

# SCARBOROUGH BOROUGH COUNCIL

## COUNCIL

### WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Borough Council's website on the internet – at the start of the meeting the Chairman will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council. Generally the public seating area is not filmed. However, by entering the meeting venue and using the public seating area you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the Democratic Services Manager.

**NOTICE IS HEREBY GIVEN** that a meeting of the Scarborough Borough Council will be held at the on **Monday, 7 November 2022 at 2.00 pm** and all Members of the said Council are hereby severally summoned and required to attend to transact the following business, namely:

1. Declarations of interests (Pages 1 - 2)
2. Apologies for Absence
3. Minutes of the meeting of the Council held on 5 September 2022 to be read or taken as read as the case may be (Pages 3 - 14)
4. Public Question Time  
Public questions of which due notice has been given and which are relevant to the business of the meeting.
5. To consider any announcements by the Chief Executive
6. Reports on Urgent Decisions in accordance with Access to Information Rule 16 and Schedule 3 - Scheme of Delegation to officers, para 4.1(v)  
  
Chief Executive
  - (i) Parish Order - temporary appointment of a councillor (Fylingdales Parish Council) - 23 September 2022 (22/211) (Pages 15 - 16)
7. Any reports going direct to Council

- (i) Appointment of Interim Chief Executive and Head of Paid Service (Pages 17 - 18)

To note the decision of the Appointments Committee dated 10 October 2022 (minutes attached).

- (ii) Changes to the membership of committees (Pages 19 - 28)

To consider the report of the Director (LD) (Reference 22/216) attached

8. To receive a statement by the Leader and deal with any questions arising from that statement. (Pages 29 - 30)
9. To receive statements from each of the Cabinet Members and deal with any questions arising from those statements. (Pages 31 - 46)
10. To receive statements from each of the Chairs of the two Overview and Scrutiny Committees and deal with any questions arising from those statements (Pages 47 - 50)
11. To receive Minutes of the Council's Executive and Committees published since Council last met and appended hereto.

**By Order**



**Chief Executive**

28 October 2022  
Town Hall  
SCARBOROUGH

**MEMBERS' DECLARATIONS OF INTERESTS**

Name:	
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Meeting:	
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Date:	
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Agenda No & Item	
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Nature of Interest:	
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*If you are uncertain whether you have an interest, please seek officer advice before the meeting.*

Is the interest:

a disclosable pecuniary interest?

personal and non-prejudicial?

personal and prejudicial?

(Please put an X against the appropriate interest and email to the Clerk for the meeting)

## NOTES

## COUNCIL

Minutes of the proceedings of a Meeting of the Scarborough Borough Council held at  
Town Hall, Scarborough  
on Monday, 5th September, 2022 pursuant to Summons.

Present:-

The Mayor (Councillor Eric Broadbent) in the Chair;  
Councillors A Abbott, J Atkinson, A Bailey, D J Bastiman, S Campbell, W Chatt,  
Ms E Colling, G Coulson, S Cross, Ms M Donohue-Moncrieff, G Goodberry,  
S B Green, J Grieve, D C Jeffels, Mrs J Jefferson, P Kershaw, Mrs H F Mallory,  
C D Maw, R Maw, Mrs J E Mortimer, Miss R K Murphy, J Nock, Ms T Norton,  
C Pearson, Mrs H Phillips, T Randerson, P Riley, N Robinson, S Siddons,  
G W L Smith, M Stonehouse, Ms R Swiers and P H Trumper

### Apologies

Councillors G A Backhouse, J Casey, M J Cockerill, W Forbes, N Heritage,  
Mrs H Lynskey, Ms J Maw, Mrs E Murphy, S Sharma, Ms S Tucker and  
Mrs M Watson

### MAYOR'S OPENING REMARKS

The Mayor invited all those present to stand in silence as a mark of respect following the death of the former councillor, John Armsby.

#### 1. DECLARATIONS OF INTERESTS

There were no declarations of interest.

#### 2. APOLOGIES FOR ABSENCE

See above.

#### 3. MINUTES OF THE MEETINGS OF THE COUNCIL HELD ON 4 JULY AND 28 JULY 2022 TO BE READ OR TAKEN AS READ AS THE CASE MAY BE

**RESOLVED** that the minutes of the meetings held on 4 and 28 July 2022 be taken as read and signed by the Chairman as a correct record.

#### 4. PUBLIC QUESTION TIME

There were no public questions.

#### 5. TO CONSIDER ANY ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

There were no announcements.

#### 6. REPORTS ON URGENT DECISIONS IN ACCORDANCE WITH ACCESS TO INFORMATION RULE 16.

**7. PROPOSED LEASE OF LAND AT ENDEAVOUR WHARF, WHITBY OLD TOWN HALL, WEST PIER, FORMER COMET BUILDING AND PAVILION HOUSE - 15 AUGUST 2022 (22/139)**

**RESOLVED** that the urgent decision be noted.

**8. ANY REPORTS GOING DIRECT TO COUNCIL**

**9. DEVOLUTION DEAL FOR YORK AND NORTH YORKSHIRE**

The Council considered a report by the Chief Executive (Reference 22/194) in respect of the proposed Devolution Deal for York and North Yorkshire and the steps being taken towards the creation of a Mayoral Combined Authority (MCA) for the sub-region. Introducing the report, the Leader reminded Members that following local government reorganisation which would culminate in the vesting of the new unitary authority of North Yorkshire Council in April 2023, the Secretary of State for Levelling Up, Housing and Communities had announced on 1 August 2022 a Devolution Deal with York and North Yorkshire under which the region would benefit from £540 million of new Government investment to spend on local priorities to produce growth, together with a range of devolved powers in areas such as regeneration, affordable housing, and regional transport. The Deal was dependent upon the City of York Council and North Yorkshire County Council establishing a Combined Authority for the area with an elected Mayor. Having undertaken a governance review which evidenced that the MCA would meet the statutory test of improving the exercise of statutory functions in the sub-region, the two constituent councils of City of York and North Yorkshire County Council had prepared a scheme setting out proposals for the creation, governance and functions of the new MCA which would be subject to public consultation. The Borough Council's consent was not required to create the MCA since it was not a constituent council; however, members were recommended to note and support the steps being taken by City of York Council and North Yorkshire County Council towards the potential creation of the new MCA. Other Members then commented on the report. Some Members expressed disappointment with the amount of funding pledged by Government through the Deal, although there was acknowledgement that this funding could well attract additional monies and investment in future, as had been the case with other MCAs in the country. The heightened profile and powers of the elected mayor and their access to Government were also cited as an advantage. There was concern that in spite of the greater population of North Yorkshire, that the new North Yorkshire Council would have the same number of elected representatives as City of York Council on the proposed MCA. There was also concern that the imminent unitarisation of North Yorkshire would leave coastal communities underrepresented; however, the Community Governance Review of the Scarborough urban area and the potential creation of a new town council was seen as a way to address this. Other Members noted that this was the only deal on the table, and that as such the Borough Council should support it for the clear opportunities it presented to enhance social and economic prosperity and increasing the wellbeing of our communities.

**RESOLVED** that the Council note and support the steps being taken by City of York Council and North Yorkshire County Council (the Constituent

Councils) towards the creation of a Combined Authority for York and North Yorkshire as set out in this report and in particular to note:

- (a) the 'minded' to Devolution Deal;
- (b) the Governance Review as identified in Appendix 1; and
- (c) the Scheme which has been prepared for consultation in Appendix 2.

### **Reasons**

To ensure Members are kept informed in relation to the proposed Devolution Deal and the next steps being taken towards the creation of a Combined Authority for York and North Yorkshire.

### **10. TO RECEIVE A STATEMENT BY THE LEADER AND DEAL WITH ANY QUESTIONS ARISING FROM THAT STATEMENT.**

Councillor Siddons presented his Leader's statement. Councillor Chatt asked if in light of Government predictions of an up to eightfold increase in energy prices, the Council would suspend the collection of the Yorkshire Coast BID levy until such time as the courts and HMRC had ruled respectively on the legality of the levy and the imposition of VAT. In reply, the Leader appreciated the concerns around increasing energy prices, and undertook to refer Councillor Chatt's request to the Yorkshire Coast BID Company; however, the Council was under a statutory obligation to collect the BID levy, so any decision on suspension would be a matter for the Yorkshire Coast BID Company. Further, at Councillor Chatt's suggestion, Councillor Siddons undertook to seek a meeting with the Chief Executive and Chair of the Yorkshire Coast BID Company to explore this matter further.

