



Notice is hereby given that a **MEETING** of the **COUNCIL OF THE BOROUGH OF GOSPORT** will be held in the **TOWN HALL, GOSPORT** on **WEDNESDAY** the **FIRST DAY** of **OCTOBER 2008** at **6.00PM** AND **ALL MEMBERS OF THE COUNCIL ARE HEREBY SUMMONED TO ATTEND TO CONSIDER AND RESOLVE THE FOLLOWING BUSINESS –**

1. To receive apologies from Members for their inability to attend the Meeting.
2. To confirm the Minutes of the Ordinary Meeting of the Council held on 14 July 2008 (copy herewith).
3. To consider any Mayor's Communications.
4. To receive Deputations in accordance with Standing Order No 3.5 and to answer Public Questions pursuant to Standing Order No 3.6, such questions to be answered orally during a time not exceeding 15 minutes.

(NOTE: Standing Order No 3.5 requires that notice of a Deputation should be received by the Borough Solicitor NOT LATER THAN 12 O'CLOCK NOON ON MONDAY 29 SEPTEMBER 2008 and likewise Standing Order No 3.6 requires that notice of a Public Question should be received by the Borough Solicitor NOT LATER THAN 12 O'CLOCK NOON ON MONDAY, 29 SEPTEMBER 2008).

5. Questions (if any) pursuant to Standing Order No 3.4.

(NOTE: Members are reminded that Standing Order No 3.4 requires that Notice of Question pursuant to that Standing Order must be received by the Borough Solicitor NOT LATER THAN 12 O'CLOCK NOON ON TUESDAY, 30 SEPTEMBER 2008).

6. Consideration of recommendations by the Boards of the Council:-

BOARD	DATE
Policy & Organisation Board	17 September 2008

(NOTE: Members are reminded that prior to the discussion of exempt

agenda item 6 (iii) (Land at Fort Road, Gosport) the following motion will need to be considered by the meeting:

That in relation to the following item the public be excluded from the meeting, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

7. To receive the following Part II minutes of the Boards of the Council:

- Policy and Organisation Board: 17 September 2008
- Community and Environment Board: 8 September 2008
- Housing Board: 10 September 2008

8. South East Plan – Secretary of State’s Proposed Changes

To consider the report of the Development Services Manager (copy herewith).

**IAN LYCETT
CHIEF EXECUTIVE**

**TOWN HALL
GOSPORT**

23 September 2008

NOTE: (1) MEMBERS ARE REQUESTED TO NOTE THAT IF THE COUNCIL WISHES TO CONTINUE ITS BUSINESS BEYOND 9.30PM THEN THE MAYOR MUST MOVE SUCH A PROPOSITION IN ACCORDANCE WITH STANDING ORDER 4.11.18

AGENDA ITEM NO. 6 (i)

REPORT TO: COUNCIL

DATE OF MEETING: 1 OCTOBER 2008

REPORT BY: COUNCILLOR SMITH (CHAIRMAN OF THE POLICY AND ORGANISATION BOARD)

At its meeting on 17 September 2008, the Policy and Organisation Board considered a report on the following item and made the following recommendation to Full Council.

TREASURY MANAGEMENT ANNUAL REVIEW 2007/08, PROGRESS REPORT 2008/09 AND PRUDENTIAL INDICATORS (APPENDIX PO1)

RECOMMENDATION:

- a) That the report of the Deputy Chief Executive and Borough Treasurer be noted and the 2007/08 prudential indicators approved; and
- b) That approval be given to the revised 2008/09 limits at 3.3 of the report – i.e. to increase the current year limits for fixed interest rate investments from £10.5 to £15.0 million and for fixed interest rate borrowing from £8.0 to £12.0 million.

Board / Committee	POLICY AND ORGANISATION BOARD
Date of meeting:	17th SEPTEMBER 2008
Title:	TREASURY MANAGEMENT ANNUAL REVIEW 2007/08, PROGRESS REPORT 2008/09, & PRUDENTIAL INDICATORS
Author:	DEPUTY CHIEF EXECUTIVE & BOROUGH TREASURER
Status:	FOR APPROVAL AND RECOMMENDATION TO COUNCIL

Purpose

The annual treasury report is a requirement of the Council's reporting procedures and covers the treasury activity for 2007/08 together with a review of 2008/09 to date. The report also covers the actual Prudential Indicators for 2007/08 in accordance with the requirements of the Prudential Code.

Recommendations

The Board is recommended to

1. Note this report and approve the 2007/08 prudential indicators and
2. Recommend to Council the revised 2008/09 limits at 3.3 – i.e. increase the current year limits for fixed interest rate investments from £10.5 to £15.0 million and for fixed interest rate borrowing from £8.0 to £12.0 million.

1.0 BACKGROUND

1.1 Purpose of Report

- 1.1 The Council's treasury management activities are regulated by a variety of professional codes, statutes and guidance. These are summarised in Appendix A.

The Council has adopted the CIPFA Code of Practice for Treasury Management in the Public Sector and operates its treasury management service in compliance with this Code and the requirements set out in

Appendix A. These require that the prime objective of the treasury management activity is the effective management of risk, and that its borrowing activities are undertaken on a prudent, affordable and sustainable basis.

The Code requires as a minimum the regular reporting of treasury management activities to:

- forecast the likely activity for the forthcoming year (in the Annual Treasury Strategy Report); and
- review actual activity for the preceding year (this report).

1.2 Prudential Indicators

The purpose of the indicators is to provide a framework for capital expenditure decision-making. The indicators highlight the level of capital expenditure, the impact on borrowing and investment levels and the overall controls in place to ensure the activity remains affordable, prudent and sustainable. The report also contains treasury prudential indicators.

1.3 Money Laundering

Anti money laundering is now a key issue for all organisations that deal with large amounts of money and although Councils fall outside the scope of the Money Laundering Regulations 2003 they are not immune to the risks surrounding money laundering. The Council has accepted the CIPFA Treasury Management Code of Practice, which includes TMP9. TMP9 states that the Council is alert to the possibility that it may become the subject of an attempt to involve it in a transaction involving the laundering of money. The Council has a very restricted list of counter parties for treasury activities who are contacted mainly through the approved brokers. Knowing who is being dealt with reduces the risk of crime. The Head of Audit and Risk Management is the Council's Money Laundering Reporting Officer to whom officers may report any suspicious transactions.

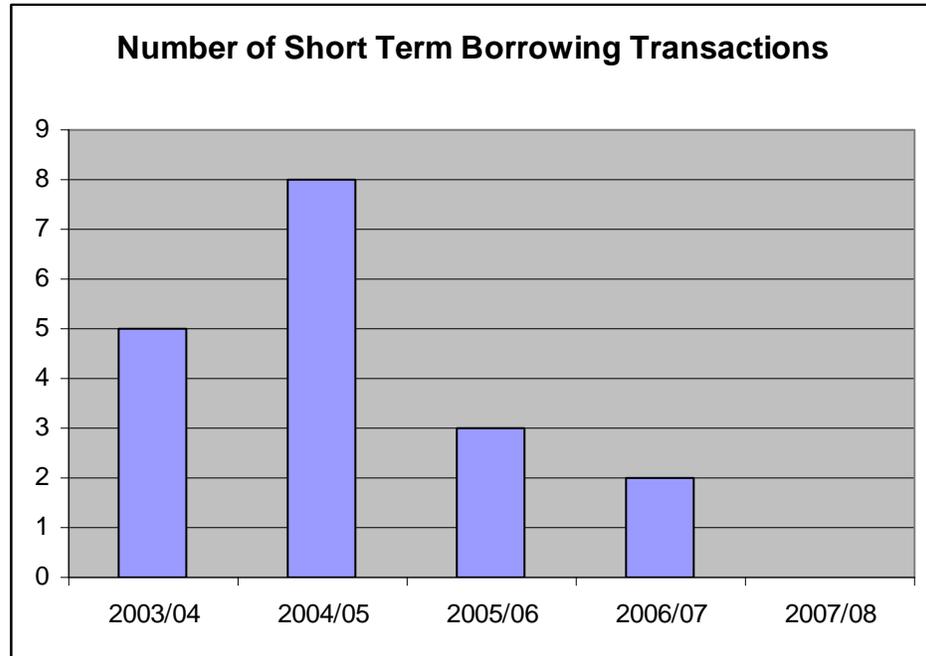
2.0 ANNUAL REVIEW 2007/2008

2.1 Treasury Management

2.1.1 Treasury management activities are defined as the management of the Council's cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks. Activities are strictly regulated by statutory requirements and the CIPFA code of practice. It is an important part of the overall financial management of the Council's affairs. Its importance has increased as a result of the freedoms provided by the Prudential Code

