North Yorkshire Council

Executive Member for Open to Business

06 September 2024

Scarborough Harbour Boat Lift – Acceptance of grant funding and allocation of match funding

Report of the Corporate Director – Environment

1.0 PURPOSE OF REPORT

- 1.1 To ask the Executive Member to accept a grant of £500k from the UK Seafood Fund toward the provision of a boat lift at Scarborough Harbour and note the risks involved in accepting the grant and placing an order for the Boat Lift.
- 1.2 Subject to the agreement of the Combined Authority on 06 September 2024, to ask the Executive Member to delegate authority to the Corporate Director Resources, in consultation with the Executive Member for Finance:
 - (a) to accept a grant from the Mayoral Combined Authority of £700k towards the infrastructure associated with the boat lift.
 - (b) to approve capital match funding of £550k from North Yorkshire Council for the boat lift project and note the annual income forecast to be generated by the Boat Lift.
- 1.3 To delegate authority to the Corporate Director Environment to enter into such contracts as are necessary with a hoist supplier and marine engineering consultants and contractors to facilitate the full delivery of the project.

2.0 BACKGROUND

- 2.1 In early 2024 the Council embarked on a project to provide a boat lift at Scarborough Harbour following a request from harbour users coinciding with opportunities to apply for grant funding from the UK Seafood Fund (UKSF) and the Mayoral Combined Authority (MCA).
- 2.2 Scarborough Harbour only has very limited lifting facilities for boats. Transfers to and from a trailer are limited to a 4-tonne limit by a crane on Vincent Pier. The service offered by this crane is considered unreliable, outdated and requires high levels of maintenance.
- 2.3 Currently all repair and maintenance work has to be done within one tidal cycle of less than 12 hours. This is often insufficient time to allow any serious repairs or extended maintenance to be undertaken. The alternative, therefore, is to relocate the vessel to either Bridlington or Whitby, approximately 20 nautical miles south or north respectively. This for fishermen is both costly in time, loss of earnings and fuel, and potentially represents a safety risk should weather become inhospitable either around Flamborough Head or across Robin Hoods Bay.

- 2.4 In addition, the governing body of maritime safety within the UK, the Maritime & Coastguard Agency (M&CA) have advised that they potentially no longer consider the current grid arrangement as a safe environment for their surveyors when undertaking their mandatory inspections of commercial vessels. The same mandatory "out of water" inspections are now considered by the M&CA to be carried out that way and inspections in a tidal environment are no longer acceptable.
- 2.5 Whilst the proposed boat lift addresses the requirements of the existing Scarborough fishing fleet and leisure users, it also opens up an opportunity to attract new business and will have a capacity sufficient to accommodate larger crew transfer vessels (CTV) that service the offshore windfarm industry.
- 2.6 In April 2024 the Corporate Director Resources, in consultation with the Executive Member for Finance and the Executive Member for Open to Business approved the Council submitting grant applications to the UKSF and on 14 June 2024 received approval to submit the MCA for grant aid towards the provision of a boat lift at Scarborough harbour.

3.0 DETAILED PRESENTATION OF THE SUBSTANTIVE ISSUE

- 3.1 It is pleasing to report that on Friday 23 August 2024 the Council was notified by the Marine Management Organisation that its application to the UKSF had been successful and North Yorkshire Council have been offered a grant of £500k towards the purchase of the boat lift.
- 3.2 Additionally, the MCA element of the funding of £700k to support the project has been recommended for approval at the Combined Authority Executive meeting on 06 September 2024. On the basis of both grant applications being successful, North Yorkshire Council will also need to confirm its match funding contribution of £550k from the capital programme.
- 3.3 There are a number of risks around this project. The UKSF grant is time limited to completion of the project before 31 March 2025. The MCA grant is time limited to be expended before 31 December 2025. For this reason, the Council separated the works for each grant application, with the UKSF being asked to fund the boat lift and the MCA being asked to fund the associated infrastructure works which will take longer to deliver. The Member should therefore be aware that the delivered boat hoist will be subject to planning consents being secured and would not be operational until the associated infrastructure has been completed in October 2025.
- 3.4 The provision of a boat hoist has a long lead in period of 28 weeks from place order. The preferred supplier following the tender exercise has stated they require a contract to be completed no later than week commencing 02 September 2024, and would be able to deliver the boat hoist by 25 March 2025.
- 3.5 The decision to procure a boat lift also relies on the ability to operate the boat lift on the West Pier. The main obstacle to this at present is the gap between the buildings from the inner harbour to the proposed boat storage area is too small at 6.5m to allow the hoist to pass through. The West Pier regeneration scheme proposes to demolish the building and create a larger gap and the current planning application for the scheme is yet to be determined. For the boat lift to be installed new jetties are needed which could mean that further planning and listed building applications could be required.
- 3.6 At this point in time the West Pier Regeneration scheme is subject to consideration by the Council's Strategic Planning Committee and there are no planning applications yet submitted regarding works to the jetties. There is therefore no certainty that planning approval would be granted either for the West Pier scheme or for any future applications in respect of the jetties.

3.7 There is a risk to the Council of placing the order in advance of any decisions on planning matters. That said the Council has to balance this against the risk of losing funding. If the Council chose not to place the order at this point it will not have sufficient time to complete the delivery of the hoist before 31 March 2025, the deadline for the UKSF grant to be spent. It is therefore proposed to proceed at risk.

4.0 ALTERNATIVE OPTIONS CONSIDERED

4.1 The only alternative option is the 'do nothing' option. The current maintenance arrangements with the grid would continue and boats will inevitably have to continue to use other ports for the longer-term maintenance and statutory inspections of their vessels which cannot be undertaken within a tidal window. This option would provide less financial risk to the Council but would not deliver the benefits of the proposed scheme.