### **11. TO RECEIVE STATEMENTS FROM EACH OF THE CABINET MEMBERS AND DEAL WITH ANY QUESTIONS ARISING FROM THOSE STATEMENTS.**

Councillor Colling presented her statement as Portfolio Holder for Inclusive Growth. In respect of the Whitby Old Town Hall and Whitby Maritime Hub Town Deal projects, Councillor Abbott noted that both properties were on harbour land, and therefore queried what implications the ongoing legal action in respect of the Council's treatment of income received from this land, had for both these development projects. Councillor Colling undertook to provide a written reply to Councillor Abbott through the Deputy Monitoring Officer. In response to a query about North Yorkshire County Council's position on the Better Homes Joint Venture, Councillor Colling confirmed that this matter would fall under Section 24 of the Local Government and Public Involvement in Health Act 2007 and therefore following Cabinet approval would be referred to the County Council Executive for decision.

Councillor Donohue-Moncrieff presented her statement as Portfolio Holder for Environment and Sustainability. There were no questions.

Councillor Grieve presented his statement as Portfolio Holder for Quality of Life. Updating his statement, Councillor Grieve confirmed that a contractor was now in place to commence works to reinstate Whitby West Cliff tennis works. These would begin in early October with a projected completion date of early spring. In reply to Members' questions and comments, he acknowledged the effect of the closure of the Spa Cliff lift on attendance figures for the Scarborough Spa Orchestra which would be taken into account along with other factors in planning for next summer. Councillor Grieve noted too the disappointing number of concerts at the Open Air Theatre this summer which he attributed to the prolonged uncertainty around the COVID pandemic which had affected planning for 2022, and led to acts reducing and cancelling performances not only at the OAT but across the country. The Council would be working with Cuffe and Taylor to aim to deliver 30 concerts next season in what he hoped would be a return to normal circumstances.

Councillor Jefferson presented her statement as Portfolio Holder for Corporate Resources. Updating her statement, Councillor Jefferson added further detail to her earlier reply to Councillor Bastiman about the proposed boat hoist at Scarborough Harbour, noting that the planned new bait shed in the regeneration plans would not impact on the space requirement for the hoist and that further funding sources would be investigated outside the Town Deal Funded projects. In respect of Scarborough Harbour Fish Quay, Councillor Jefferson reported that engineers were now working with a contractor to design a scheme for the repair of the Fish Quay section of sheet piling. In the coming weeks, ground investigations would be conducted to aid the design of the scheme which could then be costed appropriately. In regard to Scarborough Lighthouse, repairs to the flat roof would be undertaken shortly, prior to the winter weather setting in. A scheme of repair for the lamp room was currently being compiled and would be undertaken as soon as possible.

Councillor Jefferson then presented the following statement on shellfish mortality off the north east coast:

'As Portfolio Holder for Harbours, bearing in mind questions I received from members at Full Council and discussions at the Harbour Executive and Scarborough and Whitby Harbour User Groups, I wanted to update all members on Shellfish Mortality which many of you will recall in October 2021, our coast saw large wash-ups of deceased or dying shellfish with the greatest impact towards the North of our Borough and our fishing communities reporting that there simply wasn't anything left to catch in the inshore zone, confirmation of which showed in the extremely low landing figures across the Borough's fishing fleets. This in turn led to fishers being unable to support their families, career fishermen forced to leave the industry and seek alternative employment together with issues within the wider industries that support and are fed by our fishing Industry

A Joint multi-agency Government report was produced involving:-

- DEFRA



- Environment Agency
- CEFAS - Centre for Environment, Fisheries and Aquaculture Science
- NEIFCA - North Eastern Inshore Fisheries and Conservation Authority
- MMO - Marine Management Organisation
- FSA - Food Standard Agency
- UKHSA - UK Health Security Agency

This Joint multi-agency report which was published in May 2022 concluded that the cause was an unusual algal bloom.

However, further occurrences of shellfish mortality have been reported and evidence obtained in an independent study commissioned by Whitby Commercial Fishing Association to review relevant environmental data made available by members of the Joint Government Agency review in response to a number of FOI submissions, does not support the May 2022 report, indicating that a toxic chemical pyridine could be one of the causes.

Given the scale of the devastation to our fishing communities and following on from the motions recently proposed and accepted by Middlesbrough, Redcar and Cleveland and Hartlepool Councils, it is the intention of Scarborough Borough Harbour Executive to write a letter to the Minister of State for Farming, Fisheries and Food and copying in Sir Robert Goodwill our MP for Scarborough and Whitby – requesting

- (1) That the original joint Government agency investigation be re-opened to re-examine the issue including an examination of the potential contributory role of pyridine
- (2) Steps are taken to prevent re-occurrence of mass crustacean death
- (3) Measures taken to re-stock our seas and ensure a sustainable and thriving fishing fleet
- (4) In line with concerns already raised with our MP, Sir Robert Goodwill, that proposals are brought forward to support our fishing communities along the North Yorkshire and Teesside coasts who have been so severely impacted by these events.'

The Portfolio Holder then replied to councillors' questions.

Councillor Jefferson undertook to provide a written reply to the following question by Councillor Nock:

'Now that Hornsea 2 has come on stream, can the Portfolio Holder state whether any approach has been made to the operators of the offshore windfarm to use the port facilities of Scarborough and Whitby to service their vessels? And if no approach has been made, why not?'

In respect of the impact of the steep increase in energy prices on the Council, Councillor Jefferson responded that the Council had set up an internal working group to assess the cost of energy prices, available financial contingencies and other options to consider to mitigate price increases. Consideration would also be given to any imminent announcements from Government. Information would be reported to members through the Financial Outturn and Quarterly Budget Monitoring reports.

In regard to the Council's discretionary £150 energy rebate scheme which was designed largely to assist those living in Band E-H properties on lower incomes and those living in properties where there was a liability for fuel costs but no Council Tax liability, the Portfolio Holder undertook to ensure the discretionary scheme was better publicised through the Council's website and social media channels.

Lastly, Councillor Jefferson undertook to provide Councillor Trumper with a written reply to his query about timescales for the maintenance and repair of Whitby Fish Pier and Eskside Wharf.

Councillor Carl Maw presented his statement as Portfolio Holder for Stronger Communities and Housing. He welcomed the Council's overview and scrutiny committees' work in identifying measures to assist the Borough's residents in managing the cost of living crisis and reported that the next round of grants of the recently established North Yorkshire Coast Local Fund would be focused on supporting community organisations to provide assistance to local residents through this crisis, for example, by the potential creation of warm spaces. Members commended these initiatives and noted the breadth of the population affected by the cost of living crisis.

Councillor Randerson presented his statement as Portfolio Holder for Neighbourhoods, commending the progress with Project Sunshine 2 across the Borough and adding the resurfacing of the Multi-Use Games Area in Whitby to the list of projects. Members then put questions and requests to Councillor Randerson. Councillor Randerson was disappointed to learn of the graffiti on the information boards at Whitby bus station which would be reported to the County Council. The issue of congestion and other problems caused by camper vans parking in unauthorised areas was also raised. Councillor Randerson acknowledged this Borough wide issue, which the Borough Council had been working with the County Council to address for some time. Other members welcomed the popularity of the Borough with camper vans, and the economic opportunities this presented, commending the facilities which had already been provided for them, and calling for more facilities and parking areas.

Councillor Randerson undertook to provide written responses to the following questions:

- Have any applications for Project Sunshine funding been received from areas outside Scarborough, Whitby and Filey? (Councillor Phillips)

- Have Project Sunshine monies been allocated for the repair of Whitby Cliff Lift? (Councillor Nock)
- What is being done to address the problem of unauthorised camping and open fires on Marine Drive? (Councillor Phillips)

**12. TO RECEIVE STATEMENTS FROM EACH OF THE CHAIRS OF THE TWO OVERVIEW AND SCRUTINY COMMITTEES AND DEAL WITH ANY QUESTIONS ARISING FROM THOSE STATEMENTS**

The Council received both Chairs' statements. Following his committee's recent consideration of the Yorkshire Coast BID company, Councillor Coulson, Chair of the Places and Futures O&S Committee, voiced his support for Councillor Chatt's request that the Leader seek a meeting with the Chief Executive and Chair of the BID company. He also confirmed that at its meeting on 31 August, the committee had reviewed and upheld the Cabinet's decision dated 26 July in respect of the disposal of the former Indoor Swimming Pool site.

**13. TO RECEIVE MINUTES OF THE COUNCIL'S EXECUTIVE AND COMMITTEES PUBLISHED SINCE COUNCIL LAST MET AND APPENDED HERETO.**

**RESOLVED** that the minutes of the meetings be received.

**MIKE GREENE**

On behalf of the Council, the Mayor expressed sincere gratitude to the Chief Executive for his work during one of the most challenging and exciting periods in the Borough Council's history, and wished him well in his new role at Stockton-on-Tees Borough Council.