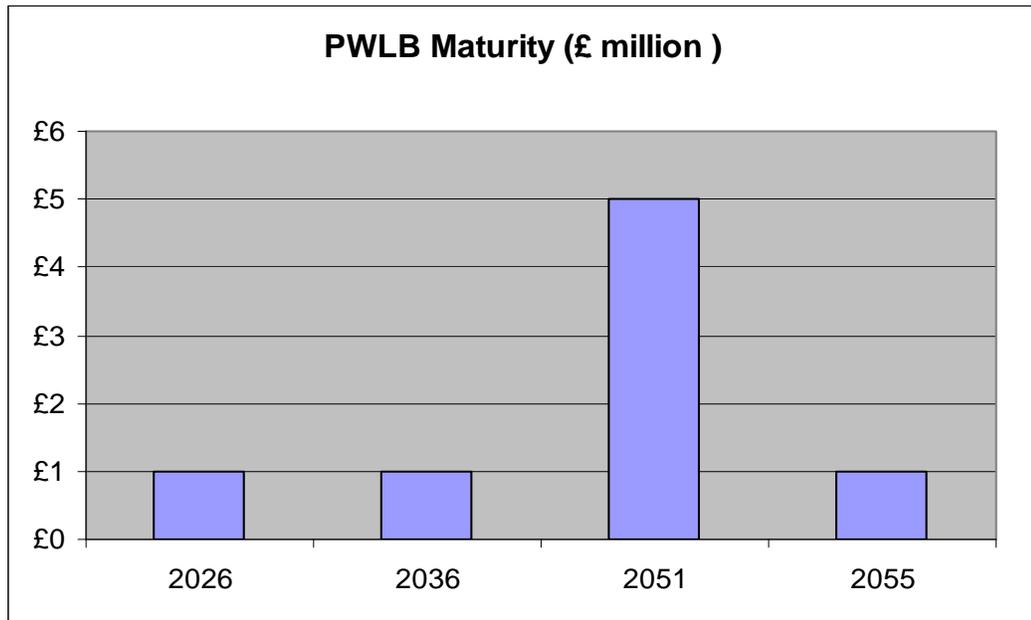
2.1.2 Short Term Borrowing

There were no short term borrowing transactions during 2007/08 and no short term debt outstanding at 31st March 2008. . The chart below shows a comparison of the number of short term borrowing transactions over the past five years.



2.1.3 Long Term Borrowing

No long term borrowing was undertaken in 2007/08. Long term borrowing remains at £8 million comprising four long term loans taken from the Public Works Loans Board in January 2006 at favourable rates of interest. The profile of when the loans fall due for repayment is shown below.

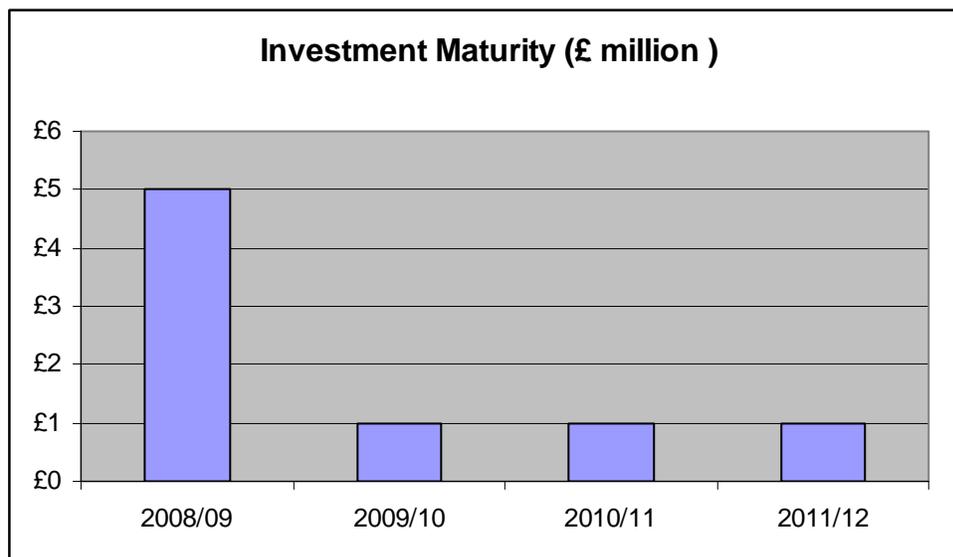


2.1.4 Investments

The Council maintains two broad types of investments.

Funds that do not warrant by size or need to be invested in short or long term investments are generally placed in either the Global Treasury Fund (a money market fund operated by the Royal Bank of Scotland) or the Corporate Deposit Account (a high interest account operated by the Bank of Scotland). Money Market Fund interest rates may vary with both the amount placed and economic conditions. These liquid accounts offer immediate deposit and withdrawal facilities.

Investments placed outside of these accord with the criteria contained in the Treasury Management policy (approved by P&O Board in January 2008) and have fixed interest rates. Three new investments each of £1 million were placed in 2007/08, two of these were repaid before the year end. The Council maintained an average investment balance of £10.23m and received an average return of 5.54%. A comparable indicator is the average 3 month LIBID rate of 5.93%. Total investments at 31st March 2008 were £8 million, maturing (becoming repayable to the Council) as shown below.



2.1.5 The Treasury Position at the Year End

The treasury position at 31 March 2008 compared with the previous year was:

	31-Mar-07		31-Mar-08	
	Principal	Average Rate	Principal	Average Rate
Short Term Borrowing	-	-	-	-
Long Term Borrowing	£8.000m	3.89%	£8.000m	3.89%
Total Debt	£8.000m	3.89%	£8.000m	3.89%
Fixed Interest Investments	£9.000m	5.33%	£8.000m	5.54%
Variable Interest Investments	£2.309m	5.20%	£1,823m	6.01%
Total Investments	£11.309m	5.30%	£9.823m	5.61%

It should be noted that the accounting practice required to be followed by the Council (the SORP), changed for the 2007/08 accounts, and required financial instruments in the accounts (debt and investments etc.) to be measured in a method compliant with national Financial Reporting Standards. The figures in this report are based on the amounts borrowed and invested and so may differ from those in the final accounts by items such as accrued interest

2.2 Prudential Indicators

2.2.1 Treasury Position and Prudential Indicators

The Council is required by the Prudential Code to report the estimated and actual prudential indicators after the year-end. Appendix A provides a schedule of all the mandatory prudential indicators.

Certain of these indicators provide either an overview or a limit on treasury activity, and these are shown below:

2.2.2 Net External Borrowing

	2006/07	2007/08	2007/08
	Actual	Revised	Actual
	£'000	£'000	£'000
Net borrowing position	(3,309.0)	(2,000.0)	(1,823.0)
Capital Financing Requirement	3,871.4	7,236.7	6,379.3

The Capital Financing Requirement (CFR) shows the Council's underlying need to borrow for a capital purpose, and this is an indication for the Council's net borrowing position shown above

At year end, £0.8 million of capital receipts were 'set-aside' to reduce the level of the Council's capital financing requirement. This will yield revenue savings of £32,000 in 2008/09 by reducing the statutory charge to revenue (the Minimum Revenue Provision) for the repayment of capital debt. This is a temporary saving which will continue until capital funding is needed to progress the capital programme at which point further financing through use of the Prudential Code will be necessary.

In order to ensure that over the medium term borrowing net of investments will only be for a capital purpose, net borrowing should not, except in the short term, exceed the total CFR in the preceeding year plus estimates of any additional CFR for the current and next two financial years.

The table above shows that the Council has complied with this requirement.

2.2.3 Borrowing Limits

	2007/08 Actual £'000
Original Indicator – Authorised Limit	10,026.1
Original Indicator – Operational Boundary	9,236.7
Maximum gross borrowing position during the year	8,000.0
Minimum gross borrowing position during the year	8,000.0

The Authorised Limit is the “Affordable Borrowing Limit” required by s3 of the Local Government Act 2003. This must not be exceeded and the table demonstrates that during 2007/08 the Council has maintained gross borrowing within its Authorised Limit.

The Operational Boundary is not a limit but it is an indicator of probable external debt during the year. Actual borrowing may vary above or below this boundary for short periods of time providing the Authorised Limit is not breached.

2.3 Economic Background for 2007/08 (largely derived from ICAP)

The rising trend in UK interest rates continued in the first half of the 2007/08 financial year. The domestic economic backdrop continued to present problems for the Monetary Policy Committee, notably in the early summer. CPI inflation breached the 3% upper limit of the Government’s target range in April (reported in May), consumer spending growth remained buoyant and an expanding number of companies expressed intentions to raise prices.

Official Bank Rate was raised to 5.5% in May and 5.75% in July in response to the deteriorating inflation outlook. In addition, the Bank of England’s May and August Inflation Reports hinted that more hikes might be necessary.

Interest Rates

End Qtr	Bank Rate	LIBOR			PWLB Rates		
		3mth	6mth	1yr	5yr	20yr	50yr
2007 Mar	5.25	5.6	5.8	5.9	5.35	4.80	4.45
Jun	5.50	6.0	6.1	6.3	5.80	5.20	4.80
Sep	5.75	6.3	6.3	6.2	5.25	5.00	4.75
Dec	5.50	6.0	6.0	5.8	4.64	4.63	4.47
2008 Mar	5.25	6.0	6.0	5.8	4.14	4.70	4.43

The market was plunged into chaos in late August as the tightening of credit conditions, triggered initially by the failure of a selection of US mortgage lending

institutions, undermined investor confidence. LIBOR rates rose to well over 6.5% as financial organisations' reluctance to lend money to counterparties sparked a severe shortage of funds in the market.