5.0 FINANCIAL IMPLICATIONS

- 5.1 In the report by the Corporate Director Community Development dated 14 June 2024 (as identified in the background papers) entitled "Release of YNY Combined Authority Gainshare Priority Projects" it was identified that the proposed funding of the boat lift project would be through three different funding sources, subject to the success of grant funding applications. These funding sources were the:
 - (a) UK Seafood Fund
 - (b) MCA Gainshare Funding
 - (c) North Yorkshire Council capital funding
- 5.2 Further work has been done since June to update the financial costs and potential funding streams. The updated full financial implications are now included in the Business Case at Appendix A. The budget for the works has been updated following the procurement process for the boat lift.

Item	Costs (£k)		Funding (£k)					
	Budget	Actual	UKSF	MCA	NYC			
Boat Lift	£756	£753	£500		£253			
Infrastructure	£662			£662				
Capital	£43			£38	£5			
salaries								
Contingency	£292				£292			
Totals	£1,753		£500	£700	£550			

- 5.3 Excluded from this cost is any dredging required, which would be funded through existing harbour budgets, and any structural improvements to the harbour walls or surface to enable it to accommodate the necessary loads. These risks will be examined via surveys in the design stage of the project which is currently being procured.
- 5.4 It can be seen that in having to place an order for the boat lift by week commencing 02 September 2024 the Council is exposed to a number of financial risks:
 - a) As set out in the legal implications section below, the Council is the main party at risk in respect of compliance and delivery within the timescales. If an order is placed at risk and the supplier fails to deliver by 31 March 2025, the ability to fund the purchase using the UKSF grant expires and therefore the full cost of the boat lift of £753k would need to be met by the Council. Similarly, if the Terms & Conditions of the grant are not satisfactory when they are received, again the Council would need to pick up the cost incurred.

- b) The installation of the boat lift infrastructure will need planning approval and this process is outside the Executive decision-making process and is made independently by the Council as a Local Planning Authority. Therefore, it is not pre-determined that planning approval will be granted in this case and therefore there is a risk that if planning approval is not granted the Council will be liable for the financial risk of abortive costs. If the boat lift had to be put in a different location, there is a risk that the forecast income to be generated to repay the Council funding would not be forthcoming until the boat lift is operational in potentially a different location. There is also a risk that even if planning approval was granted, there is always the potential for a legal challenge of any planning decision made which could delay the programme.
- c) The deadlines that attach to the grant funding are as follows:
 - (i) The UKSF funding must be spent by 31 March 2025
 - (ii) The MCA funding must be spent by 31 December 2025
- 5.4.1 If these deadlines are not met, all committed costs which were earmarked to be funded by grant would need to be met by North Yorkshire Council a total of up to £1.2m as well as the additional Council contribution.
- 5.5 In addition to the grant funding, in order to complete the project, match funding of £550k will need to be added to the capital plan from the Council. A large proportion of this is allocated against contingency.
- 5.6 The business case demonstrates that gross income of £115k per annum is forecast to be generated by the Boat Lift and (assuming costs of £20k per annum), leaves a net income of £95k. The ongoing annual costs and income assumptions are set out below:

Expenditure:

Maintenance £10.4k (based on tendered sum of £51.9k for five years)
Fuel £4k
Staff costs £5k
Total annual expenditure £20.4k

Income:

Permanent berth holders £18.5k Visiting vessels £19.5k Renewable energy support vessels £77k Total income £115k

- 5.7 The above income figures are based on the anticipated usage by existing Scarborough Harbour users (130 usages per annum) and is supplemented by assumptions regarding use by visiting vessels (65 usages per annum) and use by the developing renewable energy sector support craft (35 usages per annum plus 100 days of ground rent), These income figures are estimates at this point and discussion with the industry is ongoing.
- 5.8 This gives a net income of £95k per annum based on the estimated usage figures and assumed fees, which are based on competitor rates, and would be sufficient to repay the Council's financial contribution within six years.

6.0 LEGAL IMPLICATIONS

As a result of this decision, the Council will be required to enter into grant funding agreements with the Marine Management Organisation (MMO) and MCA. The terms of both grant agreements will be reviewed by Legal Services to ensure they are acceptable to the Council.

- 6.2 A condition of accepting the grants will be that the Council has satisfied Subsidy Control legislation. Subsidy control legislation enables public bodies to provide subsidies for local and economic growth purposes, provided distortion to competitive is minimised. As the Council will be providing the boat lift by virtue of its role as statutory harbour authority, it has been concluded that there are no subsidy control implications, and this will be kept under review through the review of the agreements.
- 6.3 Contracts will also be required with the hoist supplier, marine engineering consultant, and principal contractor, on terms that will be also approved by Legal Services.
- 6.4 It should be noted that the West Pier scheme has been contentious. The planning application is yet to be considered and the decision to proceed with the order in respect of the boat lift is separate to any future consideration by the Authority as the Local Planning Authority. It is also noted that there have been some concerns raised regarding the use of income at the harbour and the recent Executive decision to appropriate land from harbour to non-harbour use. These concerns are currently being dealt with and will be kept under review.
- 6.5 The terms and conditions with the hoist supplier provide for the following payment terms:

Terms	Amount	Date	
25% deposit	£188k	w/c 9 Sept 2024	
50% commence manufacture	£377k	w/c 4 Nov 2024	
Balance prior to dispatch	£188k	w/c 3 Mar 2025	

- 6.5.1 There are no specific clauses in the hoist supplier terms and conditions which would make them liable for our losses or enable the Council to seek repayment, if the hoist was delivered late by the supplier.
- 6.6 Similarly, the terms and condition of the UKSF grant make the Council liable for commencing the project within one month of the start date, proceeding regularly and diligently and delivery of the hoist by 31 March 2025. Whilst the grant terms contain clauses to enable submission and agreement of remedial action plans to be accepted at the discretion of the funder, the terms also contain claw back clauses requiring full or partial repayment of the grant, also at the discretion of the funder. Whilst the funder will be required to act reasonably, in making this decision, the Council will be carrying some risk associated with delivery of the hoist within the UKSF grant agreement timescales.