**Chairman**

## NOTES

## COUNCIL – 5 SEPTEMBER 2022

### QUESTIONS TO THE CABINET WITH THE REPLIES PROVIDED AFTER THE MEETING

#### **Councillor Liz Colling, Portfolio Holder for Inclusive Growth**

1. In respect of the Whitby Old Town Hall and Whitby Maritime Hub Town Deal projects, Councillor Abbott noted that both properties were on harbour land, and therefore queried what implications the ongoing legal action in respect of the Council's treatment of income received from this land, had for both these development projects.

*The 1906 Strickland Conveyance is supplemental to the Whitby Urban District Council Act 1905 and conveys to Whitby Urban District Council certain lands including Whitby Market Hall, Town Hall and Market Place as well as associated market rights. This is considered outside of the Council's application in respect of the treatment of income relating to the harbour undertaking.*

*The Whitby Maritime Training Hub may be affected by the Council's court application. As indicated in the recent urgent Leader report seeking in principle approval to disposal of sites forming part of the Whitby Towns Fund project this will be considered further as the project progresses and on determination of the Council's application.*

#### **Councillor Janet Jefferson, Portfolio Holder for Corporate Resources**

2. Now that Hornsea 2 has come on stream, can the Portfolio Holder state whether any approach has been made to the operators of the offshore windfarm to use the port facilities of Scarborough and Whitby to service their vessels? And if no approach has been made, why not? (Councillor Nock)

*The Authority has not made any recent direct approach to operators of the Dogger Bank windfarm project but is working with a number of companies supplying services to the windfarm who have approached us. As a result, a number of vessels have so far utilised Whitby Harbour with discussions taking place about further operations from the Port.*

3. What are the timescales for the maintenance and repair of Whitby Fish Pier and Eskside Wharf? (Councillor Trumper)

*Solutions for the repair of both structures are currently under consideration. An agreement is currently pending with the RNLi to progress repairs to the Fish Pier and it is hoped that works will commence in the near future. Eskside Wharf is currently under further monitoring with work taking place to establish a way forward with regard to its repair. No timescales are currently available.*

## **Councillor Tony Randerson, Portfolio Holder for Neighbourhoods**

4. Have any applications for Project Sunshine funding been received from areas outside Scarborough, Whitby and Filey? (Councillor Phillips)

*£54,800 is currently allocated for specific projects in Robin Hoods Bay, Grosmont and Staithes.*

5. Have Project Sunshine monies been allocated for the repair of Whitby Cliff Lift? (Councillor Nock)

*A budget allocation of £100k has been made from the Project Sunshine 2 budget towards the repair works required at Whitby Cliff Lift.*

6. What is being done to address the problem of unauthorised camping and open fires on Marine Drive? (Councillor Phillips)

### Tents

*There are a number of people camping in tents across the Borough. These are a mixture of people who are rough sleeping, and people who are “tourists” and are wild camping. This is an issue experienced every year and there are more “tourist tents” during the summer, although rough sleepers are evident all year round. Currently there seem to be more issues with tents and officers are spending considerable amounts of time trying to deal with them.*

*In terms of the rough sleepers, these are dealt with by the rough sleeping team (part of the Community Impact Team). The team work with the occupants, alongside other agencies including mental health services and voluntary sector support agencies to try and resolve their housing situation, however, inevitably these are generally complex cases and can take a while to resolve. Cases are considered carefully on a case by case basis but in general enforcement action wouldn't be taken against a rough sleeper, unless there were other associated issues with anti-social behaviour or other issues regarding the location. To put this into context the team are currently dealing with 65 cases where people are either street homeless or at risk of, with complex needs (not all of these are in tents), so the demands on a small team are considerable. The chronic shortage of rented accommodation within the Borough exacerbates the problem.*

*For “tourist tents” – a new streamlined process has been introduced to try and move people on quickly where they are camping on Council land. Members who become aware of tents should report these to the Councils estates team [estates@scarborough.gov.uk](mailto:estates@scarborough.gov.uk). Estates will then check ownership and liaise with the rough sleeping team to establish if they are known. If they are not identified as a rough sleeper then a Council Officer (the Council's Bailiff) undertakes a visit. During*

*this visit checks will be made to assess whether there are any vulnerabilities or safeguarding issues and any wider concerns or issues would be passed on to the relevant agencies. If there are no welfare issues identified a letter would be served advising the occupants to pack up and leave immediately.*

*Most of the tourist tents move on after a few days but if they don't the legal powers are relatively limited in practice, cases would be risk assessed and the most appropriate powers would be considered on a case by case basis.*

#### *Motor Caravans/Camper Vans on Marine Drive*

*Regarding the issue of people sleeping overnight in motor caravans, the Marine Drive from the Toll house up to the skate park (cobble area) is classed as a Borough Council Car Park, whilst the remaining section northwards to Peasholm Gap is Royal Albert Drive and is a public highway belonging to North Yorkshire County Council (NYCC).*

*The Marine Drive car park is covered by the prohibition of motor caravans between the hours of 11pm and 7am. The Royal Albert Drive does not have a prohibition as it was removed from Traffic Regulation Order by North Yorkshire County Council in 2016. NYCC are responsible for the management of Traffic Regulation Orders and associated signage on public highways. Civil Enforcement Officers can serve Penalty Charge Notices (PCN) to motor caravans on the Marine Drive parking after 11pm, but as the prohibition on Royal Albert Drive has been removed, all vehicles are permitted between to wait between 11pm and 7am.*

*On either stretches of parking areas a vehicle will be issued with a PCN if it parks over more than one bay if a parking ticket has not been purchased for the number of bays taken up.*

## NOTES



## **PART II – URGENT CHIEF EXECUTIVE’S DECISION**

### **REPORT OF THE DIRECTOR (LD) – 22/211**

on

### **Parish Order - temporary appointment of a councillor (Fylingdales Parish Council)**

#### **DECISION**

**RESOLVED** that the Chief Executive approves the appointment of the individual set out in paragraph 5.1 of the attached report to act as Parish Councillor for Fylingdales Parish Council until such time as an election can take place and quorum re-established.

#### **REASONS FOR DECISION AND ACCEPTANCE OF URGENCY**

- Section 91 of the Local Government Act 1972 enables Scarborough Borough Council to make temporary appointments to a parish council within its area where the number of vacancies on the parish council is such that it is inquorate and unable to operate.
- Fylingdales Parish Council is currently in this position.

#### **ANY RELEVANT INTERESTS DECLARED AND ANY DISPENSATIONS**

None.

#### **DATE OF DECISION AND IMPLEMENTATION:**

23 September 2022

**Signed**



**Mike Greene**  
**Chief Executive**

**Date of signature**

23 September 2022

## NOTES

## APPOINTMENTS COMMITTEE

At a meeting held on Monday, 10th October, 2022

Present:-

Councillor S Siddons (Chairman) in the Chair;

Councillors Ms E Colling, Mrs H Phillips, Mrs J Jefferson and M J Cockerill

**1. ELECTION OF CHAIR**

**RESOLVED** that Councillor Siddons be appointed Chair of the meeting.

**2. DECLARATIONS OF INTEREST**

No declarations of interest were received.

**3. MINUTES**

**RESOLVED** that the minutes of the meeting held on 14 September 2021 be noted and signed as a correct record.

**4. EXCLUSION OF THE PUBLIC**

**RESOLVED** that in accordance with Section 100A(4) of the Local Government Act 1972, 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) relating to any individuals and information which is likely to reveal the identity of any individual.

**5. RESTRICTED MINUTES - 14 SEPTEMBER 2021**

**RESOLVED** that the restricted minutes of the meeting held on 14 September 2021 be noted and signed as a correct record.

**6. APPOINTMENT OF CHIEF EXECUTIVE / HEAD OF PAID SERVICE**

The Committee considered the report of the Chief Executive (reference 22/190) in respect of the appointment of the Council's Chief Executive (Head of Paid Service) following the resignation of the current postholder. Members considered the options available in appointing an interim Chief Executive/Head of Paid Service, namely:-

- Recruitment from an external source on a temporary contract.
- Appointment from within current staff resources.
- Establishment of a 'shared' acting Chief Executive/Head of Paid Service with another local Council.

**RESOLVED** that:


- (i) Post CE1, Chief Executive/Head of Paid Service, be filled on an interim basis by appointing the nominated Deputy Chief Executive, Director (NE), to act up into the role on an interim basis until 31 March 2023.