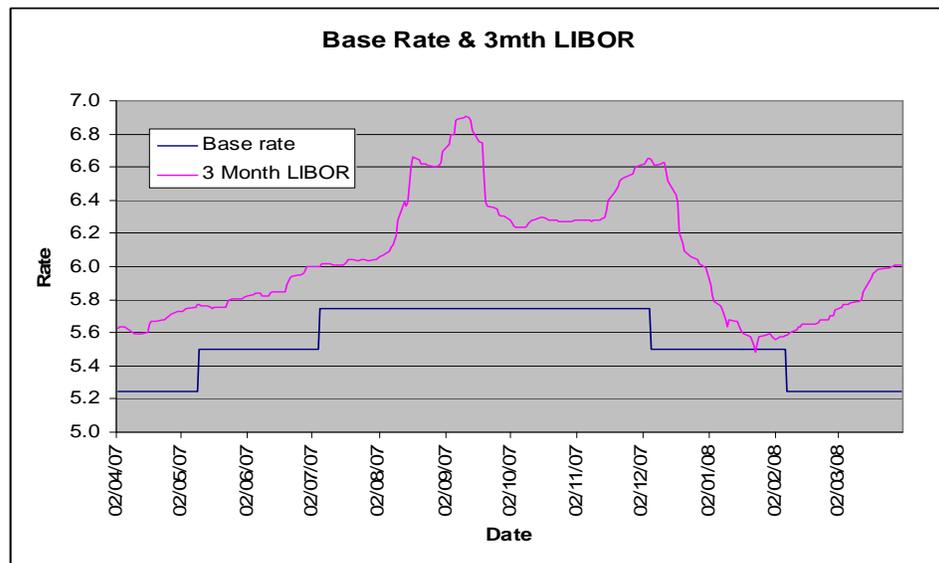
Central banks strove to boost market liquidity via the injection of funds to the banking system and there were signs that this might be working in January. But a series of disappointing financial results and a persistent undercurrent of mistrust ensured a wide margin between official and market rates continued to year end.

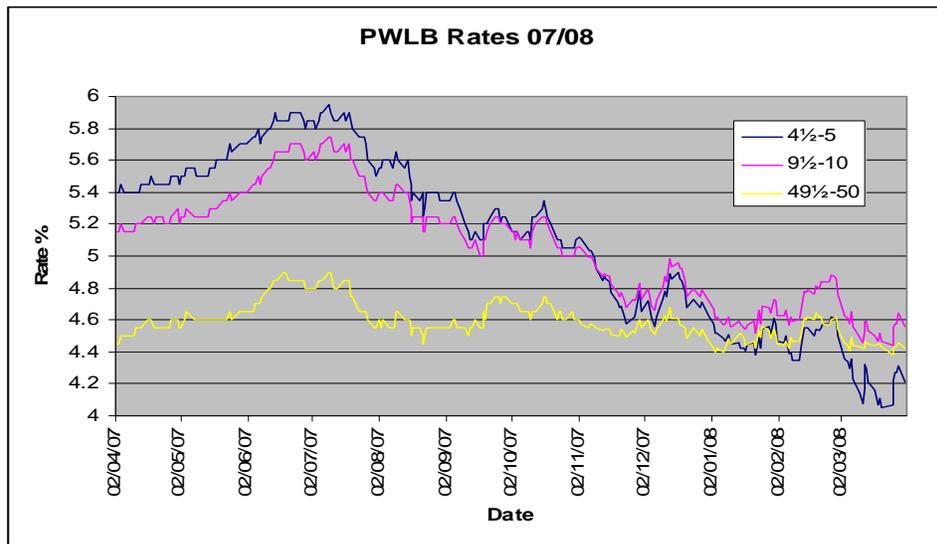
The credit crisis provoked a significant change in the Bank of England's assessment of UK economic prospects over the medium term. It was clearly concerned that the tightening of liquidity and the consequent rise in borrowing rates across the entire economy could lead to a rapid slowdown in activity. This would help to contain inflation pressures. Bank Rate was cut by 0.25% on two occasions, December and February, to end the year at 5.25%.

Long-term rates (gilt yields & PWLB rates) charted an erratic course. The upward pressure on rates in evidence in the closing stages of 2006/07 continued into the new year as concerns persisted that international interest would need to rise further to combat mounting inflation pressures.

Gilt yields peaked in late June and started to slip lower in the summer months. The flight to safe investments triggered by the financial crisis placed strong downward pressure upon gilt-edged yields in August/September notably at the short end of the maturity range and the rally in this part of the market gained momentum as the year drew on.

Progress to lower levels was erratic and limited in the early months of 2008, but the general trend in yields was to lower levels.





3.0 TREASURY MANAGEMENT IN 2008/09

3.1 The table below summarises the Council's treasury position at 1st August as compared to the end of the previous financial year.

	31 March 2008	1 August 2008
Short Term Borrowing	-	-
Long Term Borrowing	£8.000m	£8.000m
Total Debt	£8.000m	£8.000m
Fixed Interest Investments	£8.000m	£7.000m
Variable Interest Investments	£1.823m	£5.637m
Total Investments	£9.823m	£12.637m

The Council's present net investment position is expected to continue in the short to medium term. Base rates now stand at 5% down from 5.25% at the beginning of the financial year.

3.2 As part of the 2009/10 budget process, the capital programme will include revised projections of funding implications and these will be integrated into the Treasury Management Policy report in January 2009.

- 3.3 In order to provide more immediate headroom and flexibility to service the emerging capital programme, it is felt prudent to increase the current year limits for fixed interest rate investments from £10.5 to £15.0 million and for fixed interest rate borrowing from £8.0 to £12.0 million.
- 3.4 With effect from 1 April 2008 the CLG introduced new MRP (Minimum Revenue Provision) Guidance which requires an MRP Policy to be approved by Members. This new policy was approved by P&O Board on 25th June 2008 as part of the Approval of Accounts report.

4.0 RISK AND PERFORMANCE

- 4.1 The Council has complied with the relevant statutory and regulatory requirements, which limit the levels of risk associated with its treasury management activities. In particular its adoption and implementation of both the Prudential Code and the Code of Practice for Treasury Management means both that its capital expenditure is prudent, affordable and sustainable, and its treasury practices demonstrate a low risk approach.
- 4.2 The Council is aware of the risks of passive management of the treasury portfolio and, with the support of Butlers, the Council's advisers, has proactively managed the debt and investments over the year.
- 4.3 Shorter-term variable rates and likely future movements in these rates predominantly determine the Council's investment return. These returns can therefore be volatile and, while the risk of loss of principal is minimised through the annual investment strategy, accurately forecasting future returns can be difficult.

Financial implications:	As contained in the report.
Legal implications:	It is a legal requirement that an annual Treasury Management report is considered by a representative body of the Council.
Service Improvement Plan implications:	This report is required in order that to fulfill statutory requirements associated with the achievement of both service improvement plan and corporate plan targets.
Corporate Plan	
Risk Assessment	As contained in the report
Background papers:	Budget and Final Accounts working papers
Appendices/Enclosures:	Appendix A – Treasury Management Codes & Guidance Appendix B – Estimated and Actual Treasury position and Prudential Indicators
Report Author / Lead Officer	John Norman

Treasury Management - codes and guidance

- The Local Government Act 2003, which provides the powers to borrow and invest as well as providing controls and limits on this activity;
- The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing, which may be undertaken.
- Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
- The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;
- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Sector;
- Under the Act the ODPM has issued Investment Guidance to structure and regulate the Council's investment activities.

Appendix B

		2006/07 Actual £'000	2007/08 Revised £'000	2007/08 Actual £'000
1	Capital Expenditure	6,707.4	7,674.6	7,235.0
	Financed by:			
	Capital receipts	1,413.2	716.0	719.7
	Capital grants	2,398.0	2,357.0	2,365.6
	Other contributions	839.3	1,235.3	923.3
	Revenue	400.0	0.0	0.0
	Total financing	5,050.5	4,308.3	4,008.6
	Net financing need	1,656.9	3,366.3	3,226.4
2	Capital Financing Requirement (CFR) at 31st March			
	Housing	(115.0)	1,936.0	2,371.3
	Non - Housing	3,986.4	5,300.7	4,008.0
	Total	3,871.4	7,236.7	6,379.3
3	Treasury Position at 31st March			
	Borrowing	8,000.0	8,000.0	8,000.0
	Other long term liabilities	0.0	0.0	0.0
	Total debt	8,000.0	8,000.0	8,000.0
	Investments	(11,309.0)	(10,000.0)	(9,823.0)
	Net borrowing (investments)	(3,309.0)	(2,000.0)	(1,823.0)
4	Authorised Limit (against maximum position)	10,000.0	10,026.1	8,000.0
5	Operational Boundary	10,000.0	9,236.7	8,000.0
6	Ratio of financing costs to net revenue stream			
	Non - Housing	-2.1%	-2.7%	-3.4%
	Housing	-1.3%	0.5%	0.1%

Appendix B

		2007/08 Revised		2007/08 Actual	
8	Limits on Activity	Upper		Upper	
		Investments £'000	Borrowing £'000	Investments £'000	Borrowing £'000
	Limits on fixed interest rates	(13,000.0)	8,000.0	(11,500.0)	8,000.0
	Limits on variable interest rates	(8,000.0)	2,500.0	(5,699.0)	0.0
9	Maturity Structure (limits & actual) of fixed borrowing	Lower %	Upper %	Lower %	Upper %
	Under 12 months	0%	30%	0%	0%
	12 months to 2 years	0%	0%	0%	0%
	2 years to 5 years	0%	0%	0%	0%
	5 years to 10 years	0%	30%	0%	0%
	10 years and above	0%	100%	0%	100%
10	Maximum percentage of principal sums invested for over 364 days	50%		31%	
11	Compliance with CIPFA Code of Practice for Treasury Management in the Public Services	Yes		Yes	

REPORT TO: COUNCIL

DATE OF MEETING: 1 OCTOBER 2008

REPORT BY: COUNCILLOR SMITH (CHAIRMAN OF THE POLICY AND ORGANISATION BOARD)

At its meeting on 17 September 2008, the Policy and Organisation Board considered a report on the following item and made the following recommendation to Full Council.