7.0 EQUALITIES IMPLICATIONS

7.1 An equalities impact assessment has been carried out. There are no equalities implications arising from this report. See Annex C of the Business Case.

8.0 CLIMATE CHANGE IMPLICATIONS

- 8.1 There are potentially positive climate change implications as a result of this decision, but the impact of them is not able to be calculated at this stage. See Annex E of the Business Case.
- 8.2 Vessels currently travel to either Bridlington or Whitby, approximately 20 nautical miles south or north respectively for maintenance or inspections where these cannot be undertaken within the tidal window. This for fishermen is both costly in time, loss of earnings and fuel, and represents a safety risk should weather become inhospitable either around Flamborough Head or across Robin Hoods Bay.

- 8.3 The proposal will result in a saving in journeys and less fuel consumed, although the saving in CO2 cannot be measured as we do not hold sufficient data on the frequency and types of repairs, number of journeys, sizes of vessels, sizes of engines, types of fuel, and amount of fuel consumed by the privately owned vessels.
- 8.4 However, we can positively state there will be a saving in journeys.

9.0 REASONS FOR RECOMMENDATIONS

- 9.1 It is positive news that the UKSF has recently granted £500k towards this project and that the MCA are considering making a further grant of £700k. In order to potentially progress with delivering a boat lift within Scarborough it is necessary for the Council to formally accept these grants and to make provision of £550k from Council funds. This report seeks to update progress on delivery of the boat lift scheme and to seek approval to proceed. The report also provides an update on the risks, and the basis of the business case.
- 9.2 To comply with the Council's governance procedures regarding grant acceptance and finance.
- 9.3 To seek Executive Member approval to allocate capital match funding and seek the necessary permissions to proceed with the project.
- 9.4 The boat lift will provide new resource that will improve the harbour experience for existing users, prevent the need for journeys to alternative ports for maintenance and inspection, and also open up potential for new markets servicing the wind farm industry. The opportunity to combine this with the availability of grant aid to offset the majority of the capital expenditure, whilst not without risk, makes this an opportunity that it is recommended the Council should proceed with.
- 9.5 In order to meet the grant conditions for delivering the boat lift, it is necessary to place an order for the boat hoist during week commencing 02 September 2024 as there is a 28-week lead-in period for manufacture and delivery. This means that 25% deposit (of the £753k) for the boat hoist will need to be paid on the week commencing 09 September 2024. Due to the recent announcement of the success of the UKSF grant, the imminent consideration of the MCA of the further grant and the long lead-in time for delivering a hoist, it is necessary to use the urgency provisions with regards to Access to Information Procedure Rules and the call-in exemption. This decision would normally be made by the Executive, however due to the urgency the Executive Member is asked to approve these set of decisions under paragraph 13 of the Executive Members Delegation Scheme under the Constitution following consultation with the Chief Executive Officer. This is on the basis that it is not practicable to refer it to the Executive for determination due to the tight timescales involved. There is greater time to deliver the other associated infrastructure (i.e. aside from the boat hoist itself) regarding the scheme.

10.0 RECOMMENDATIONS

- 10.1 Executive Member for Open to Business is recommended to:
 - i) accept a grant of £500k from the UKSF Fund toward the provision of a boat lift at Scarborough Harbour, noting the risks set out in sections 3.0, 5.0, 6.0 and 7.0, subject to acceptable terms and conditions being received.
 - ii) subject to the agreement of the Combined Authority on 6 September 2024 to approve the grant, to ask the Executive Member to delegate authority to the Corporate Director Resources, in consultation with the Executive Member for Finance:

- (a) to accept a grant from the Mayoral Combined Authority of £700k towards the infrastructure associated with the boat lift.
- (b) to approve capital match funding of £550k from North Yorkshire Council for the boat lift project and note the annual income forecast to be generated by the Boat Lift.
- iii) delegate authority to the Corporate Director Environment to enter into such contracts are necessary with a hoist supplier and marine engineering consultants to facilitate the delivery of the project. This will be to deliver the boat lift and associated infrastructure works.

APPENDICES:

Appendix A – Business Case

BACKGROUND DOCUMENTS:

Decision - Scarborough Boat Lift and associated works | North Yorkshire Council Release of YNY Combined Authority Gainshare Priority Projects.pdf (Public Pack)Agenda Document for York and North Yorkshire Combined Authority, 06/09/2024 15:00 (yorknorthyorks-ca.gov.uk)

Karl Battersby
Corporate Director – Environment
County Hall
Northallerton

02 September 2024

Report Author – Chris Bourne, Head of Harbours and Coastal Infrastructure Presenter of Report – Chris Bourne, Head of Harbours and Coastal Infrastructure

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.



Project Business Case

Document Version Control						
Version Number Reason for Change Author Date						
1.0	First draft	Chris Bourne	30/08/2024			

Project Overview						
Project Name:	Provision of a boat lift at Scarborough Harbour					
Project Reference:		Document Author:	Chris Bourne			
Project Sponsor:	Paul Thompson	Project Manager:	Chris Bourne			
Programme (this project is part of):	N/A	Programme Manager:	N/A			
Directorate/Service Area:	Environment/Harbou	Senior User (Service Lead):	Gary Pearson			
Senior Supplier:	Wise Handling Ltd					

1 Project Background

Scarborough Harbour only has very limited lifting facilities for boats. Transfers to and from a trailer are limited to a 4 tonne SWL limit by a crane on Vincent Pier. The service offered by this crane is considered unreliable, outdated and ongoing maintenance a drain on harbour revenues.

Currently all repair and maintenance work has to be done within 1 tidal cycle of less than 12 hours. This is often insufficient time to allow any serious repairs or extended maintenance to be undertaken. The alternative, therefore, is to relocate the vessel to either Bridlington or Whitby, approximately 20 nautical miles south or north respectively. This for fishermen is both costly in time, loss of earnings and fuel.