- (ii) Section 151 Officer, be filled on an interim basis by appointing the nominated Deputy Section 151 Officer, to act up into the role on an interim basis until 31 March 2023.

**Reasons**

The holder of Post CE1, Chief Executive/Head of Paid Service, has formally submitted his resignation to the Council. The postholder has also confirmed that he intends to leave the service of the Council with effect from 6 November 2022. Local Government Reorganisation means that as of 1 April 2023 Scarborough Borough Council will be dissolved and a new unitary authority covering the entire North Yorkshire area will come into force. As post CE1 will no longer exist after 31 March 2023 the post of Chief Executive/Head of Paid Service will only need to be filled on an interim basis. Such an appointment is necessary to provide the corporate, operational and functional leadership and management required to ensure the Council delivers its priority outcomes and to lead the organisation through the transition to vesting day.

**Chairman**

 <b>SCARBOROUGH BOROUGH COUNCIL</b>	<b>REPORT TO THE COUNCIL TO BE HELD ON 7 NOVEMBER 2022</b>				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;"><b>Key Decision</b></td> <td style="text-align: right;"><b>NO</b></td> </tr> <tr> <td><b>Forward Plan Ref No</b></td> <td style="text-align: right;"><b>N/A</b></td> </tr> </table>	<b>Key Decision</b>	<b>NO</b>	<b>Forward Plan Ref No</b>	<b>N/A</b>
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<b>Corporate Aims Better Council</b>	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;"><b>Cabinet Portfolio Holder The Leader</b></td> <td style="text-align: right;"><b>Cllr Steve Siddons</b></td> </tr> </table>	<b>Cabinet Portfolio Holder The Leader</b>	<b>Cllr Steve Siddons</b>		
<b>Cabinet Portfolio Holder The Leader</b>	<b>Cllr Steve Siddons</b>				

**REPORT OF: DIRECTOR (LD) – 22/216**

**WARDS AFFECTED: ALL**

**SUBJECT: CHANGES TO THE MEMBERSHIP OF COMMITTEES**

**RECOMMENDATION (S):**

That the Council:

- (i) Notes the revised political composition of the Council as set out in paragraph 3.3 of the report;
- (ii) Approves the revised membership of the Council’s committees as set out in Appendix A of this report; and
- (iii) Approves the extension of Dr Jim Brace’s term as a co-optee on the Audit Committee until the dissolution of Scarborough Borough Council on 1 April 2023.

**REASON FOR RECOMMENDATION (S):**

To ensure the good governance of the Council.

**HIGHLIGHTED RISKS:**

Appointments to the Council’s committees are not made according to the political composition of the Council

## **1. INTRODUCTION**

- 1.1 Section 15 of the Local Government and Housing Act 1989 and the regulations made thereunder, require the Council to determine the size and constitution of its committees to ensure that the political balance is reflected and maintained in those committees by allocating seats on each committee to each group in direct proportion to each group's overall representation on the Council.

## **2. CORPORATE AIMS**

- 2.1 The recommendation supports the Key Priority in the Corporate Plan 'to be an efficient, effective and financially sustainable council'.

## **3. BACKGROUND AND ISSUES**

- 3.1 In September, two councillors, previously of no political affiliation, decided to re-join the Conservative group: Councillors Alf Abbott and Glenn Goodberry.

- 3.2 Sadly, ward member for Scalby and former Mayor, Councillor Hazel Lynskey passed away on 3 October 2022. In accordance with Article 14(2) of The North Yorkshire (Structural Changes) Order 2022, this vacancy on the Borough Council will remain so until the Borough Council is dissolved on 1 April 2023.

- 3.3 These changes leave the current political composition of the Council as follows:

Labour 13

Conservative 11

Independent 7

Yorkshire Coast Independent Alliance (YCIA) 5

Cluster of Independent Members (CIM) 4

Green 2

No political affiliation 3

1 Vacancy

### **Audit Committee – co-opted member**

- 3.4 In December 2019, the Appointments Committee approved the appointment of Dr Jim Brace as the external independent member on the Audit Committee following a recruitment exercise. Dr Brace was appointed for 'a term of three years which may be renewable.' Both the Chair and Vice-Chair of the Audit Committee recognise Dr Brace's valuable contribution to the work of the committee and would like to see his term of office extended until the dissolution of Scarborough Borough Council. Dr Brace has indicated that he would be willing to continue serving on the committee as requested. Full Council's approval is therefore sought to renew Dr Brace's term of office until the dissolution of Scarborough Borough Council.

## 4. CONSULTATION

4.1 There has been consultation with all the group leaders.

## 5. ASSESSMENT

5.1 The change in the political composition of the Council has affected the political composition of the Council's committees as follows:

- (i) The Independent group loses a seat and the Conservative group gains a seat on the Licensing Committee
- (ii) The Independent Group loses a seat and the CIM group gains a seat on the Standards Committee
- (iii) The CIM group loses a seat and Conservative group gains a seat on the Audit Committee
- (iv) The CIM group loses a seat and Conservative group gains a seat on the Appointments Committee
- (v) The Green group loses a seat and Independent group gains a seat on the Places and Futures O&S Committee
- (vi) The Green group loses a seat and Independent group gains a seat on the Lives and Homes O&S Committee

5.2 Nominations have been sought from the group leaders based on the revised political composition of each committee as set out in Appendix A of this report, whilst also giving group leaders the opportunity to review the membership of the Council's committees as they see fit. The late Councillor Lynskey had been gifted a seat on the Planning and Development Committee by the Labour Group, thereby creating a vacant seat for the Labour Group on that committee.

## 6. IMPLICATIONS

6.1 There are no legal, policy, financial, equality and diversity implications, nor implications in regard to local government reorganisation arising from this report. In respect of communications, since this is an internal administrative governance matter, it was not deemed appropriate to publicise the proposals beyond the publication of this report.



**Lisa Dixon**  
**Director**

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**Background Papers:** None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT, PLEASE CONTACT  
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## Risk Matrix

<b>Risk Ref</b>	<b>Date</b>	<b>Risk</b>	<b>Consequences</b>	<b>Mitigation</b>	<b>Current Risk Score</b>	<b>Target Score</b>	<b>Service Unit Manager/ Responsible Officer</b>	<b>Action Plan</b>
1	Nov 2022	Appointments to the Council's committees are not made according to the political composition of the Council	Council is not being governed according to the requirements of the Local Government and Housing Act 1989 – legal challenge and disruption	Action outlined in the report	B2	B2	S Harris	As in report
2	Nov 2022	The Audit Committee loses its external independent member.	Loss of valuable, external input into the work of the committee.	Action outlined in the report	B2	B2	S Harris	As in report

**Glossary of Terms**

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Corporate Objectives	An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

*Risk Scoring*

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

Likelihood:

- A = Very Low
- B = Not Likely
- C = Likely
- D = Very Likely
- E = Almost Certain

Impact

- 1 = Low
- 2 = Minor
- 3 = Medium
- 4 = Major
- 5 = Disaster

**SCARBOROUGH BOROUGH COUNCIL  
REPRESENTATION ON CABINET, COMMITTEES AND SUB-COMMITTEES 2022-23**

**SCRUTINY FUNCTION**

<b>Lives and Homes O&amp;S Committee</b> 9 Members  CON 2 LAB 3 IND 2 YCIA 1 CIM 1	Cllr C Pearson	(CON)	<b>Chair</b>
	Cllr D Jeffels	(CON)	
	Cllr J Maw	(LAB)	
	Cllr S Tucker	(LAB)	(Labour gift)
	Cllr J Mortimer	(NPA)	
	Cllr J Casey	(IND)	<b>Vice-Chair</b>
	Cllr P Kershaw	(IND)	
	Cllr S Cross	(YCIA)	
	Cllr W Chatt	(CIM)	

<b>Places and Futures O&amp;S Committee</b> 9 Members  CON 2 LAB 3 IND 2 YCIA 1 CIM 1	Cllr G Coulson	(CON)	<b>Chair</b>
	Cllr R Swiers	(CON)	
	Cllr A Bailey	(LAB)	
	Cllr S Tucker	(LAB)	
	Cllr Eric Broadbent	(LAB)	
	Cllr S Green	(IND)	<b>Vice-Chair</b>
	Cllr P Riley	(IND)	
	Cllr G Smith	(YCIA)	
	Cllr M Cockerill	(CIM)	