STOKES BAY FESTIVAL

RECOMMENDATION:

That a report relating to the Council's involvement with the Stokes Bay Festival be presented to the next meeting of the Board.

REPORT TO: COUNCIL

DATE OF MEETING: 1 OCTOBER 2008

REPORT BY: COUNCILLOR SMITH (CHAIRMAN OF THE POLICY AND ORGANISATION BOARD)

At its meeting on 17 September 2008, the Policy and Organisation Board considered an exempt report on the following item and made the following recommendation to Full Council.

LAND AT FORT ROAD GOSPORT (EXEMPT APPENDIX PO3)

RECOMMENDATION: That the Board approve:

- a) the marketing of the site for sale for residential development;
- b) access by the Public to the seafront across the site to be retained (paragraph 2.4 of the report); and
- c) any sale of the land to be the subject of a further report to the Policy & Organisation Board.

PART II MINUTES OF THE POLICY AND ORGANISATION BOARD

HELD ON 17 SEPTEMBER 2008

The Mayor (Councillor Kimber) (ex-officio); Councillors Burgess (P), Chegwyn (P), Gill (P), Hicks (P), Hook (P), Langdon (P), Philpott (P), Mrs Searle (P), Smith (Chairman) (P) and Wright (P).

33 ENVIRONMENTAL HEALTH ENFORCEMENT POLICY

Consideration was given to a cross reference from the Community and Environment Board at its meeting on 8 September 2008 which advised of the results of stakeholder consultation on the Environmental Health Enforcement Policy approved at the meeting of the Community and Environment Board on 3 March 2008 and confirmed by Policy and Organisation Board and Full Council on 12 March and 2 April respectively. Approval was subject to a further report if the results of the consultation made this necessary.

RESOLVED: That the amended Environmental Health Enforcement Policy be approved.

34 PROPOSED DEVELOPMENT – LEE ROAD, GOSPORT

Consideration was given to a cross reference from the Housing Board at its meeting on 10 September 2008 which recommended that Gosport Borough Council lease an area of land at Lee Road to Portsmouth Housing Association who would carry out the redevelopment of that area of land to provide social rented housing.

RESOLVED: That a long lease of the land be granted to Portsmouth Housing Association at nil cost in lieu of grant and nomination rights.

35. APPOINTMENT PANEL

Consideration was given to a report of the Chief Executive which advised Members that the Personnel Sub-Board, at its meeting on 3rd September 2008, approved the creation of a new post of Director of Economic Development, Tourism and the Arts.

Members were advised that, for appointments at Director and Chief Officer level, the Board may appoint an Officer or an Appointment Sub-Board with power to act on its behalf. The Board were asked to nominate an Appointment Sub-Board to make the appointment to the newly created Director post.

Concerns were raised regarding the introduction of a post at Director level when, it was felt, additional staff resources could instead be provided within Economic Prosperity.

Members were advised that there were difficulties in attracting businesses to Gosport and that there should be more emphasis on tourism. An officer was required who would be able to negotiate at a high level.

It was agreed that any appointment panel created should be on a 2:2:2 basis. The nominations were:

Conservative Group: declined to nominate

Labour Group: Councillors Cully and Wright

Liberal Democrat Group: Councillors Chegwyn and Smith

The recommendation contained in the Chief Executive's report was put to the vote and was carried.

RESOLVED: That:

- a) the Policy and Organisation Board appoint an Appointment Sub-Board to act on its behalf in making the appointment of Director of Economic Development, Tourism and the Arts; and
- b) nominations to the Appointment Sub-Board be on a 2:2:2 basis

36. HOT DOG STAND AT BUS STATION

Note: Councillor Mrs Searle declared a personal and prejudicial interest in this item, left the meeting room and took no part in the discussion or voting thereon.

By reason of special circumstances, the Chairman determined that this item be considered at this meeting notwithstanding the fact that it had not been available for public inspection in accordance with the provisions of Section 100B(4)(a) of the Local Government Act 1985.

The special circumstances were created due the vendor having been given 21 days notice to leave the site of the hot dog stand and for efforts to be made to identify a solution as quickly as possible.

Members were advised that the hot dog vendor currently occupied a site at the Bus Station but had been given 21 days notice to leave.

Members agreed that the Chief Executive investigate the situation and endeavour to find a solution to enable the vendor to carry on his business, following which consultation with the Leader of the Council and Group Leaders would take place.

RESOLVED: That:

- a) the Chief Executive investigate the situation with a view to finding a solution to enable the vendor to carry on his business; and
- b) the Leader of the Council and Group Leaders be consulted once a potential solution is found.

The meeting ended at 8.25 p.m.

**PART II OF THE COMMUNITY AND ENVIRONMENT BOARD
HELD ON 8 SEPTEMBER 2008**

The Mayor (Councillor Kimber) (P); Councillors Beavis (P), Burgess (P), Chegwyn (Chairman) (P), Edgar (P), Mrs Forder (P), Langdon (P), Murphy (P), Salter (P), Smith (P) and Wright (P).

Also in attendance:

Mr Richard Burnel of White Young Green Environmental.

29. ENVIRONMENTAL HEALTH ENFORCEMENT POLICY

Consideration was given to a report of the Environmental Services Manager which informed the Board of the results of stakeholder consultation on the Environmental Health Enforcement Policy approved at the meeting of the Community and Environment Board on 3 March 2008 and confirmed by Policy and Organisation Board and full Council on 12 March and 2 April respectively. Approval was subject to a further report if the results of the consultation made this necessary.

Members were advised that the amendments incorporated as a result of the consultation exercise were highlighted in grey in the Revised Environmental Health Enforcement Policy attached at Appendix A to the report of the Environmental Services Manager.

RESOLVED: That:

- 1) the amended Environmental Health Enforcement Policy be approved; and
- 2) the recommendation be referred to the Policy and Organisation Board.

30. GOSPORT HIGH STREET

Consideration was given to a report of the Chief Executive which advised the Board of recent discussions regarding the relationship of the Market and the High Street Traders.

Members were advised that, in the past, priority had been given to the Market on Tuesdays and Saturdays in order to boost the economy of the Town. The emphasis had changed in recent years, with fewer Traders requiring pitches in the High Street and a growing café culture emerging in the High Street. In addition, new legislation banning smoking in premises had led to increased demand for outdoor seating areas for pubs and cafés whose livelihood depended on these facilities.

The Borough Solicitor confirmed to Members that, on behalf of the Council, Hughmark issued Street Trading Consents to Market Traders. It was confirmed that the Council had issued a total of nine licences for tables and chairs to be placed outside premises.

In answer to a Member's question, it was confirmed that the plan attached at Appendix A to the report of the Chief Executive was a copy of the plan attached to the 2001 Agreement with Hughmark.

Members were in agreement that the rules governing the Market and the activities of shop keepers in the High Street should be fair and uniformly applied. The Borough Solicitor confirmed that the 2001 Agreement allowed the Council's Authorised Officer to make the final decision on where market pitches were placed. The proposed review would enable agreement to be reached on the provision of market pitches and also enable those premises who had obtained Tables and Chairs Licences to continue to place their tables and chairs outside their premises on market days without hindrance.

Members concurred with the need to support businesses in the High Street who traded throughout the week, not just on market days. However, they requested that the outcome of the proposed review to be undertaken by the Authorised Officer be brought back to the Board for ratification before any changes were relayed to Hughmark.

RESOLVED: That:

- 1) the Principal Enforcement Officer (post no. ES10) be authorised to be the Council's Authorised Officer for all purposes under the Agreement dated 17 December 2001 and also be the Council's Appropriate Officer for the purposes of the Licences granted under Section 115E of the Highways Act 1980;
- 2) the Authorised Officer undertake a review of the position of Market Stalls as set out in Paragraph 2.23 of the report and ensure that Hughmark operate in accordance with the outcome of the review following its approval by the Board;
- 3) the Chief Executive write to Hughmark instructing them not to collect pitch fees as set out in Paragraph 2.24 of the report; and
- 4) Council Officers monitor the High Street as set out in Paragraph 2.25 of the report.

31 DEBATE ON STREETSCENE

A question was raised as to whether this item should be deferred pending a report. A Motion to this effect was put to Members and, upon the Chairman's casting vote, was lost.

It was confirmed that Officers had been moved back to the Town Hall for the sake of efficiency. Streetscene was a front line service and it was felt that the public would have better access to staff based in the Town Hall than in the Depot. The Streetscene Admin Team were now based in the same room as the Environmental Health Admin Team which enabled staff to give better coverage to telephone calls. In the past, telephones at the Depot had frequently been engaged or not answered if staff were on leave and colleagues were already busy answering their own telephone.