In addition, the governing body of maritime safety within the UK, the MCA (Maritime & Coastguard Agency) have advised that they no longer consider the current grid arrangement as a safe environment for their surveyors when undertaking their mandatory inspections of commercial vessels. The same mandatory "out of water" inspections are now considered by the MCA to be carried out that way and inspections in a tidal environment are no longer acceptable.

A proposal has been put forward by Harbour Users to install a new boat lift, which has also coincided with the opportunity to apply for grant funding to supplement the cost of the lift.

2 Objectives

The project objective is the delivery of a new 150t boat lift on the West Pier.

The outcomes resulting from the boat lift installation include but are not limited to:

- Provision of a safe working environment for all vessel owners to maintain their craft without tidal constraints.
- Allow the port to enter the growing renewable energy support marketplace for maintenance of Crew Transport vessels.
- Remove costly requirement of transit to alternative ports.
- Attract more craft to the harbour.
- Provide a revenue stream to the harbour.

3 Benefits

The main benefit is the provision of out of water maintenance facilities for Scarborough Harbour users that are not affected by the tidal cycle.

Additional benefits is the ability to attract additional business to the harbour from the offshore wind market.

4 Assumptions

That there are no load restrictions on the pier, and that if there are any these can be addressed by the piling of the finger pontoons.

Inner Harbour sheet piles will be repaired and suitable to take the load.

Harbour bed ground conditions are suitable for piling.

There is sufficient room made available to operate the hoist in the West Pier car park.

The business case is viable.

Grant is available and the Council can comply with their short timescales for delivery.

No consents are required for the operation of the hoist (as it is a moveable piece of plant)

At this point in time there is no planning permission for the West Pier Regeneration project. Future applications may also be required regarding the jetties where the boat lift would be placed.

5 Project Scope

The scope of the project is constrained to the provision of a 150t boat hoist on the West Pier.

Exclusions:

Strengthening the pier walls or surface – covered by another project.

Dredging costs – covered by revenue.

6 Options appraisal

Option (one, two, three etc.)	Description of option	Benefits	Risks	Costs- these are likely to be high level / estimated at OBC stage
Option One	Do nothing	None. Boats continue to use the grid and have to travel to Bridlington or Whitby or major repairs	Increased	None.
Option Two	Provide a new boat lift	Less marine journeys. Improved safety. Saving of time. Savings on loss of earnings. Ability to attract new markets e.g. offshore wind	Cost over- run Business case assumptions. Statutory consents	£1.753m

7 Recommended option

Option 2 is recommended.

This is because the opportunity to attract grant aid to largely fund the purchase of the hoist significantly mitigates the risk of the project and improves the business case.

8 Project Milestones

Place order for boat hoist

w/c 02 September 2024 (28 week lead in period for manufacture and delivery)

• End date for expenditure of UKSF grant

End date for expenditure of MCA grant

31 March 2025 31 December 2025

See annexed gantt chart.

9 Project Resources

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10 Consultation / Engagement

Consultation will be required with the following:

- Harbour Master
- Harbour User Group
- Fishermen
- Leisure craft owners/operators
- Offshore Wind Market
- South Bay Traders Association
- Ward Member

11 Risks and Issues

There are a number of risks around this project. The UKSF grant is time limited to completion of the project before 31 March 2025. The MCA grant is time limited to be expended before 31 December 2025. For this reason, the Council separated the works for each grant application, with the UKSF being asked to fund the boat lift and the MCA being asked to fund the associated infrastructure works which will take longer to deliver.

The provision of a boat hoist has a long lead in period of 28 weeks from place order. The preferred supplier following the tender exercise has stated they require an order to be placed no later than w/c 2 September 2024, and would be able to deliver the boat hoist by 25 March 2025.

The decision to procure a boat lift also relies on the ability to operate the boat lift on the West Pier. The main obstacle to this at present is the gap between the buildings from the inner harbour to the proposed boat storage area is too small at 6.5m to allow the hoist to pass through and the current planning application for the West Pier scheme is yet to be determined. For the boat lift to be installed new jetties are needed which could mean that further planning and listed building applications could be required.

At this point in time the West Pier Regeneration scheme is subject to consideration by the Council's Strategic Planning Committee and there are no planning applications yet submitted regarding works to the jetties. There is therefore no certainty that planning approval would be granted either for the West Pier scheme or for any future applications in respect of the jetties.

There is a risk to the Council of placing the order in advance of any decisions on planning matters. That said the Council has to balance this against the risk of losing funding. If the Council chose not to place the order at this point it will not have sufficient time to complete the delivery of the hoist before 31 March 2025, the deadline for the UKSF grant to be spent. It is therefore proposed to proceed at risk. See annexed risk register.

12 Dependencies / Links Cross-cutting Themes

Will this project have an impact on any of the following cross cutting themes?

- <u>Stronger Communities</u> Will the project involve supporting communities to take a greater role in the provision of services?
- Partnership, Commercial and Alternative Delivery Methods Will the project generate income or profit through sales OR there is a competitive element where the Council will be in competition with other external companies OR the project will enable the Council to do either of the above? Will the project

involve working with others to provide new ways of delivering services? For example, this could include partnership working with other councils or public authorities.

- <u>Customer</u> Will the project involve changes to the way in which customer's access and/or receive services, for example, online access to services, greater use of the customer contact centre or changes to physical access points.
- <u>Property</u> Will the project have an impact on requirements for, and the use of, the property estate?
- <u>Organisational Development</u> Will the project require changes to organisational structure and roles, skill sets and knowledge requirements and/or behaviour and culture change?
- <u>Health & Integration</u> Will the project have an impact on any joint working or interface with health partners.
- Modern Council Will the project have an impact on New Ways of Working?

Theme	Yes/No	Comments
Stronger Communities	No	
Commercial	Yes	Use of the hoist will be sold to harbour users to generate income.
Customer	No	
Property	No	
Organisational	No	
Development		
Health & Integration	No	
Modern Council	No	

Does this project link to, or is it dependent upon, any other programmes, projects or activities?