**REGULATORY & OTHER COMMITTEES**

<b>Planning &amp; Development Committee</b> 17 Members  CON 4 LAB 5 IND 3 YCIA 2 CIM 2 GRN 1	Cllr J Nock	(CON)	<b>Chair</b>
	Cllr C Pearson	(CON)	
	Cllr R Swiers	(CON)	
	Cllr P Trumper	(CON)	
	Cllr S Campbell	(LAB)	
	Cllr R Maw	(LAB)	
	Cllr S Sharma	(LAB)	
	Cllr T Norton	(LAB)	
	<b>Vacant</b>	(LAB)	
	Cllr P Kershaw	(IND)	
	Cllr P Riley	(IND)	
	Cllr J Mortimer	(NPA)	
	Cllr W Chatt	(CIM)	
	Cllr M Cockerill	(CIM)	
	Cllr S Cross	(YCIA)	
	Cllr G Smith	(YCIA)	
	Cllr W Forbes	(GRN)	
	<b>Substitutes</b>		(Ind gift) <b>Vice-Chair</b>
	Cllr D Bastiman	(CON)	
	Cllr H Phillips	(CON)	
Cllr A Bailey	(LAB)		
Cllr M Stonehouse	(LAB)		
Cllr S Tucker	(LAB)		

<b>Licensing Committee</b> 15 Members	Cllr G Goodberry	(CON)
	Cllr J Nock	(CON)
	Cllr R Swiers	(CON)

**SCARBOROUGH BOROUGH COUNCIL  
REPRESENTATION ON CABINET, COMMITTEES AND SUB-COMMITTEES 2022-23**

CON 4 LAB 5 IND 2 YCIA 2 CIM 1 GRN 1	<p><b>Vacant</b> (CON)</p> <p>Cllr S Campbell (LAB) <b>Chair</b></p> <p>Cllr S Sharma (LAB)</p> <p>Cllr M Stonehouse (LAB)</p> <p><b>Vacant</b> (LAB)</p> <p>Cllr J Mortimer (NPA) <b>Vice-Chair</b> (Lab gift)</p> <p>Cllr J Casey (IND)</p> <p>Cllr S Green (IND)</p> <p>Cllr N Heritage (YCIA)</p> <p>Cllr R Murphy (YCIA)</p> <p><b>Vacant</b> (CIM)</p> <p>Cllr N Robinson (GRN)</p>
<p><b>Appointments Committee</b></p> <p>6 Members</p> <p>CON 2</p> <p>LAB 2</p> <p>IND 1</p> <p>YCIA 1</p>	Members nominated for each recruitment exercise etc
<p><b>Appeals Panel</b></p> <p>3 Members selected from:</p>	<p>(a) non-executive Members in respect of appeals from employees in connection with disciplinary matters and conditions of service,</p> <p>(b) the Licensing Committee (ie Sub-committee) in respect of appeals from Officer decisions upon applications under part B of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000,</p> <p>(c) the Audit Committee in respect of appeals in relation to registration and grant applications,</p> <p>(d) the Licensing Committee in respect of appeals from Officer decisions upon matters relating to the management of a Harbour.</p>

**GOVERNANCE COMMITTEES**

<p><b>Audit Committee</b></p> <p>6 Council Members</p> <p>CON 2</p> <p>LAB 2</p> <p>IND 1</p> <p>YCIA 1</p> <p>Independent co-opted member</p>	<p>Cllr H Phillips (CON) <b>Vice-Chair</b></p> <p>Cllr A Abbott (CON)</p> <p>Cllr A Bailey (LAB) <b>Chair</b></p> <p>Cllr R Maw (LAB)</p> <p>Cllr P Kershaw (IND)</p> <p>Cllr S Cross (YCIA)</p> <p>Dr J Brace</p>
<p><b>Standards Committee</b></p> <p>8 Council Members</p> <p>CON 2</p> <p>LAB 3</p> <p>IND 1</p> <p>YCIA 1</p> <p>CIM 1</p>	<p>Cllr G Coulson (CON) <b>Vice-Chair</b></p> <p>Cllr C Pearson (CON)</p> <p>Cllr R Maw (LAB)</p> <p>Cllr T Norton (LAB)</p> <p>Cllr S Tucker (LAB)</p> <p>Cllr S Green (IND) <b>Chair</b></p> <p>Cllr R Murphy (YCIA)</p> <p>Cllr J Atkinson (CIM)</p>

**SCARBOROUGH BOROUGH COUNCIL  
REPRESENTATION ON CABINET, COMMITTEES AND SUB-COMMITTEES 2022-23**

2 non voting co-opted members from Parish Councils	B Marley R Thompson	(Parish) (Parish)	
<b>Standards Complaints - Independent Person Meeting</b> 2 Co-opted non- voting Individuals	Mr A Brecon Ms R Taylor	(Co-optee) (Co-optee)	
<b>Cabinet</b>	Cllr S Siddons Cllr E Colling Cllr C Maw Cllr A Randerson Cllr M Donohue-Moncrieff Cllr J Grieve Cllr J Jefferson	(LAB) (LAB) (LAB) (LAB) (IND) (IND) (IND)	<b>Chair and Leader Vice-Chair and Deputy Leader</b>

## NOTES

## COUNCIL – 7 NOVEMBER 2022

### STATEMENT BY CLLR STEVE SIDONS LEADER OF THE COUNCIL

#### LOCAL GOVERNMENT REORGANISATION AND DEVOLUTION

The preparations for the new unitary council for North Yorkshire continue at pace and many of our officers continue to lead – or at least support – the key work streams. Members may be aware that a consultation programme, called ‘Lets’s Talk’ is underway. The team setting up the new authority is promoting it as ‘North Yorkshire’s biggest conversation’. Our residents have already been offered the chance to have their say on local services and now attention is turning to the issue of devolution.

Local government reorganisation continues to place demands on the time and expertise of our officers but they are being supported by the leadership team. Separately, the chief executive of the county council has published the proposed senior officer structure for the future North Yorkshire Council. This gives a clear indication of the working arrangement and service groupings from 1 April next year.

I am disappointed to report that the developer planning a four star plus hotel on the site of the former swimming pool in the North Bay has decided to withdraw his offer. I understand this is because he feels that North Yorkshire County Council will not be supportive of the scheme.

As Members will be aware, although Scarborough Borough Council continues to be a sovereign authority, we now have to get approval from North Yorkshire County Council for larger capital and revenue projects in spite of their being within our approved budgets and fully funded. This is known as Section 24 approval. Our Council has a number of regeneration schemes which are in the pipeline and are expected to deliver inward investment, jobs and opportunities for the Borough. I will continue to work with the County Council to ensure those projects continue and deliver the benefits this area so desperately needs.

#### OTHER MATTERS

I continue to work with the LGA Peer Team carrying out reviews for other local authorities. As Members will be aware, peer reviews are not a formal assessment of another authority. The review team is invited in by the host council and is there as a critical friend. Many councils have similar challenges to Scarborough, and it is useful to swap notes – and provide support – to another council leader, chief executive and the officer leadership team. Peer reviews are also useful for bringing ideas back to Scarborough. I believe it reflects positively on the work we are all doing in our authority by being asked to support others.

Now that we are in November, attention is turning to festive activities. I want to draw attention to what will be a bigger and better display of Christmas lights in Scarborough this year. This includes dressing the Brunswick and Pavilion House. Creating the right atmosphere to encourage people into the town centre is so important, especially when local businesses and retailers need support the most. In recognition of our climate responsibilities, I can reassure members that the light displays use modern LED technology which means they are very low energy, have minimal impact on the environment and are very inexpensive to run. The official switch on is 18 November.

I was very pleased to be able to attend the formal Alderman and Freeman of the Borough ceremony at Town Hall in Scarborough in October. The in person event was a long time coming because of coronavirus restrictions in 2020. It was a fantastic opportunity to formally recognise the achievement of former councillors and an individual who has made a significant contribution to our borough. I would like to draw members' attention to the news section of our website which has the full story and pictures from the event. My congratulations go to all of those honoured.

Councillor Hazel Lynskey recently passed away after a short illness. A service took place in St Mary's Church, Scarborough which was packed with her friends, colleagues and those people who had known Hazel over a long and illustrious career both in her personal life, and public life as a councillor and former, three times, Mayor of the Borough. Hazel will be greatly missed, not only by me, but by all those people who knew her.

I am pleased to report that the refurbishment of South Cliff Gardens continues to make progress. Handovers of completed sections of works are ongoing throughout the gardens. Most areas, including the Operations Building have now been handed over. The summer programme of activity and events was enjoyed by over 2500 people of whom 704 were children. Unfortunately, works to the Clock Tower are now delayed until at least December after more defects were found within the structure. Engineers are developing solutions to address these issues.



## COUNCIL – 7 NOVEMBER 2022

### STATEMENT BY CLLR LIZ COLLING CABINET MEMBER INCLUSIVE GROWTH

#### REGENERATION

##### Eastfield Regeneration – Pact Phase 3

Phase 3 of the Eastfield Pact Regeneration programme has begun and officers are in the process of developing individual project business cases that will be considered by Cabinet by the end of the financial year.