In answer to a Member's question, it was confirmed that the running of the Depot was continually monitored by officers from Streetscene. The one way traffic management scheme within the Depot remained in operation for vehicles.

The Chief Executive advised that offers were being sought for the lease of the office space formerly used by Streetscene officers. He also confirmed that there were no plans for the Community Support Officers to move from the Depot to Fareham, as had been rumoured.

Members were advised which areas of the Town Hall were now occupied by Streetscene. The former second floor meeting room was now being used as office space, with the former canteen being utilised as a meeting room during core office hours. With regard to this point, the Mayor requested information as to the availability of kitchen equipment for Mayoral functions and it was confirmed that this information would be provided to him.

The Chief Executive stated that the total cost of the move of Streetscene from the Depot to the Town Hall was expected to be no more than £5,000 with the costs incurred to date being £4,045.17.

Members expressed their full support for the Officers from Streetscene whom they considered provided an excellent service.

32 GOVERNMENT PROPOSED FREE SWIMMING SCHEME

By reason of special circumstances, the Chairman determined that this item be considered at this meeting notwithstanding the fact that the item had not been available for public inspection in accordance with the provisions of Section 100B(4)(a) of the Local Government (Access to Information) Act 1985.

The special circumstances were created by the need to express an interest in participating in the free swimming scheme for those aged 60 or over by 15 September 2008.

Consideration was given to a report of the Leisure and Cultural Services Manager which brought to Member's attention a proposal from HM Government's Department for Culture, Media and Sport (DCMS) to introduce a Free Swim Programme for people aged 60 or over and 16 or under, initially for the financial years 2009/10 and 2010/11.

Members were in favour of declaring an interest in the Scheme for people aged 60 or over. However, they recognised that the level of Government grant after 2011 was uncertain. Officers advised that the grant received would depend on the usage made of the scheme in the intervening years.

The Chairman confirmed that Group Leaders would be kept informed of the results of discussions with the Arena Group Limited.

RESOLVED: That:

- 1) subject to the Arena Group Limited being willing to accept the grants available in return for allowing free swimming for the two age categories specified; and
- 2) the Arena Group being willing to participate in the scheme on the understanding that they will not receive any additional funding from the Council;
- 3) the Council confirm its participation in the 60 or over scheme and submit an expression of interest in the 16 or under scheme for 2009/10 and 2010/11.

33. ANY OTHER BUSINESS

Use of Council owned land for events

The Chairman advised Members that he proposed to bring an item to the Board on a Policy governing the use of Council owned land for events. The Policy would incorporate Health and Safety issues as well as a proper scale of charges for the use of land.

The Gun Club

The Chairman advised Members that the lease from Persimmon to the Council of the land over which the Gun Club accessed their clay pigeon shoot in the Alver Valley had been completed. The Council had long had concerns over the use of land within the Alver Valley for this type of activity. Numerous complaints about the noise of guns had been received by the Council and, in addition to the risk to members of the public from lead shot landing within the Wildgrounds, this had also caused contamination to the soil.

A locked gate had been erected over the entrance to the Alver Valley used by Gun Club Members. Initially, this lock had been cut and the Gun Club had gained access. Subsequently, the gate was welded up and a 4 ton concrete block and soil barrier placed across the entrance. Enforcement Officers had monitored the entrance and on the previous Sunday no Gun Club Members had been present. Solicitors' letters had been exchanged between the Council and the Gun Club. The Club had requested funds from the Council to assist them in finding alternative land but this was not considered a proper use of public money.

Members recognised that clay pigeon shooting was a legitimate sport but that the Alver Valley was not a suitable venue for this activity. In answer to a Member's question, it was confirmed that Enforcement Officers would call the Police and not involve themselves in any confrontation with Gun Club Members.

34. EXCLUSION OF THE PUBLIC

RESOLVED: That in relation to the following item the public be excluded from the meeting, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present

during this item there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reason set out.

35. GROUNDS MAINTENANCE AND STREET CLEANSING CONTRACT

Note: Councillor Chegwyn declared an interest in this Item, left the room and took no part in the discussion or voting thereon. The Vice Chairman (Councillor Smith) chaired the meeting from this point.

Consideration was given to an exempt report of the Environmental Services Manager which advised the Board of options available to the Council in respect of the above contract which was due for renewal in March 2009.

The report was exempt from publication as the public interest in maintaining the exemption outweighed the public interest in disclosing the information by reason that it contained commercially sensitive information which would assist the existing contractor and potential contractors to price their tenders and consequently could distort the tender process.

Consideration was also given to the Review of Service Options provided by White Young Green Environmental, whose representative, Richard Burnel, answered questions from Members.

RESOLVED: That:

- 1) Officers enter into negotiations with Enterprise for a 2 year extension to the above contract;
- 2) Officers continue to progress work on exploring all options available to the Council in 2011, on the basis that Enterprise agree to the extension, and present a further report to the Procurement Working Group by January 2009;
- 3) this further report also deal with the options available for the Refuse Collection and Recycling Contract; and
- 4) the Procurement Working Group consider the officers further report and make recommendations to Community and Environment Board by April 2009.

The meeting commenced at 6.00 pm and concluded at 7.50pm

**PART II MINUTES OF THE HOUSING BOARD
HELD ON 10 SEPTEMBER 2008**

The Mayor (Councillor Kimber) (ex-officio), Chairman of Policy and Organisation Board (Councillor Smith)(ex-officio), Councillors Allen (P), Ms Ballard (P), Beavis (P), Bradley (P), Mrs Cully (P), Edwards (P), Geddes (P), Gill (Chairman) (P), Mrs Mudie and Philpott (P).

Also in attendance: Deputy Tenant Representative – Mrs Jan Carter

17 HOUSING FINANCE/SUBSIDY PRESENTATION

Councillors Mrs Forder, Hicks and Mrs Salter attended for the presentation only.

The Head of Housing Finance gave a presentation on Housing Finance and answered Members' questions.

18 PROPOSED PLANS FOR ROGERS HOUSE, LEE-ON-THE-SOLENT

The Board considered the report of the Housing Services Manager which outlined the progress made in relation to the redevelopment of Rogers House, on the progress of re-housing tenants within these properties and to outline a likely timetable for this redevelopment.

It was confirmed that all the residents had vacated Rogers House with the exception of the resident Warden. It was also confirmed that consultation had taken place with residents and Ward Councillors on the proposed redevelopment scheme.

Members confirmed that the feedback they had received from residents who had been moved to Cockerell House was that they were delighted with their new accommodation. Officers advised that there were lifts and level access showers in this building and a Warden on call.

In answer to Members' questions concerning the proposed scheme to replace Rogers House, officers advised that the footprint of the new building would be larger than the present one but it would be positioned to make better use of the site, including giving the rooms a sunny aspect and improved landscaping. It was recognised that many residents enjoyed the benefits of gardening and consultation had taken place with the gardening charity 'Thrive' to assist with the design of both communal gardens areas and areas where residents could create their own garden plots.

In answer to a Member's question as to whether a warden would be resident in the new building, it was confirmed that, due to financial restrictions, there would be a mobile warden responsible for the new scheme. Following discussion, it was recognised that elderly residents could need help in understanding the process for summoning help should they get into difficulties and officers gave an assurance that every effort would be made to ensure residents were given

sufficient assistance in understanding the call out procedure.

In answer to a question from the Tenant Representative, Members were in agreement that a representative from the Tenant Forum should be involved in the process to choose a partner for the new development and that they should have an input into the design process.

RESOLVED: That the Housing Board:

- (a) Authorise the Housing Services Manager, together with a representative of the Housing Forum, to work up proposals for new affordable housing for the site of Rogers House with Partner Registered Social Landlord's; with a view to bringing detailed proposals to Housing Board for approval once plans are sufficiently advanced; and
- (b) Authorise the continuation of the re-housing and redevelopment proposals, noting the proposed timetable and the expectation that a further report will be presented to Housing Board on this matter in January 2009.

19 GARAGE REVIEW

The Board considered the report of the Housing Services Manager which provided a further overview to Housing Board on the condition of Housing Services' owned garages and proposed a Working Group be set up to discuss the formulation of a strategy and make recommendations to Housing Board.

Members considered a review of Housing Services' owned garages to be a necessary and important area of work as they were in a poor state of repair and would require considerable investment to reinstate. It was therefore important to ascertain which garages required retaining for residents and which blocks could be demolished so that the land could be put to other uses. Members also expressed concern that some run down garage areas were giving rise to anti social behaviour with youths gathering and causing disturbance.

The Borough Solicitor explained to Members the Corporate Risk Assessment Matrix on which the information contained in Paragraph 3 of the report was based.

Some Members expressed the view that the formation of a Working Group would create an unnecessary layer of consultation which could delay the process of the review. They considered that consultation between officers, residents and Ward Councillors was the most appropriate way forward. Officers could then bring a further report to the Housing Board with recommendations for a garage strategy and action plan based on the results of the consultation.

The Chairman put the recommendations contained in the report to Members and, following a vote, recommendations 2), 3) and 4) of the report were not agreed.

RESOLVED: That Housing Board note the contents of the report.