Link to the West Pier Regeneration Project (creation of the gap for the hoist to travel through).

13 Stakeholder Management and Communications

Who are the key stakeholders for this project, how are they represented and how will you communicate with them?

Stakeholder	Represented	Communicated
Harbour Master	Individual	Weekly team meetings
Harbour User Group	Chairman	Quarterly meetings Email updates
Fishermen	No	Verbally by Harbourmaster Email updates
Leisure craft owners/operators	No	Verbally by Harbourmaster Email updates
Offshore Wind Market	No	Conference attendance
South Bay Traders Association	Chairman	Quarterly meetings Email updates
Ward Member	Individual	Phone calls Email updates

14 Equality Impact assessment (EIA)

See annexed EIA screening form.

15 DATA PROTECTION IMPACT ASSESSMENT (DPIA)

See annexed DPIA screening form

16 Climate Change Impact Assessment (CCIA)

See annexed CCIA.

17 OTHER IMPLICATIONS

None

18 Summary of savings and costs

The ongoing annual costs and income assumptions are set out below:

Expenditure:

Maintenance £10.4k (based on tendered sum of £51.9k for 5 years) Fuel £4k

Staff costs £5k

Total annual expenditure £20.4k

Income:

Permanent berth holders £18.5k Visiting vessels £19.5k Renewable energy support vessels £77k **Total income £115k**

Total net income is anticipated at £95k per annum

The above income figures are based on the anticipated usage by existing Scarborough Harbour users (130 usages per annum), and is supplemented by assumptions regarding use by visiting vessels (65 usages per annum) and use by the developing renewable energy sector support craft (35 usages per annum plus 100 days of ground rent), These income figures are estimates at this point and discussion with the industry is ongoing.

This gives a net income of £95k per annum based on the estimated usage figures and assumed fees, which are based on competitor rates, and would be sufficient to repay the Council's financial contribution of £553k within 6 years.

Any changes to these assumptions would result in a change to the timescale over which the Council's contribution would be repaid.

19 Funding

The budget for the works has been updated following the procurement process for the boat lift.

Item	Costs	(£k)	Funding (£k)			
	Budget	get Actual UKSF MCA			NYC	
Boat Lift	£756	£753	£500		£253	
Infrastructure	£662			£662		

Capital salaries	£43		£38	£5
Contingency	£292			£292
Totals	£1,753	£500	£700	£550

Excluded from this cost is any dredging required, which would be funded through existing harbour budgets, and any structural improvements to the harbour walls or surface to enable it to accommodate the necessary loads. These risks will be examined via surveys in the design stage of the project which is currently being procured.

The UKSF funding is required to be expended by 31 March 2025.

The MCA Gainshare funding will be expended by 31 December 2025.

It is proposed to fund the Boat Lift project through three different funding sources, subject to the success of grant funding applications:

- UK Seafood Fund £500k
- MCA Gainshare funding up to £700k
- North Yorkshire Council capital requirement £553k or more, depending on how much grant is secured.

If successful, it is expected that the project will be delivered in the 24/25 and 25/26 financial years.

Once delivered, ongoing maintenance costs, expected to be £10.4k per annum, to be met from revenue.

This business case demonstrates that gross income of £115k per annum is forecast to be generated and (assuming costs of £20k per annum), leaves a net income of £95k. If the Council is not successful in attracting the external funding of £1.2m, the business case for the whole project would no longer be viable and therefore the project would be unlikely to go ahead.

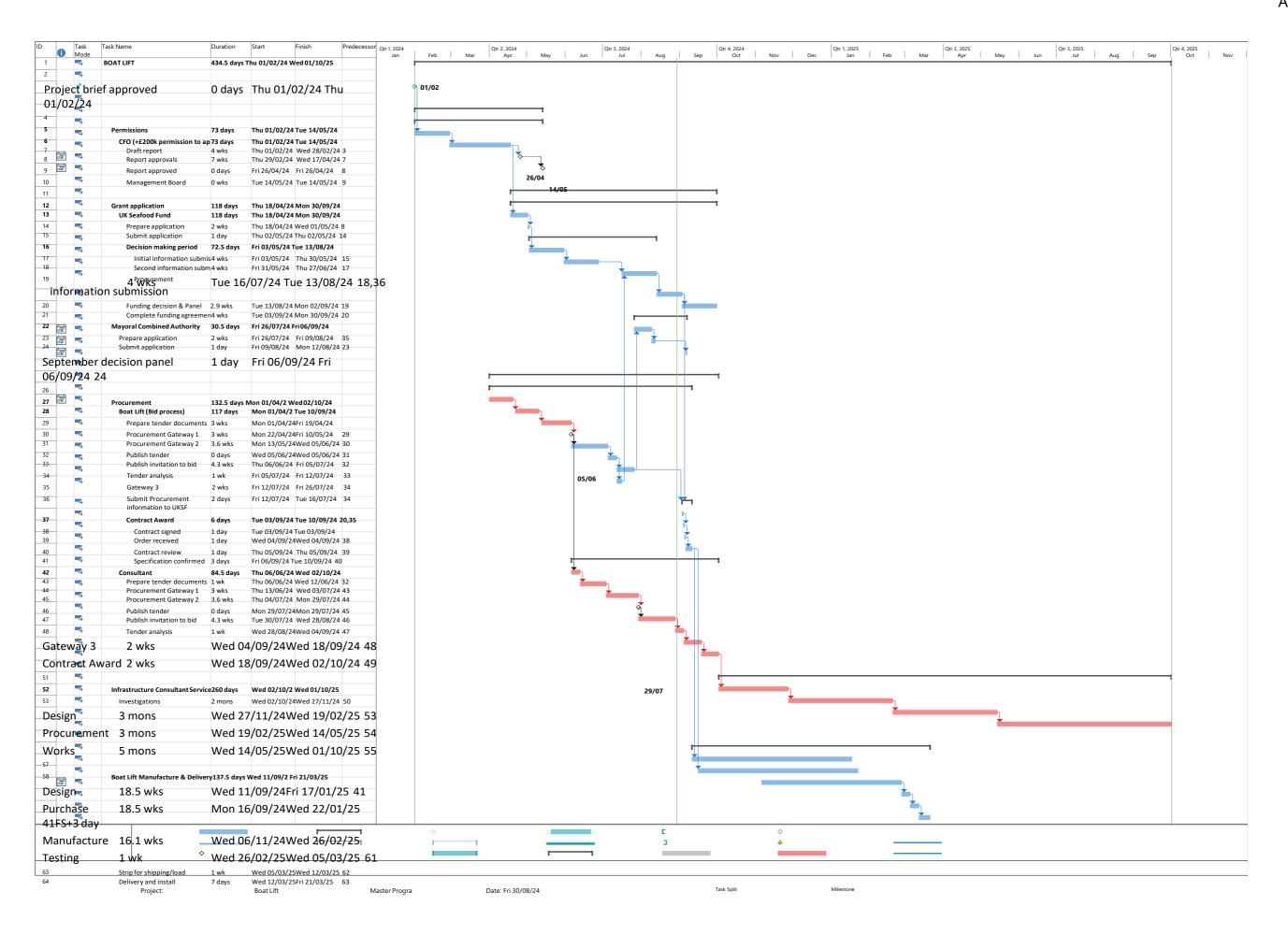
Annual costs and income are set out in section 18 above