The vision outlined in the Scarborough South Masterplan is to create a vibrant sustainable high street of which local residents can be proud.

Ideas being considered with the community include:

- Setting up a regular market on the High Street
- Utilising space in the High Street to house low cost, low risk business starter units for those who want to trial a business idea to encourage local entrepreneurs
- Improvements to the Dell and other green spaces in the area.
- Installation of a number of gateway features at the various entrances to Eastfield to help promote a positive identity for the town.

##### Eastfield Regeneration – More for Eastfield

The MORE for Eastfield project, which aims to assist people into employment and training, has successfully delivered events including the MORE for Eastfield Summer Fayre at Westway Open Arms with approximately 500 attendees and a referrers breakfast - together they have resulted in lots of new referrals. As the project enters the final months of its current phase (to the end of 2022) the focus will be on supporting any new clients and planning for the next phase.

##### Filey Masterplan – ‘Filey Vision’

The master planning process is drawing to a close and we are currently working with Filey Town Council to finalise a document which is not only aspirational for the town but also reflects the needs of the local community. The masterplan is a visionary document which includes a 10 year plan for the town, proposing short term quick wins and more longer term work.

The 'Filey Vision' will be presented to Filey Town Council on 9 November for consideration for formal adoption and then will go to Scarborough Borough Council Cabinet also for formal approval.

Subject those approvals, the development of a Filey Community Partnership (FCP) will continue. Nomination forms will be provided to those who wish to engage in the FCP Executive Board which will be made up of 7 residents and 7 elected members. We will also be building on the three working groups and engaging public / private / voluntary sector representatives to be involved in moving forward proposals within the Vision.

The three play park upgrades (Country Park, Glen Gardens and Copse Hill) are the first projects currently underway. Tender for the works has been awarded and the new play park equipment has gone into production. We are awaiting a start date which should be confirmed in the next couple of weeks. Filey Town Council with the support of Scarborough Borough Council is currently considering how the remaining monies from the allocated Masterplan funding will be used. A decision in principle has been made by Filey Town Council in support of the replacement or refurbishment of two/three toilet blocks in Filey with exact sites and final details discussed at the next Investment group meeting.

### **Community Led Local Development – Advantage Coast**

The programme is now in its last three months of delivery, with eleven projects continuing to deliver in Scarborough. To date, the programme has engaged with 1,424 individuals, helping 670 into jobs/training/job search. In addition, 309 existing enterprises and 53 new enterprises have been supported, and over 3,250 square metres of business premises have been developed/refurbished. We are developing an application to the Shared Prosperity Fund to continue the valuable work being undertaken through the CLLD programme.

### **Kickstart**

The programme has now concluded, with 16 posts originally created and a total of 14 young people appointed. Ten Kickstart participants completed the full six-month placement and one left early to take up a permanent role at SBC. Other successful outcomes include two seasonal roles, two permanent roles and one apprenticeship at SBC, one going to University and one taking up a fast-track social work MBA placement.

## **UK Shared Prosperity Fund**

In October Cabinet approved a shortlist of project ideas which will now be developed in anticipation of submitting funding applications to the North Yorkshire Shared Prosperity Fund allocation. It is anticipated that the application window for some of the North Yorkshire programmes will open in November, with others being phased in across the next 12 months.

## **Cyber Security Cluster Strategy**

We are soon to commence delivery of a pilot programme of activity which will run until the end of March 2023. This programme, funded by £140,000 of council funds and £97,000 from the private sector, will deliver a range of cyber related qualifications and accreditation, business support and community activities and establish a base line of research necessary to inform future proposals for incorporation within the York and North Yorkshire devolution plan.

## **Town Deals Programme**

Considerable progress has been made over the summer on Town Deal projects. Despite the inflationary pressures affecting the construction industry all current projects remain within budget and are being carefully managed and monitored to ensure delivery remains within programme.

The Town Deal programme team have been working with SBC's communications team to raise the profile of the programme. Informative videos have been commissioned about the projects, the website has been refreshed and new artwork is being put up around the town showing the improvements to come. The autumn will see more public engagement around the projects and news of major developments.

In Whitby the first project, Whitby Wayfinding and Gamification has been completed providing new signs and an app to encourage visitors to discover more about the town. Both phases of Eastside Community Hub will be complete by Christmas with the Boxing club getting the keys for their brand new home at the end of the month. The Old Town Hall and Market Place project carried out extensive community consultation which has helped shaped the final designs. The Whitby Maritime Training Hub project team and steering group have released invitations to tender for a facility operator and the next phase Design and Build contract is also being procured.

In Scarborough work continues on improvements to the cricket club with planning permission secured for the final phase which will see the West stand upgraded with

completion due in spring 2023. The Green Construction Skills Village is nearing completion and has already enrolled learners that have gained practical skills during the build. Contractors have been engaged to design improvements around the Station and Harbour and create sustainable transport links between the town centre and the cinder track. Yorkshire Wildlife Trust have employed a dedicated officer to drive the Wild eye project forward, helping people discover more about our natural heritage through art and experiences. Recruitment for Scarborough Fair and the procurement of the capital works has started.

### **Levelling up Fund**

Government has now announced that the outcome of the second round of Levelling Up Fund bids will be revealed by the end of the year.

## **COUNCIL – 7 NOVEMBER 2022**

### **STATEMENT BY CLLR MICHELLE DONOHUE-MONCRIEFF CABINET MEMBER ENVIRONMENT AND SUSTAINABILITY**

#### **CLIMATE CHANGE AND CARBON REDUCTION**

The Council was recently successful in its application for a grant of £264,390 from the Office for Zero Emission Vehicles under the On-Street Residential Chargepoints Scheme to install 48 charge points across 18 Council car parks. The Council has contracted Connected Kerb to install, maintain and operate the chargepoints and work is progressing at pace to have the chargepoints operational in late 2022 or early 2023.

The Council continues to work with partners from North Yorkshire County Council and the other District and Borough Councils to develop a draft Climate Change Strategy for the new North Yorkshire Council. A productive initial consultation event with key local stakeholders was hosted by the Council in September to ensure the key priorities, opportunities, and challenges of the borough are represented in the work.

The Council is providing significant support to North Yorkshire County Council alongside the other District and Borough Councils to complete an application to the Home Upgrades Grant Phase 2. This grant fund would provide funds for the new North Yorkshire Council to retrofit off-gas grid homes facing fuel poverty.

The Hitting Hard project is nearing completion with final action plans for addressing the hard-to-decarbonise housing stock being finalised by the consultants and reviewed by the project steering group.

The extension activity for Local E-Motion to complete the business case for e-mobility options and demand responsive transport in Whitby is progressing well with an initial draft under review.

The Council continue to support the Decarbonising Community Buildings project with one building in our area set to receive an outline decarbonisation plan and one a fully detailed decarbonisation plan in this extension activity.

Final modelling has been completed in the Local Area Energy Plan for our area showing projected energy supply and demand to reach net zero, highlighting priority low-regret areas of delivering heat pumps to off-gas grid properties, a range of EV charging options, and retrofit for a the majority of the housing stock. A showcase event is to take place in early November and final documents are being produced.

## **COASTAL DEFENCE**

### **Filey Seawall works**

- Jackson Civil Engineering appointed as design and build contractor.
- Survey work of the wall underway.

### **Scarborough Coastal Defence Strategy Refresh**

- Data collection ongoing
- Asset inspections and wave modelling complete.
- Options now being appraised to address policies.

### **Staithe Coastal Strategy**

- Strategy nearing completion.

## **LICENSING SERVICE**

Following a two week public consultation on proposed changes to the Council's taxi fare tariffs, which took place from 5 to 19 October 2022, I can inform colleagues that no objections or presentations were received. Therefore, the new taxi tariff fares came into force on 20 October 2022.

Following a meeting of the Executive Committee of North Yorkshire County Council on 18 October 2022, approval was given to carry out a comprehensive consultation on a draft new Taxi and Private Hire Policy. The intention is for a final version of this policy to be applied across the whole county from 1 April 2023, when the new North Yorkshire Council takes over local services. The consultation on a draft policy started on 25 October 2022 and will end on 16 January 2023. Representatives of our local taxi and private hire trades have been informed of this consultation and will be encouraged to participate in it.

## **COMMERCIAL REGULATION SERVICE**

Our Environmental Health Officers in the Food team are making good progress in their recovery plan for getting up to date with the backlog and current planned food hygiene inspections after the COVID pandemic. In total, from 1 April to 30 September 2022, they have inspected a total of 425 food businesses. They are well on track to meet the Food Standards Agency's COVID Recovery plan for all local authorities by the end of March 2023.