20 PROPOSED DEVELOPMENT – LEE ROAD, GOSPORT

The Board considered the report of the Housing Services Manager which was seeking a decision to recommend to the Policy and Organisation Board that Gosport Borough Council lease an area of land at Lee Road to Portsmouth Housing Association who would carry out the redevelopment of that area of land to provide social rented housing.

Members were in favour of building a home that would cater for the needs of a family with a disabled member. Officers confirmed that the design would contain generic features appropriate for a disabled child or adult. However, a problem could be created if the design was too specific to one family in that, should that family no longer require the property, it could be difficult to let.

RECOMMENDED: That this report be forwarded to the Policy and Organisation Board with the recommendation that a long lease of the land be granted to Portsmouth Housing Association at nil cost in lieu of grant and nomination rights.

21 AMENDMENTS TO THE HOUSING FORUM CONSTITUTION

The Board considered the report of the Housing Services Manager which sought approval for the changes to the Housing Forum constitution and permission for the formal recognition of the Members and Co-opted Members as part of the Council's Tenant and Leaseholder Consultation Framework.

Members were advised that the draft Housing Forum Constitution, contained in the report at Appendix A, showed amendments in red for ease of reference. Officers confirmed that the Constitution had been amended in line with best practice consultations with other Councils.

Members commended officers for their work in creating a constitution that enabled the Forum to have a membership that fairly represented all Council Residents' groups.

The Tenant Representative requested that two members of the Housing Forum be allowed to attend future meetings of the Housing Board. Officers confirmed that, following approval of the new Constitution, this could be given consideration at the next review.

RESOLVED: That approval be given to the amendments to the Housing Forum Constitution.

The meeting commenced at 6pm and concluded at 7.23pm.

AGENDA ITEM NO. 8

Board/Committee:	FULL COUNCIL
Date of Meeting:	1 ST OCTOBER 2008
Title:	SOUTH EAST PLAN - SECRETARY OF STATE'S PROPOSED CHANGES
Author:	DEVELOPMENT SERVICES MANAGER
Status:	FOR DECISION

Purpose

To advise Members of the consultation by the Secretary of State on her Proposed Changes to the draft South East Plan and to agree a response on behalf of the Borough Council.

Recommendation

That the Council makes representations on the Government's Proposed Changes to the South East Plan as set out in Appendix A.

1 Background

- 1.1 Under the provisions of the Planning & Compulsory Purchase Act 2004, a Regional Spatial Strategy, known as the South East Plan (SE Plan), has been prepared by the South East England Regional Assembly (SEERA).
- 1.2 SEERA submitted a draft SE Plan to the Government in March 2006. At this stage it was made available for consultation. The Transportation and Planning Sub Board considered this plan at its meeting on 26 June 2006 and made representations.
- 1.3 All representations made on the draft SE Plan were then considered by a Panel of Inspectors at an Examination in Public (EIP) between November 2006 and March 2007. The Panel published its report of recommended changes in August 2007. The Government has now considered the Panel's report and has published Proposed Changes that it intends to make to the Plan. These changes are subject to consultation until 24 October 2008. Representations can only be made on the Proposed Changes. Those parts of the SE Plan not changed by the Government cannot be challenged. The Government will consider any representations and then publish the final version of the SE Plan.
- 1.4 A copy of the Proposed Changes document has been placed in the Members Room.

2 Report

- 2.1 The Proposed Changes cover the whole region including the South Hampshire sub region. In the region as a whole the Secretary of State proposes to increase the amount of house building from 578,000 to 662,500 net additional dwellings between 2006 and 2026. However, in South Hampshire the Secretary of State has supported the EIP Panel's endorsement of the development strategy including the housing figures (80,000 between 2006 and 2026), the two Strategic Development Areas (SDAs) to the north of Fareham and to the North East of Eastleigh and the employment floorspace figures set out in the draft SE Plan. The main consequence is that the housing allocation for Gosport remains at 2,500.
- 2.2 The key areas of interest for Gosport relate to the section on the South Hampshire sub region. However there are some regionwide policies where it is important for Gosport to comment. A summary of the key changes and a suggested response to the Government's Proposed Changes to the draft SE Plan is set out in Appendix A.

3 Risk Assessment

- 3.1 Failure on the part of the Borough Council to take the opportunity to respond to the Government in this matter could result in the development of policies and proposals which may not be favourable to the Borough of Gosport or to the local community and businesses.

4 Conclusion

- 4.1 The preparation of the SE Plan is advancing to its final stage and this is the last opportunity for Gosport to make representations before the plan is adopted.

Financial Services comments:	None
Legal Services comments:	None
Service Improvement Plan implications:	None
Corporate Plan:	A key objective of the SE Plan is to improve the Quality of Life for everyone in the region and is similar to the Council's own aims in its Corporate Plan.
Risk Assessment:	This has been dealt in section 3 of this report.
Background papers:	Draft South East Plan T&P Sub Board Report 26-06-06 Secretary of State's Proposed Changes to the draft South East Plan

Appendices/Enclosures:	
Appendix 'A'	Proposed Response to the Government's Proposed Changes to the SE Plan
Report author/ Lead Officer:	Chris Payne

APPENDIX A

Proposed response to the Government's Proposed Changes to the SE Plan

Ref	Draft SE Plan Policy/ paragraph	Summary of Government's Proposed Change	Proposed GBC response
South Hampshire Section			
1	Policy SH1- Core Policy	Deletion of the clause that would have related land releases for development to the rate of economic growth and infrastructure provision.	Object. Although there are new references in the supporting text to Policy SH4 (renumbered SH9) to development being aligned and coordinated with infrastructure provision it is considered that they are weaker than the deleted clause.
2	Paragraphs 2.1-2.3	Addition of new paragraph which recognises South Hampshire's dense, complex and populous settlement pattern and that local authorities may wish to designate local gaps to shape the settlement pattern.	Support. However the inclusion of this statement is not an acceptable substitute for the deletion of Policy SH3 Strategic Gaps.
3	Policy SH3 - Strategic Gaps	This policy has been deleted.	Object. The draft SE Plan identified the need for a Strategic Gap between Gosport and Lee-on-the-Solent/ Fareham and Stubbington. Although it is recognised that local gaps can be designated it is considered that this gap fulfils a strategic function as it crosses two local authority areas and should be accorded the status of a strategic gap.
4	Policy SH4 - Implementation Agency	This policy has been amended. Reference is made to the need to ensure that the pace of development is aligned to the provision of and management of infrastructure.	Support. It is important that infrastructure provision is aligned to development.
5	Policy SH5 - Plan Monitor and Manage	This policy has been deleted	Object. This policy sought to ensure brownfield sites were developed before greenfield sites. The deletion of this policy could lead to uncoordinated development and could undermine urban regeneration.
6	Policy SH6 - Employment Development	The policy has been amended to include a reference to giving priority to sites that contribute to	Support. The provision of employment sites in Gosport will contribute to urban

Ref	Draft SE Plan Policy/ paragraph	Summary of Government's Proposed Change	Proposed GBC response
		urban regeneration	regeneration.
7	Policy SH7 - Allocation of Employment sites	This policy has been deleted. The policy set out criteria for allocating employment sites but these are already covered in the regional policies (RE2).	No comment.
8	Policy SH8 - Office Development	This policy has been replaced with one tabled by PUSH at the Examination in Public.	Support This policy now specifically mentions that Gosport should develop opportunity sites for retail, leisure and office development.
9	Policy SH9 - Skills	This policy has been deleted. The policy sets out measures to improve skills but these are already covered in the regional policies (RE2 & RE3).	No comment.
10	Policy SH10 - Transport Strategy	This policy has been amended with the types of scheme being deleted. Instead it is proposed that committed schemes are listed in separate Appendix on Strategic Transport Infrastructure Priorities and that a separate Regional Implementation Plan will be produced by the Regional Planning Body which will prioritise further strategic infrastructure.	No comment. The preparation of a separate Regional Implementation Plan will provide opportunities to further lobby for transport investment.
11	Paragraphs 2.28 to 2.30 supporting Policy SH10	The supporting paragraphs originally included the phrase that "It (Policy SH10) seeks to address the 'infrastructure deficit' in the transport network and initiate a range of interventions and schemes necessary to deliver the economic growth strategy". The proposed change deletes the phrase 'infrastructure deficit' and replaces it with "to ensure that transport is provided to support growth and initiate a range of interventions and schemes necessary to deliver the economic growth strategy, provide access to new development areas and tackle congestion."	Object The proposed change does not implicitly recognise that there is an infrastructure deficit in South Hampshire.
12	Policy SH11 Transport	This policy has been deleted and has been incorporated to policy	No comment

Ref	Draft SE Plan Policy/ paragraph	Summary of Government's Proposed Change	Proposed GBC response
	Integration and Management	SH10.	
13	Policy SH12 Scale and location of housing development	This policy is largely unchanged apart from the deletion of 5 year phasing periods.	Support. The amount of housing growth is not changed so is not subject to comment. The deletion of the 5 year phasing programme will give local authorities more discretion over the timing of future housing development.
14	Policy SH 13 Affordable Housing	Minor amendments to avoid duplication with regional policies.	No comment.
15	Policy SH14 Environmental Sustainability	This policy has been amended to remove criteria that are reflected in the regionwide Policy CC4. An additional criterion has added to ensure that decisions on additional waste water treatment infrastructure are taken on the basis of environmental sustainability as well as a cost.	No comment on amendment relating to rationalising the policy in line with Policy CC4. Support the additional criterion on waste water treatment infrastructure.
Regionwide Policies that that have an implications for Gosport			
16	Policy CC4 - Sustainable Design and Construction	This policy has been amended in line with latest Government guidelines on climate change. There is an opportunity for local authorities to propose local requirements for sustainable development but they must clearly demonstrate the local circumstances that warrant this action.	Support
17	Policy CC5 - Infrastructure and Implementation	This policy originally said 'The scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet area's current needs and the provision of new infrastructure.' This has been amended to delete the reference to the area's current needs. The policy recognises that new development will require new infrastructure but expects that the existing infrastructure should be better managed	Object. The policy as amended does not take account of an area's current needs and any potential infrastructure deficit.
18	Policy CC6 -	The policy has been amended to	Object.