20 Approvals

Ensure the appropriate approvals are in place for the project to proceed.

Once approved 2020 projects should go to 2020 PMO, via the Directorate Programme Manager. Other T&C projects should go to T&C PMO via the T&C Business Partner.

Comments	Signed	Date					
Directorate / Theme Programme Manager							
Chris Bourne, Head of Harbours & Coastal Infrastructure		30/08/2024					
Project Sponsor							
Pau Thompson, AD Harbours et al							
Directorate Finance Assistant Director							
Vicki Dixon							



ANNEX B SCARBOROUGH BOAT LIFT PROJECT RISK MATRIX

	KISK IVIATRIX							Mitigated		
				Likeli-				Likeli-	Mitigated	
No.	Date	Issue/Risk	Consequences if allowed to happen	hood	Impact	Mitigation	Responsibility	hood	Impact	Comments
R1	-	Project Scope	project is ill defined, lacking robust market demand evidence from business and training and skills providers	€	4	Options and Feasibility Study	MC	B	2	Resolved as part of feasbility study carried out by AECOM
R1	01/05/2024	Grant runs out before application submitted	Unable to apply for grant	С	5	Early engagement with UKSF	AT	A	2	AT contacted by UKSF and encouraged to submit application. Would not have done so if no funding available.
R2	01/05/2024	Unable to meet grant submission timescales due to internal processes and governance	Unable to meet grant application requirements or deadlines. Potential loss of funding.	D	5	Early start on grant application. Commence procurement early. Obtain delegated authorities.	СВ	В	2	
R3	01/05/2024	Stakeholder Conflict	Reputational risk for North Yorkshire Council	С	3	Steering group set up and involved in project development.	PT	А	1	Steering group continue to meet regularly for update and valued input
R4	01/05/2024	Clarity on Infrastructure constraints on site	Project Deliverability - quality of outcomes	С	4	Site surveys by engineers. Purchase of amphibious hoist to operate at multiple locations.	СВ	В	2	
R5	01/05/2024	Viability of business case	Potential for loss of revenue	С	3	Engagement with user market has indicated viability. Business case developed. Capital funding for lift not dependent upon revenue.	PT	В	2	
R6	01/05/2024	Non return of tenders or unaffordable tenders	ITT will have to be reissued. Delays. Unlikely to meet grant funding deadlines.	В	4	Early engagement with hoist suppliers and potential tenderers.	СВ	А	3	
R7	01/05/2024	Legal challenge from unsuccessful suppliers	Potential for delays. Legal costs	В	3	Involvement of specialists from legal service and procurement . Follow procurement procedures. oversight from Procurement Assurance Board	CB/LB	A	2	

Annex B	
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01/05/2024	Inability to operate lift	Lift stood unused	В	4	Training for staff operating the lift	Harbourmaster	А	4	
01/05/2024	Consents required but not obtained	Lift unable to be installed or operated	A	4	Early engagement with planning team; seeking pre application advice; seeking appropriate Legal/technical advice; enagaging with statutory consultees	CAR	A	4	
01/05/2024	Supply chain do not submit a tender	Unable to meet grant timescales. Project cancelled.	С	5	Early market engagement undertaken	СВ	A	5	
01/05/2024	Tenders come back over budget	More funding required.	С	3	Early market engagement undertaken	СВ	A	3	

Likelihood of event occurring:

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

Impact on the project objectives:

Low
Minor
Medium
Major
Catastrophic

Initial equality impact assessment screening form

This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.

Directorate	Environment
Service area	Harbours and Coastal Infrastructure
Proposal being screened	Provision of a boat lift
Officer(s) carrying out screening	Chris Bourne, Head of Harbours and Coastal Infrastructure
What are you proposing to do?	Purchase a boat lift and operate it on the West Pier to lift boats in and out of the harbour
Why are you proposing this? What are the desired outcomes?	Improvement to harbour facilities.
Does the proposal involve a significant commitment or removal of resources? Please give details.	No

Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the proposal relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.