## **COUNCIL – 7 NOVEMBER 2022**

### **STATEMENT BY CLLR JIM GRIEVE CABINET MEMBER QUALITY OF LIFE**

#### **VENUES, ATTRACTIONS AND EVENTS**

##### **Scarborough Spa**

The Spa continues to book new shows and the team are working hard to attract new promoters to the Spa. Cuffe & Taylor are bringing a large touring show in April and we are establishing contact with other high profile promoters.

The new seating plan for the Grand Hall to increase the capacity will be signed off shortly, and in time for some of the new shows which are due to, or have recently gone on sale.

Notable shows in early 2023 include The Rock Orchestra, BBC Radio's 'Sorry I Haven't a Clue' Starring Jack Dee, Rory Bremner, Miles Jupp and Irish rock band Hothouse Flowers.

The Wedding Fayre on 13th November has over 35 suppliers and small businesses from Scarborough and surrounding areas exhibiting and it is hoped that this will attract further bookings to add to the 10 confirmed weddings for 2023 so far.

The Vita Dome is now refurbished and already has a wedding booked in for this December. Registrars visited the venue for renewal of the licence and were incredibly impressed with all the improvements made and ongoing within the venue.

Farrer's has reverted to off-peak opening times with the exception of show nights. The menu continues to be popular with customers.

Christmas party nights are selling well. The Panto is now on sale with group bookings coming in for schools in particular.

##### **Whitby Pavilion**

Bookings for the refurbished cinema are picking up, with a full programme for the coming weeks and 7 major new cinema releases up to Christmas.

The Tomorrow's Ghost Festival (Goth Weekend) and Boxing Club dinner in November are both sold out and tickets for the Blues Festival are selling well.

The dressing rooms are due for completion by mid-November, following a full refurbishment, with funds raised by Friends of Whitby Pavilion paying for new carpet and furniture throughout.

## **Events**

Scarborough Surf Festival proved very popular despite the forecasted strong winds. Twenty-four exhibitor stalls took part and activities included a climbing wall and surf simulator.

Moonlight on the Lake took place on Friday 21 October with illuminated lantern installations placed around Peasholm Park and the lake. The park also hosted Autumn Daze on 26 October with a range of activities including bush craft and stalls.

Plans are almost complete for Sparkle in the Open Air Theatre on 25 – 27 November, with over 35 exhibitors and a hobby craft space for small local makers. There will be children's funfair rides and a vintage big wheel, as well as the Tipi venue opening and 'This is the Coast' hosting the entertainment stage throughout the weekend.

## **Open Air Theatre (OAT)**

The OAT Season closed with George Ezra which was a sell-out show - an excellent end to the season.

Planning is now well underway for the 2023 Season, with the super group Hollywood Vampires already announced and lots more to follow.

The Tipi has now been erected and has held Oktoberfest events over the weekends in October, which have all been sold out events. There are lots more events planned including silent discos.

## **Peasholm Park**

The season in Peasholm Park came to an end with a busy half term holiday at the end of October.

The team are now undertaking maintenance on all of the boats and ensuring that they are safely stored for the winter season. The Naval Warfare fleet is being serviced and any necessary repairs undertaken. Unfortunately one of the older boats has reached the end of its lifespan, however we have made arrangements for a new boats to be built over the coming months.

Winter maintenance has also begun on the boat deck and Buttercup Kiosk which will be closed until spring 2023. The Peasholm Café will remain open on weekends only up until 17 December and then all days over the Christmas/New Year period.



## **COUNCIL – 7 NOVEMBER 2022**

### **STATEMENT BY CLLR JANET JEFFERSON CABINET MEMBER CORPORATE RESOURCES**

#### **FINANCE**

The Accounts Department have been busy finalising the 2021/22 Financial Statements for publication. This has been ongoing alongside continued work regarding LGR. Current LGR finance work stream highlights are the continuation of works on the consolidation and transfer of financial systems, preparation of 2023/24 budgets, 2022/23 forecasting and procedural work regarding treasury and banking accounts and systems.

#### **Revenues**

The main £150 council tax fuel rebate scheme closed on 30 September 2022. Before this date the local taxation team posted any remaining £150 rebates where it had been unable to obtain payment details from the customer to the relevant Council Tax account. Leading to this point the team did send 3 separate letters to all these account holders and also utilised the Local Taxation outside inspector to visit to minimise the number of grants not claimed directly. The team have paid or allocated a total number of 45,643 grants with a value of £6,846,450. The discretionary scheme remains open until the end of November and £29,550 has been paid so far but work will start this week to ensure all funds are allocated.

#### **Housing Benefits**

Over the past few months work has been ongoing on a single Council Tax Reduction Scheme for the new council which if agreed will start from April 2023. A nine week public consultation saw over 2000 responses of which over 60% were in favour of the proposed scheme. The scheme was presented to and agreed by the County Council Executive on 18 October with final approval being sought from Full Council in November.

Work has also commenced on phase 3 of the Household Support Fund which sees County, Borough and District colleagues working together to help the most needy households with rising household costs. This phase of the scheme will have an element of direct award and also an application process for those not eligible for the direct award. Payment of any awards will be made in the new year. Households who are struggling to pay for food, energy and other essentials before then can find out information about support schemes and organisations which may be able to help on the North Yorkshire County Council website cost of living support page <https://www.northyorks.gov.uk/cost-living-support>

## **HUMAN RESOURCES**

### **Apprenticeship public sector target**

The public sector apprenticeship target was introduced in 2017. Public sector bodies with 250 or more staff in England have a target to employ an average of at least 2.3% of their staff as new apprentice starts annually over the period 1 April 2017 to 31 March 2021.

As at 1 October 2022 there were 19 employees registered on an apprenticeship training programme in 9 areas: Chartered Management Degree, Horticultural and Landscape (Levels 2 and 3), Environmental Health, Team Leader/Supervisor, Countryside Worker, Motor Vehicle Technician, Safety, Health and Environment Technician, Human Resources and Business Administration. Of the 19 employees 7 are in apprenticeship roles.

Based on an average of 600 full time equivalent employees this equates to 3.1%, 0.8% above the public sector target set. Throughout October, however, a further 4 employees have been appointed into apprenticeship roles, 3 commencing a gardening apprenticeship and 1 in Business Administration.

The Council's levy fund is supporting all apprenticeship training and currently stands at:-

As at 1 October 2022 - Levy fund	£123,988
Funds spent in the last 12 months	£84,491
Estimated total funding for next 12 months	£182,853
Estimated planned spending for next 12 months	£54,990

As at 1 April 2023, the Council's levy account will cease as a result of the local government reorganisation with North Yorkshire Council taking responsibility of the new apprenticeship levy. All existing apprenticeship training commitments will continue in the new Council.

## **HARBOURS**

### **Shellfish Mortality**

Following on from previous updates given to Members, Sir Robert Goodwill MP has recently (25<sup>th</sup> October) chaired a formal meeting (oral evidence session) of the Environment, Food and Rural Affairs Committee. The session received evidence regarding the mortality event from representatives of Whitby Commercial Fishing Association, North East Fishing Collective, CEFAS, NEIFCA, the Environment Agency and the Marine Management Organisation, amongst others.

## **Future Facilities at Whitby and Scarborough Harbours**

The Harbour Master has recently commenced a consultation with stakeholders with regard to future facilities at both Whitby and Scarborough Harbours. The online survey style consultation has received a good response from stakeholders and will form the basis of a future plan for the facilities that users would benefit from and like to see added/improved. Stakeholders are encouraged to complete the survey which includes the opportunity to submit their own ideas for harbour improvements. Once completed, the results will be anonymised, where necessary, and made available to interested parties.

## **Scarborough Harbour Fish Quay Sheet Piling**

Ground investigations on the Fish Quay at Scarborough Harbour have now been completed and a report will shortly be presented to the Council's Executive Management Team detailing options to rectify the sheet piling issues in this area.

## **CIVIC**

Both the Mayor and Mayoress joined the nation in their deep sadness at the passing of HM The Queen in early September. The Mayor was honoured to read the Proclamation from the Town Hall balcony on Sunday 11 September and hold a minute's silence a week later at the same venue. He also took part in an SBC Podcast remembering HM The Queen.

