advised that the Council's public conveniences would reopen on 29 March, whilst the reopening of the St Nicholas toilets was now scheduled for the summer holidays following an increase in the scope of works and cost for the refurbishment to include a new Changing Places facility. Members then commented on the report. In reply to a question, Mr Edwards confirmed that any local businesses in receipt of government grant aid which reopened in advance of the earliest permitted date of 12 April would be at risk of having to repay their grant. Members welcomed the new Changing Places facility, noted the precarious position of some businesses, and emphasised the importance of supporting communities and businesses to make that shift safely to normality. The Operations, Transport and Countryside Manager, Mr Thompson then outlined some of the detail of the Roadmap around the reopening of public conveniences and car parks, ensuring the public realm was as clean, tidy and safe as possible, keeping signage up to date, a fit for purpose communications strategy, deployment of COVID marshals and tourism ambassadors, and all set within a robust framework to keep infection rates under review and to manage any outbreaks. In response to an expected increase in takeaway use, measures were in place to augment the Council's street cleansing resource, noting as well the attention which would be paid to the Borough's beaches. Members expressed gratitude to the many volunteer beach litter pickers who complemented the Council's cleansing work. The Chairman joined the Chief Executive in paying tribute to Messrs Edwards, Thompson and Clark for their herculean efforts in spearheading the Council's operational response to the pandemic.

RESOLVED that the Cabinet approves:

- i) The COVID 19 Operational Recovery Planning Roadmap;
- ii) A £100k uplift in the capital budget established for Phase 1 of the public convenience refurbishment programme to reflect an increased scope of works and cost for the refurbishment of the Foreshore Road public conveniences in Scarborough; increasing the Foreshore Road refurbishment budget to £490k and the overall scheme budget from £1.158m to £1.258m. The £100k uplift will be funded from the £2.5m 'Better Places' capital programme budget allocation;
- iii) Authority to appoint F Parkinson Limited to undertake the refurbishment of the Foreshore Road public toilets, and
- iv) Notes that on 4 March 2021 the Government announced funding will be made available for Councils to provide Changing Places Toilet facilities. Officers will be lodging an expression of interest to hopefully obtain grant funding towards these works.

Reasons

1. To ensure that the Council has a robust framework to deliver the recovery phase of the COVID 19 pandemic.
2. To progress the refurbishment of the Foreshore Road public conveniences, Scarborough in order that works can be delivered as soon as practicable.

9. BETTER HOMES PROJECT - CONSIDERATION OF OBJECTIONS TO THE SALE OF LAND FOR THE DEVELOPMENT OF AFFORDABLE HOMES

The Cabinet considered a joint report by the Directors (RB & NE) (Reference 21/20) in respect of the proposed sale of land at Westway and Lingholm Crescent, Eastfield for the development of affordable. Members were reminded that in accordance with Section 123 of the Local Government Act 1972 officers had advertised the proposed sale of the above two sites to enable the consideration of any objections or representations to the sale made by members of the public. Members were advised that these objections had centred on issues such as loss of open space, traffic congestion and parking, and lack of local amenities, which, if Cabinet were minded to approve the sale, would be addressed through the subsequent planning process. Councillor Randerson, Portfolio Holder for Neighbourhoods and ward councillor for Eastfield, then addressed the meeting, citing his constituents' concerns about the proposed sale – particularly the loss of much valued open space and the inadequacy of current GP and dentist provision in the area to be exacerbated by the imminent closure of the local dentist practice - which he felt he could not support. Other Cabinet Members commented on the report. Whilst they sympathised with Councillor Randerson's position, they noted the acute shortage of affordable housing in the Borough, that these sites had been earmarked for housing for over a decade, that the planned development was low density, issues such as access through the site for dog walkers could be addressed through the planning process, as could the matter of local NHS provision, which in the case of dentists was a wider national issue.

RESOLVED that the Cabinet:

1. Consider objections and representations made by members of the public to the proposed sale of land at Westway and Lingholm Crescent, Eastfield.
2. Instruct officers to proceed with the sale of this land to Beyond Housing for the purpose of developing affordable homes on the terms as set out previously in report 20/226 on the condition that the sale shall only complete subject to the developer obtaining planning permission.

Reasons

This report provides a follow up to the recommendations within Cabinet report **15 December 2020 (report ref 20/226)**. It provides feedback on objections made to the proposed sale of land at Westway and Lingholm Crescent, Eastfield.

The report recommends the sale proceeds on the terms as set out in report 20/226 subject to planning permission.

(in accordance with his declaration at Item 1, Councillor Randerson did not vote on this item)

10. HOUSING FIRST PARTNERSHIP WITH NORTH YORKSHIRE COUNTY COUNCIL, TEES ESK AND WEAR VALLEY NHS FOUNDATION TRUST AND BEYOND HOUSING AND EXTENSION OF ACCOMMODATION CONTRACT WITH WHEELHOUSE VENTURES

The Cabinet considered a report by the Director (NE) (Reference 21/48) in respect of a new 'Housing First' multi-agency service model to provide a stable, independent home for rough sleepers along with intensive personalised support and case management, and the proposed extension of the contract with Wheelhouse Ventures to provide hotel rooms to accommodate homeless people and rough sleepers for a further period of 6 months. Members were then advised of the different elements of the local Housing First model in terms of funding and service provision which was cost-neutral in respect of the Council's base budgets. The proposed extension of the contract with Wheelhouse Ventures was set within the context of the increased demand for homelessness services since the pandemic and the Government's Protect Plus programme under which the Council had received a further £100k since the report was published to help ensure that offers of accommodation continued to be made to all rough sleepers.

RESOLVED that the Cabinet:

1. Agrees to enter into new partnership arrangements with North Yorkshire County Council (NYCC), Tees Esk and Wear Valley NHS Foundation Trust (TEWV) and Beyond Housing to support the delivery of a new Housing First model for rough sleepers within the Borough.
2. Agrees to extend the contract with Wheelhouse ventures to provide hotel rooms to accommodate homeless people and rough sleepers for a further period of 6 months. Based on current and projected levels of demand costs associated with this extension will be in the region of £282K.
3. Gives delegated authority to the Director (NE) to agree to further extensions with Wheelhouse Ventures as needed in consultation with the Portfolio holder.
4. Notes the projected cost increase of B&B provision (£58k) in 2021/22. These costs are a result of an increase in homeless households from those projected in the October 2020 report (ref 20/324) and will be met through current budgets.

Reasons

This report provides a follow up to the recommendations within Cabinet report 20/324 of 20 October 2020 (report ref 20/226) around the short and medium term approach the Council needs to take with partners to tackle rough sleeping. It recommends that the Council enters into new joint working arrangements with NYCC, TEWV and Beyond Housing around a 'Housing First' model and explains how these arrangements are to be funded.

The report also highlights the current situation regarding temporary accommodation usage and recommends the extension of the contract with Wheelhouse Ventures around the provision of additional accommodation for homeless people for a further 6 months.

11. EXCLUSION OF THE PUBLIC

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

12. RESTRICTED MINUTE (21/25)

RESOLVED that the Restricted Minute (21/25) in respect of the Sands Development of the meeting held on 16 February 2021 be approved as a correct record and signed by the Chairman.

Chairman