Protected characteristic	Potential f	or adverse impact	Don't know/No	
	Yes	No	info available	
Age		X		
Disability		X		
Sex		X		
Race		X		
Sexual orientation		X		
Gender reassignment		X		
Religion or belief		X		
Pregnancy or maternity		X		
Marriage or civil partnership		X		
People in rural areas		X		
People on a low income		X		
Carer (unpaid family or friend)		X		
Are from the Armed Forces Community		X		
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's access to public transport)? Please give details.	No			

Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No			
Decision (Please tick one option)	EIA not		Continue to full	
	relevant or	✓	EIA:	
	proportionate:			
Reason for decision	The decision itself, whether or not to accept grant to purchase a boat lift has no equalities impact. If the grant is accepted and the boat lift purchased, there are still no equalities impacts associated with the implementation of the project.			
Signed (Assistant Director or equivalent)	p.p. Paul Thomp	son		
Date	29/08/2024			



Data Protection Impact Assessment (DPIA) - Screening Questions

Overview

A Data Protection Impact Assessment (DPIA) is essential to ensure that new systems and processes are compliant with Data Protection Legislation (GDPR and the Data Protection Act 2018). A DPIA is mandatory when introducing new technology or where the processing operation is "likely to result in a high risk to the rights and freedoms of natural persons". The risk is considered high when processing personal information about a living person. Failure to carry out a DPIA, or failure to carry one out correctly when the risk is high, may result in a large fine.

What is Personal Data?

"personal data' shall mean any information relating to an identified or identifiable natural person ('data subject'); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity."

It may be that a single piece of information can identify an individual, or it may be that it requires a combination of information to identify them. The following information would be considered personal data:

- Name
- Address
- Date of birth
- Email address (personal and work)
- NI number
- Bank details

Personal data also extends to items such as a photo, posts on social media or an IP address.

What is Special Category Data?

"personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, and data concerning health or sex life."

The following information would be considered special category data:

- · Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data*
- Data concerning health
- Data concerning a person's sex life
- Data concerning a person's sexual orientation

*Biometric Data: physical or physiological identification techniques – e.g. fingerprint verification, facial/voice recognition, keystroke/handwriting analysis, gait and gaze analysis.

In order to determine whether a DPIA is necessary, insert the required information into the table below and complete the checklist.

If the answer is **YES** to any of the screening questions in the checklist then a DPIA must be carried out.

Data Protection Impact Assessment (DPIA) – Screening Questions

Project/Process Title	Provision of a boat lift at Scarborough Harbour
Directorate / Service Area	Environment / Harbours and Coastal Infrastructure
Overview of Project/Process	Purchase of a boat lift and installation of associated infrastructure

Screening Questions	Yes	No	Justification for Answer
Will your project/app/system involve processing of information about individuals which includes special category or criminal conviction data? Please note this does include 'anonymous' data within these categories if unique identifiers such as initials or reference numbers are also processed.			
If you are processing any of the below types of personal data your answer should be YES:			
Racial or ethnic origin			
Political opinions			
Religious or philosophical beliefs		\boxtimes	
Trade union membership			
Genetic data			
Biometric data			
Data concerning health			
Data concerning a person's sex life			
Data concerning a person's sexual orientation			
Criminal conviction data			

Will you be collecting new personal information about individuals, or information which, if			
breached could have a significant impact on an individual?			
Examples where the answer would be YES:			
 This a new system/process processing personal data that has not been previously collected 	П	\square	
 This is an existing system/process processing personal data but additional data must be 			
collected due to a change in scope of the system/process			
 Data which has routinely been collected is being collected in a new way, this data is very 			
sensitive and would cause distress to the data subject if it was breached			
Will information about individuals be disclosed or shared with organisations or people who			
have not previously had routine access to the information?			
Example of where the answer would be YES:	П	\boxtimes	
 There is a requirement to share information with an external 3rd party who has not 			
previously had access to the data. This would also result in the need for a Data Sharing			
Agreement (DSA).			
Are you going to use information you already hold about individuals for a purpose it is not			
currently used for?			
Example of where the answer would be YES:			
Matching information from different systems/data sources, where purpose/lawful basis of original			
data collection may differ		\boxtimes	
Details of the Information Asset in question will be contained within NYC's Information Asset			
Register (IAR) and the purpose for processing, along with the legal basis for processing will be			
recorded. The way information will be used in this new system/process must match the existing			
purpose/legal basis, otherwise a DPIA is required			

Does the project involve using technology which might be perceived as privacy intrusive or		
monitoring any publicly accessible areas? For example, CCTV, facial recognition, use of	\boxtimes	
biometrics* such as thumb prints, Vehicle number plate recognition or location tracking.		
Does any phase of project/system/ app use automated decision making based on		
information provided by the individual or received from a 3 rd party? Automated individual		
decision-making is a decision made by automated means without any human involvement (e.g.		
online credit checks).	53	
Example of where the answer would be YES:	\boxtimes	
A new piece of software is being implemented which checks an applicant's geographical		
location, age and household income and automatically offers a free service to eligible		
applicants when certain conditions are met		
Will the project include marketing or contacting individuals which may be considered		
intrusive?		
By phone, by email or by post, where they have not be informed/are not expecting that this contact		
will take place.	×	
Example of where the answer would be YES:		
 I have access to a list of email addresses which were collected for the purpose of setting 		
people up as users of their local library. I'd like to send them a notice about a new transport		
services available that operate near the library.		
Will the project include data matching from different sources or profiling? Combining,		
comparing or matching personal data obtained from multiple sources.		
Example of where the answer would be YES:	\boxtimes	
 Matching data from two/three different children's systems to understand which children may 		
be eligible to join a new learning programme.		

Will you be conducting large scale processing, this includes numbers, duration and geographical spread?			
Example of where the answer would be YES:		\boxtimes	1
 Processing data related to all/most children who reside in North Yorkshire 			
Tracking all/most individuals using public transport systems in North Yorkshire			

If you have answered **YES** to any of the questions above then a full DPIA must be carried out.

If you have answered **NO** to **ALL** of the above screening questions then a DPIA is not necessary. Please complete the declaration below and email a copy to the Data Governance Team, email: datagovernance@northyorks.gov.uk.

Date of Assessment	3 September 2024
Project Sponsor Name	pp. Paul Thompson
Project Sponsor Signature	

Note: If the scope of work changes in any way then the pre-assessment MUST be repeated.

Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Version 2: amended 11 August 2021

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission

Environmental Impact Assessment

Strategic Environmental Assessment

However, you will still need to summarise your findings in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Provision of a boat lift at Scarborough Harbour
Brief description of proposal	1.4 To request Executive to accept a grant of £500k from the UKSF Fund toward the provision of a boat lift at Scarborough Harbour.
	1.5 To request Executive the delegate authority to the Corporate Director – Resources, in consultation with the Executive Member for Finance and the Executive Member for Open to Business to accept a grant from the Mayoral Combined Authority of £700k towards the infrastructure associated with the boat lift; if offered.
	1.6 To request Executive to allocate match funding of £550k from North Yorkshire Council capital reserves to the boat lift project.

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	1.7 To delegate authority to the Corporate Director – Environment to enter into such contracts are necessary with a hoist supplier and marine engineering consultants to facilitate the delivery of the project.
	The boat lift will enable boats to be lifted out of the water for maintenance and statutory inspections. Currently they have to travel to alternative ports with lifting facilities.
Directorate	Environment
Service area	Harbours and Coastal Infrastructure
Lead officer	Chris Bourne, Head of Harbours and Coastal Infrastructure
Names and roles of other people	Chris Bourne, Head of Harbours and Coastal Infrastructure
involved in carrying out the impact	
assessment	
Date impact assessment started	29/08/2024

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

No. There are no other options.

The only alternative option is the 'do nothing' option. If boats continue to be unable to be lifted out of the water the current maintenance arrangements with the grid would continue and boats will inevitably have to continue to use other ports for the longer term maintenance and statutory inspections of their vessels which cannot be undertaken within a tidal window.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

No impact on budgets. The grants provide the funding for most of the capital, and the business case presented in the report will repay the Council's match funding contribution.

How will this proposal in the environment? N.B. There may be short negative impact and lon positive impact. Please potential impacts over tof a project and provide explanation.	term ger term include all he lifetime	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO ₂ e • Links to relevant documents	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.	Emissions from travel	X			Vessels currently travel to either Bridlington or Whitby, approximately 20 nautical miles south or north respectively for maintenance or inspections where these cannot be undertaken within the tidal window. This for fishermen is both costly in time, loss of earnings and fuel, and represents a safety risk should weather become inhospitable either around Flamborough Head or across Robin Hoods Bay. The proposal will result in a saving in journeys and less fuel consumed, although the saving in CO2 cannot be measured as we do not hold sufficient data on the frequency and types of repairs, number of journeys, sizes of vessels, sizes of vessels, types of fuel, and amount of fuel consumed by privately owned vessels. However, we can positively state there will be a saving.		Provision of the boat lift. Cost to use at market rates.

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.		Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: Changes over and above business as usual Evidence or measurement of effect Figures for CO ₂ e Links to relevant documents	Explain how you plan to improve any positive outcomes as far as possible.
	Emissions from constructio n	P (F	Z E	×	There will be emissions from construction. The detailed effect is not known at this early stage as the scope of the works has not been designed.	Works will be procured from the YORcivil Framework where contractors are scored on environmental performance KPIs based on measures taken to minimise the environmental impact of projects:
	Emissions from running of buildings		X			
	Emissions from data storage		x			
	Other		X			

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How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: Changes over and above business as usual Evidence or measurement of effect Figures for CO ₂ e Links to relevant documents	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic			x	Waste will be produced by construction works.		Works will be procured from the YORcivil Framework where we aim to produce less than four tonnes of waste per £100k, of which no more than two tonnes of waste per £100k are to be sent to landfill.
Reduce water consumption		X				
Minimise pollution (including air, land, water, light and noise)		х				
Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers		Х				

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO ₂ e • Links to relevant documents	mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Enhance conservation and wildlife		X				
Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape		х				
Other (please state below)		Х				

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

See above.

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The decision itself whether or not to accept an EA Grant for the North Bay Sea Wall refurbishment has no climate impact.

If the grants are accepted, there will be works arising from them, and at that time there may be climate impacts associated with the implementation of the works. This is unknown at this early stage.

However some mitigation measures have already been identified above.

Sign off section

This climate change impact assessment was completed by:

Name	Christopher Bourne	
Job title	Head of Harbours and Coastal Infrastructure	
Service area	Harbours and Coastal Infrastructure	
Directorate	Environment	
Signature		
Completion date	20/5/2024	

Authorised by relevant Assistant Director (signature):

Date: 20/5/2024

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	Provision of a boat lift at Scarborough Harbour
Brief description of proposal	1.8 To request Executive to accept a grant of £500k from the UKSF Fund toward the provision of a boat lift at Scarborough Harbour.
	1.9 To request Executive the delegate authority to the Corporate Director – Resources, in consultation with the Executive Member for Finance and the Executive Member for Open to Business to accept a grant from the Mayoral Combined Authority of £700k towards the infrastructure associated with the boat lift; if offered.
	1.10 To request Executive to allocate match funding of £550k from North Yorkshire Council capital reserves to the boat lift project.
	1.11 To delegate authority to the Corporate Director – Environment to enter into such contracts are necessary with a hoist supplier and marine engineering consultants to facilitate the delivery of the project.
	The boat lift will enable boats to be lifted out of the water for maintenance and statutory inspections. Currently they have to travel to alternative ports with lifting facilities.
Directorate	Environment
Service area	Projects
Lead officer	Chris Bourne, Head of Harbours and Coastal Infrastructure
Names and roles of other people involved in carrying out the impact assessment	Chris Bourne, Head of Harbours and Coastal Infrastructure

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	Decreases emissions	Decreases emissions	Decreases emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or		Continue to full CCIA:	Х
	proportionate:			
Reason for decision	The decision itself whether or not to accept an EA Grant for the North Bay Sea Wall refurbishment has no climate impact. If the grants are accepted, there will be works arising from them, and at that time there may be climate impacts associated with the implementation of the works. This is unknown at this early stage.			
Signed (Assistant Director or equivalent)	Pp Paul Thompson			
Date	29/08/2024			