The Mayor and Mayoress attended the Whitby Fish and Ships launch event in mid September, with the Deputy Mayoress attending the annual Blessing of the Boats Service held in Whitby. The Mayor visited GCHQ Scarborough informally, and the Rotary 1040 Centenary Conference and dinner. Both the Mayor and Mayoress have attended local events such as a concert for Singing for the Brain and Scarborough Guiding. The Mayor has hosted a Civic Reception at the Town Hall for Honorary Aldermen and Freemen who were bestowed their honours virtually in December 2020 during the pandemic and has welcomed students to the Town Hall from both Spain and Thailand. The Mayor has also assisted the Salvation Army and Rotary Club of Scarborough Cavaliers launch their annual Toy Appeal and both the Mayor and Mayoress have attended the Laying of the Crosses Ceremony in the Garden of Remembrance in Alma Square, Scarborough.

## NOTES

## **COUNCIL – 7 NOVEMBER 2022**

### **STATEMENT BY CLLR CARL MAW CABINET MEMBER STRONGER COMMUNITIES AND HOUSING**

#### **HOUSING**

##### **Rough Sleeping**

With the advent of winter I have been reviewing current arrangements around rough sleeping.

At the end of October I can confirm there are 8 people sleeping rough in the Borough. All of these are known to the Council and receiving various forms of intervention and offers of help. A number of these are from outside the Borough and have accommodation available to them in other parts of the country.

We currently have 9 people who were sleeping rough accommodated in permanent and secure Housing First accommodation provided by Beyond Housing who are supported via our multi-agency REACH partnership and a further 4 people who were rough sleepers in emergency accommodation again being supported by REACH. Earlier this year the Council was successful in its application to Government for funding through the national Rough Sleeping Accommodation Programme (RSAP) and a several further units of Housing First accommodation are due to complete this year.

I am also able to advise that from November the Council's 'winter watch' service shall also recommence. This provides emergency accommodation for rough sleepers through our out of hours arrangements and the partnerships we have in place with the voluntary sector and the Police.

##### **Housing Retrofit**

The energy crisis is a major concern for everyone. I am able to advise that through the partnership working with have done with North Yorkshire County Council and successful funding bids (£8M of Government funds are allocated for the Scarborough, Ryedale and Hambleton areas) two key interventions to help struggling families insulate their homes, reduce energy costs and reduce carbon emissions are both up and running and going well. These schemes are the Home Upgrade Grants and Local Authority Delivery scheme being delivered on behalf of the councils via YES Energy Solutions. To qualify for these energy saving improvements households need to have a combined annual household income of less than £30k or be in receipt of income related benefits and live in a property with an Energy Performance Certificate in bands D,E,F or G.

Further to marketing, interest in both these initiatives has been significant and it is anticipated that a number of homes shall start having work commence

imminently. A bid for further funding bid (aimed at off gas properties) is also being worked up by the districts and the County Council.

## **WARM SPACES**

Officers from the Community Regeneration Team are leading the coordination of a programme of warm spaces across the Borough. The Warm Welcome initiative will support Voluntary and Community Sector organisations to open up community facilities to provide warmth and shelter to vulnerable residents who may be unable to adequately heat their home due to recent rises in energy costs. As well as supporting community led facilities, public sector buildings such as libraries, the Evron Centre in Filey and the Falsgrave Community Resource Centre will also be available as warm spaces.

Officers are working with a range of partners to secure a package of support for community groups and organisations wanting to participate in the scheme including: small amounts of easy access grant funding, support with promotion and marketing and aligning existing financial and crisis support with warm spaces so that help can be targeted towards those who need it most.

## **COUNCIL – 7 NOVEMBER 2022**

### **STATEMENT BY CLLR TONY RANDERSON CABINET MEMBER NEIGHBOURHOODS**

#### **BEREAVEMENT SERVICE**

Members may be aware of recent national media interest, articles in the Daily Telegraph, Daily Mail and The Mirror, stimulated by our memorial testing programme in the Council managed cemeteries. I would like to point colleagues to the Council's 'myth busting' article in this month's *Residents News* about this topic and do not intend to expand on it.

Here is the link:

[This is your October Residents' News \(govdelivery.com\)](https://www.govdelivery.com)

However, I would like to express my appreciation for our Bereavement Service staff, who have carried out more than 1,500 memorial tests over the last few months.

#### **STREET SCENE**

We are now in the full swing of Autumn and the service leaf clearance is in full operation. If there are areas that require attention please let us know and we can address the issues. We are deploying all available resources onto this task.

#### **PUBLIC TOILETS**

Officers and I have been working on proposals to expand the network of Changing Places toilets throughout our Borough. Changing Places are for the exclusive use of people with the most profound disabilities and challenging medical needs. They have an adult changing bench, hoist and height adjustable basins.

The Cabinet will be considering the proposals to have a new facility at Whitby Marina, Scarborough North Bay and Filey Foreshore at our November meeting. I know the lack of such facilities has been an issue of concern for many Members for some time.

We are continuing efforts to improve other facilities across the network. We have completed works in St Nicholas Gardens, Staithes, Sandsend, Filey Foreshore, Whitby Marina and we are working on improvement plans for Peasholm, Cayton Bay, Castleton and South Cliff Gardens over the coming months. This month marks the start of our Winter opening times for the network, allowing us greater opportunity to complete works, while our quietest

sites are closed and drained down for Winter. These improvements are much needed and welcomed by the public and an issue that Members rightly remain concerned about.

## **PARKS AND GARDENS**

### **South Bay Beach Chalets**

- Designs progressing towards a planning application.
- Discussions with supply chain due to commence shortly regarding procurement of the specialist joinery works.

## **PROJECT SUNSHINE – FILEY**

The investment Plan Project Sunshine Phases 1 & 2 work is well underway. Projects for PS1 are almost complete. There have been an array of repair and renewal works which have been completed throughout Filey including railing repair works and replacement, paintwork and asset renewal to metal and wood work within selected locations in the town. There have been improvements completed within Glen Gardens as well as new picnic benches being installed. The Bonzo the Seal recycling bin should be in situ shortly ready for use and paddling pool improvements await final details before scheduling arrangements can be made. PS2 projects are currently underway with most project works such as the bike repair points, mini golf revamp, water bottle refill points and replacement dinosaur for Glen Gardens ongoing. An Elsan chemical toilet disposal point has now been installed at the Country Park Toilets.



## **COUNCIL – 7 NOVEMBER 2022**

### **STATEMENT BY CLLR DAVID JEFFELS**

#### **CHAIR OF THE LIVES AND HOMES OVERVIEW & SCRUTINY COMMITTEE**

The Committee next meets on Friday 4 November 2022 to undertake further pre-decision scrutiny on the Better Homes programme for the provision of quality affordable housing in the Borough. Our earlier meeting, which was due to take place in early October, was cancelled as a mark of respect following the period of national mourning for the late Queen Elizabeth II.

At our later meeting in November on 23rd, we will be undertaking further pre-decision scrutiny on cemeteries provision in the Borough and reviewing and receiving an update on progress following the scrutiny review work undertaken on this matter 12 months ago.

The Committee also regularly reviews its own work programme and the Cabinet Forward Plan and has continues to schedule important topics scheduled for consideration moving forward.

The Working Party on the Cost of Living Crisis, comprising membership across both scrutiny committees has met on a number of occasions. It also held a “scrutiny in a day” evidence gathering session at the Town Hall on Wednesday 26 October 2022 hearing from a variety of representatives across the public, faith and charity sectors. A final report of the review group will be submitted to the scrutiny committees in due course.

Monthly meetings continue to take place with the Places and Futures Overview and Scrutiny Committee Chair and Vice-Chair, Cllr Coulson and Cllr Riley.

In addition we programme in quarterly Cabinet/Scrutiny liaison meetings.

## NOTES

**COUNCIL – 7 NOVEMBER 2022**

**STATEMENT BY CLLR GUY COULSON**

**CHAIR OF THE PLACES AND FUTURES OVERVIEW & SCRUTINY COMMITTEE**

The Committee has not met since my last statement to Council.

Following our meeting on 31<sup>st</sup> August I have written to the YCBID Company communicating the Committee's closing comments regarding its oversight over the Company.

The Working Party on the Cost of Living Crisis, comprising membership across both scrutiny committees has met on a number of occasions. It also held a "scrutiny in a day" evidence gathering session at the Town Hall on Wednesday 26 October 2022 hearing from a variety of representatives across the public, faith and charity sectors. A final report of the review group will be submitted to the scrutiny committees in due course.

The Committee also regularly review its own work programme and the Cabinet Forward Plan and continues to schedule important topics for consideration.

Monthly meetings continue to take place with the Lives and Homes Overview and Scrutiny Committee Chair and Vice Chair, Cllr Jeffels and Cllr Casey, in addition to the programmed quarterly Cabinet/Scrutiny liaison meetings.

## NOTES