Ref	Draft SE Plan Policy/ paragraph	Summary of Government's Proposed Change	Proposed GBC response
	Use of public land	<p>ensure that Government departments and public landowners take account of objectives and policies of the Plan. The policy also says that particular attention should be paid to the need to bring forward land for housing, especially affordable housing.</p> <p>The supporting text to this policy refers to the development of this land offering opportunities for affordable housing, employment land and green infrastructure provision.</p>	It is considered that the policy should reflect the sentiments of the supporting text and make a direct reference to employment land and green infrastructure as well as affordable housing.
19	Policy CC8 - Green Infrastructure	This is a new policy which proposes that Local authorities and partners should work together to plan, provide and manage networks of accessible and multi functional greenspace.	Support. It is important that the growth scenarios for South Hampshire incorporate the principles of green infrastructure.
20	Policy RE3 - Employment Land Provision	<p>The policy has been amended to take a more proactive approach to employment land provision.</p> <p>There is the inclusion of a phrase to safeguard key sites of importance to the marine industry identified through SEEDA's waterfront strategy.</p>	Support. Object. It is recognised that it is important to safeguard important sites for the marine industry. However it is not considered appropriate to directly refer to the SEEDA study in the policy. The SEEDA study may be one of several considerations the local authority may wish to take into account when safeguarding sites.
21	Policy H1 - Regional Housing Provision	This policy sets the housing allocation figures for each district. The overall figure for Gosport has not changed with 2,500 additional dwellings to be provided by 2026. However, supporting table H1b specifies that each district should prepare strategies and programmes to ensure the delivery of a minimum annual average. In Gosport's case this would be 125 dwellings per year.	Object. The overall provision of 2500 new dwellings by 2026 for Gosport is accepted. However, whilst local authorities can prepare plans to provide for minimum annual housing numbers their delivery is dependent upon the housing building industry. The proposed change does not take into account factors such as global economic issues which directly affect the building industry's ability to build homes at the prescribed rates. Infrastructure provision needs to be

Ref	Draft SE Plan Policy/ paragraph	Summary of Government's Proposed Change	Proposed GBC response
			delivered in line with a planned allocation of housing over the long term.

APPENDIX PO 3

**Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of
the Local Government Act 1972**

AGENDA ITEM NO. 13

Board/Committee:	POLICY AND ORGANISATION BOARD
Date of Meeting:	17 SEPTEMBER 2008
Title:	LAND AT FORT ROAD, GOSPORT
Author:	IAN LYCETT, CHIEF EXECUTIVE
Exempt Info – Public Interest Test	The report contains financial information which could be used by prospective purchasers and thereby adversely affect the offers which may be received.
Status:	FOR RECOMMENDATION

Purpose

To recommend the marketing of land at Fort Road in the ownership of this Council.

Recommendation

The Board approves:

- (i) The marketing of the site for sale for residential development .
- (ii) Access by the Public to the seafront across the site to be retained (paragraph 2.4).
- (iii) Any sale of the land to be the subject of a further report to the Policy & Organisation Board.

1 Background

- 1.1 The Council owns land off Fort Road, Gosport adjacent to the Stokes Bay Golf Club. Site Plan attached Appendix 1.
- 1.2 The land has been used for a car park for many years although it is under utilised. Several years ago to limit anti-social behaviour from car drivers, the car park was reduced in size by the erection of a metal fence. The remainder of the site is now not used and the former Public Convenience has been demolished.

- 1.3 The Public use the remaining car park either as an overflow for the Golf Club or to walk to the seafront across the land. Access can be gained here to the sea wall and it is possible to walk from this site between the Haslar Immigration Removal Centre and the sea and join the Haslar Hospital sea wall.
- 1.4 The land is allocated as a public car park within the Local Plan and is safeguarded for that purpose by virtue of Policy R/T12. However, recent surveys indicate that it is very poorly used, providing some evidence that might support an exception being made to Local Plan policy.
- 1.5 It is unlikely that the majority of the land will be required by this Council in the future and the proposal is to offer the land for sale.

2 Proposal

- 2.1 The land is currently shown in the Borough Local Plan as a car park. Studies have been undertaken by Council Officers and the car park is significantly under used.
- 2.2 It is proposed that the land hatched red on the attached plan (Appendix 2) is offered for sale. This would retain the existing small car park.
- 2.3 To ensure the Council achieves best value for the land, it is recommended that the Council places the site on the market and invites expressions of interest from housing developers. The developers would be short listed on the basis of financial offers and development proposals. The Council would enter into a conditional contract with the chosen developer subject to the developer receiving planning consent the cost of which would be reflected in their offer.
- 2.4 It is very important that access for the Public on foot to the seafront and along the seafront is front of any development is retained. This will ensure that the amenities currently offered to the Public are retained after any development. To achieve this, any sale would be conditional on access being retained.

3 Financial Implications

- 3.1 Any valuation of the site will be dependent upon the market and the requirements of any 106 Agreement as part of the planning process. However, the District Valuer believes the site to be worth currently at least £3M assuming planning consent is forthcoming for a landmark building comprising a multi storey high rise block on the sea frontage.

4 Risk Assessment

- 4.1 There are no financial risks to the Council associated with the marketing of the site.
- 4.2 Any sale of the site would be the subject of a further report to the Policy & Organisation Board.

5 Conclusion

- 5.1 The current site is under utilised and unlikely to be of use to this Council in the future.

Financial Services comments:	See Para 3.1
Legal Services comments:	The Council has to achieve best consideration for the land or the secretary of State's consent for disposal may be required
Service Improvement Plan implications:	Nil
Corporate Plan:	-
Risk Assessment:	-
Background papers:	
Appendices/Enclosures:	
Appendix 1	Site Plan
Appendix 2	Land Sale
Report author/Lead author:	Ian Lycett ext 5201



TOWN HALL, HIGH STREET, GOSPORT,
HANTS, PO12 1EB.

DATE: 26/09/2008



Scale 1:1250
0 10 20 30 40 50 m

Fort Road Land - Appendix 2

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AGENDA ITEM NO.

Board/Committee:	Full Council
Date of Meeting:	1 st October 2008
Title:	New Constitution for Gosport Community Safety Partnership
Author:	Jamie O'Reilly – GBC Head of Community Safety
Status:	For decision

Purpose

To present Gosport Community Safety Partnership's new Constitution and to propose in response, a revision of the Council appointments to the Community Safety Partnership and the establishment of a new Community Safety Panel which will perform a scrutiny role.

Recommendation

That in the light of the new statutory requirements the Council:

1. notes the Constitution of the Community Safety Partnership
2. appoints a representative and standing deputy to the Gosport Community Safety Partnership Strategic Board for the rest of this civic year
3. appoints a Crime and Disorder Committee to be known as the Community Safety Panel to discharge the scrutiny functions set out in the Police and Justice Act 2006
4. makes appointments to the Community Safety Panel in the first instance, of those elected Members referred to in paragraph 2.1.1 and considers any further appoint, associated Terms of Reference and forward plan in a report to be brought before the next meeting of the Council.

1 Background

- 1.1 The Gosport Community Safety Partnership meeting on 3rd April 2008, was briefed on the national policy developments which were impacting on community safety partnerships at a local level. In particular, two new Statutory Instruments and a comprehensive set of national standards for CDRP's entitled 'Delivering Safer Communities: A Guide for Effective Partnerships' which introduced six hallmarks of effective Partnerships.

These are;

- Empowered and Effective Leadership
- Visible and Constructive Accountability
- Intelligence-led business processes
- Effective and Responsive Delivery Structures
- Engaged communities

- Appropriate Skills and Knowledge

In response to these new requirements the Gosport Community Safety Partnership at its meeting on 18th September approved a new Constitution which establishes a new structure (see Appendix 1).

- 1.2 The key features of the new Constitution are that:
- Decision making is clearly vested in a strategic board of the five 'responsible authorities' (the Borough Council, the Police Authority, the Fire Authority, the Constabulary and the Primary Care Trust).
 - Strategic decision making and operational management are distinct
 - There is provision for a new Scrutiny Panel
 - There is a connection established to five new Safer Neighbourhood Panels

2 Report

2.1 Review of Appointments

2.1.1 On 15th May 2008 the Council appointed Councillors Carr, Edwards, Carter, Smith, Cully (Mrs June), Bradley and Miss West

2.1.2 to the Community Safety Partnership. This was consistent with the former Terms of Reference for the Community Safety Partnership which established it as performing a discussion and scrutiny group in respect of key community safety matters. It is important that this function is not lost with these developments and it is proposed that this will be addressed in two ways. Firstly, through ensuring participation by former Partnership members in an appropriate role within the new overall structure and secondly,

2.1.3 through the appointment of Elected Members to a new Community Safety Panel.

Recent developments at Hampshire County Council, in their own response to changes in the legislative framework, has seen the establishment of a new County Community Safety group with very significant influence over the spending of well over £1m on community safety services each year across Hampshire. It is the Chairman of Gosport Community Safety Partnership's new 'Strategic Board' that will represent Gosport at the County group. The County group is a body primarily made up of elected

2.1.4 members and as such it may be that the Gosport Community Safety Partnership Strategic Board would wish the GBC appointed representative to chair the Strategic Board and thereby represent Gosport at the County group.

Government guidance suggests that in 'Executive' structured local authorities, it would generally be the Portfolio holder for Community Safety or otherwise the Leader that would be the appropriate representative of the Council at the Community Safety Partnership. On that basis, it would be appropriate to appoint the Chair of Policy and Organisation Board (the Board responsible at Gosport Borough Council for Community Safety) or the Council Leader. The Council now needs to consider and appoint it's single representative to the new Community Safety

Partnership Strategic Board.

2.2 Establishment of new Community Safety Scrutiny Panel

- 2.2.1 The Police and Justice Act 2006 made provision for each local authority to ensure that it has a 'crime and disorder committee' (referred to hereafter as the 'Community Safety Panel ') with power—
- (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions;
- (b) to make reports or recommendations to the local authority with respect to the discharge of those functions.
- 2.2.2 It would appear prudent to set about establishing such a group now, with the development of a 'terms of reference', further appointments and a forward plan to be prepared and brought to the next meeting of the Council by the Head of Community Safety.
- 2.2.3 The Council's Constitution will need to be amended to reflect the establishment of this group and how it will report and make recommendations.
- 2.3.2 It would seem desirable that those members who were previously appointed to the Community Safety Partnership on 15th May 2008 and who now find that they are not appointed to the new 'Strategic board' of the Partnership, should have a place on the new Community Safety Panel. This would ensure that the Panel benefits from the outset by the presence of Members with a suitable mixture of experience and interest. It is proposed that these Members would constitute the initial membership of the Community Safety Panel and that those further details as specified in 2.2.2 be brought the next meeting of the Council.

3 Risk Assessment

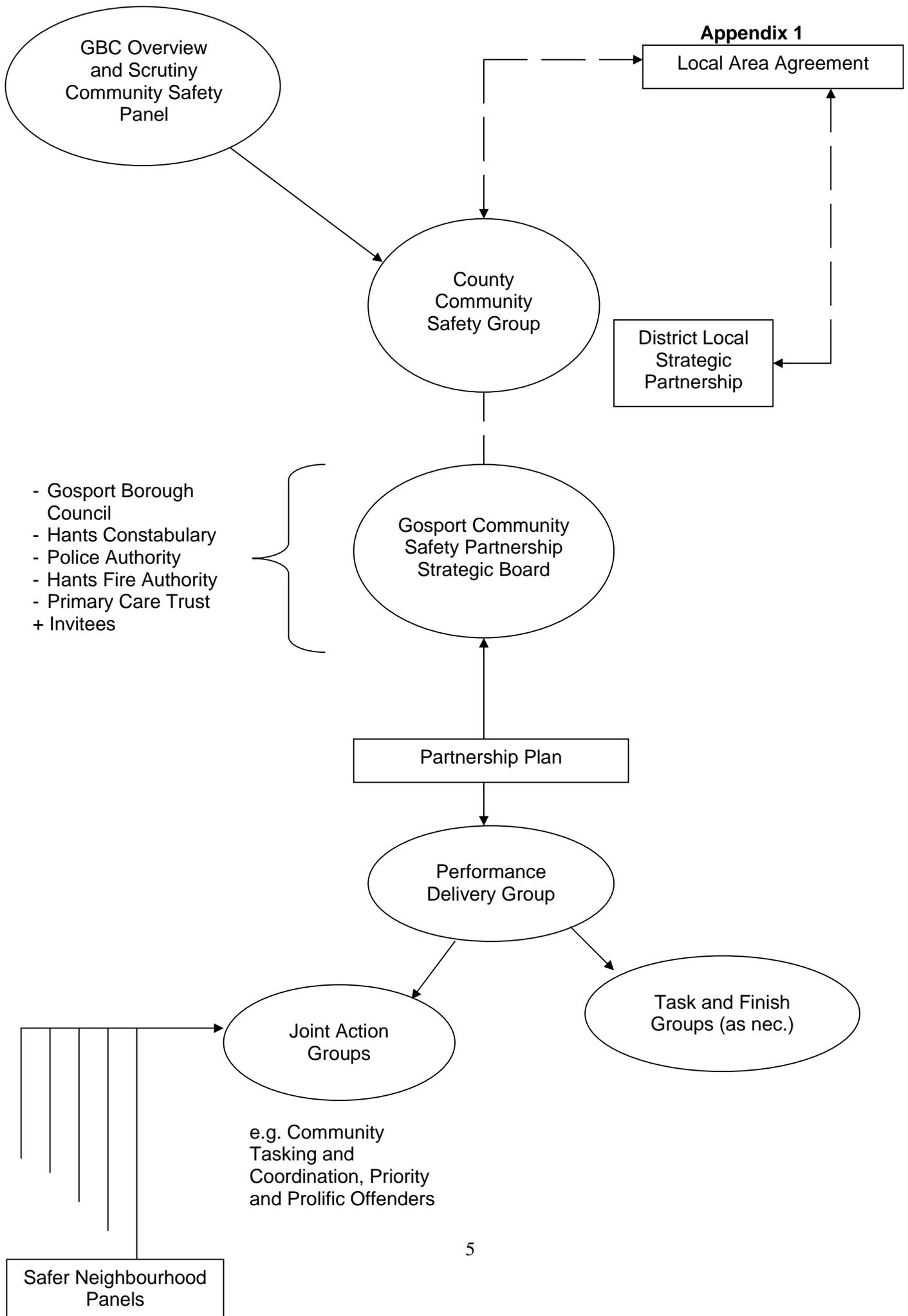
- 3.1 The Council has to comply with the new legislative requirements and ensure that the Strategic Board is able to fully participate in the new County arrangements.

4 Conclusion

- 4.1 These changes are designed primarily to ensure that the Council's arrangements respond appropriately to the developments at the Gosport Community Safety Partnership and similar developments at the County Council.

Financial services comments	None.
Legal Services comments:	The Legal Services comments are incorporated into the report.
Service Improvement Plan implications:	This ties directly into the Service Improvement Plan for Community Safety.
Corporate Plan:	This improves clarity around decision making and performance management

	for Community Safety and thereby helps to deliver strategic priorities around people and places.
Risk Assessment:	As above.
Background papers:	Papers of the Community Safety Partnership meeting of 18 th September 2008.
Appendices/Enclosures:	Structure Diagram Extracted from Community Safety Partnership Constitution.



AGENDA ITEM NO.

Board/Committee:	COUNCIL
Date of Meeting:	1 OCTOBER 2008
Title:	CHIEF EXECUTIVE
Author:	APPOINTMENT OF INDEPENDENT MEMBER OF THE STANDARDS AND GOVERNANCE COMMITTEE
Status:	FOR DECISION

Purpose

To advise members of the recruitment process and recommend an appointment to the Committee. This report needs to be taken as an urgent action as the Council could not, if required, comply with the regulations relating to Review Sub-Committees as it currently only has one Independent Member of the Standards and Governance Committee.

Recommendation

That the Council approves the appointment of Mr Gerard Lidgley as an Independent Member of the Standards and Governance Committee for the period of 4 years ending on 30 September 2012.

1 Background

- 1.1 As reported to the Council meeting on 15 May 2008 the Council must have 2 Independent Members of its Standard and Governance Committee. Council agreed to recruit to the vacant appointment and decided that interviews were to be conducted by Group Leaders with the Chief Executive and Monitoring Officer.

2 Report

- 2.1 The recruitment process is in part set out in Regulations and the Council also has to have regard to the Standards Board for England's guidance. The Council has complied with the regulations by advertising the vacancy in The News and on its website and the person recommended for appointment has submitted an application to the Council.
- 2.2 Applications were received from 2 candidates and interviews took place on 30 September 2008. The Group Leaders were provided with a copy of the Standards Board's for England's guidance.
- 2.3 The Group Leaders recommend the appointment of Mr Gerard

Lidgey, who was previously an independent member of the Conduct and Standards Committee but resigned in July 2004 as he moved out of the area for work purposes. Mr Lidgey lives within the Borough and is currently working, as a Solicitor. Mr Lidgey is eligible to be appointed under the Regulations and satisfied the interview panel that he had the skills and attributes the Council require as set out in the advertisement and the application pack.

Financial Services comments:	None
Legal Services comments:	Contained in the report
Service Improvement Plan implications:	None
Corporate Plan:	None
Risk Assessment:	Set out in report
Background papers:	Report to Council 15 May 2008
Appendices/Enclosures:	None
Report author/ Lead Officer:	Ian Lycett