

MINUTES OF THE MEETING OF THE COUNCIL HELD ON 14 JULY 2008

Attendance:

The Mayor (Councillor Kimber) (P) (in the Chair);

The Deputy Mayor (Councillor Mrs Searle) (P);

Councillors Allen (P), Mrs Bailey (P), Ms Ballard (P), Beavis (P), Bradley (P), Burgess (P), Carr (P), Carter (P), Champion (P), Chegwyn (P), Mrs Cully (P), Cully (P), Dickson (P), Edgar (P), Edwards (P), Mrs Forder (P), Forder (P), Foster-Reed (P), Geddes (P) Gill (P), Hicks (P), Hook (P), Langdon (P), Mrs Mudie (P), Murphy (P), Philpott (P), Mrs Salter (P), Salter (P), Smith (P), Ward (P), Miss West (P) and Wright (P).

Also in attendance: Honorary Freeman Ashby and Mrs Simpson and Honorary Aldermen Foster and Mrs Snaith.

APOLOGIES

Apologies for inability to attend the meeting were submitted on behalf of Honorary Aldermen Hayward, O'Neill and Lucas.

MINUTES

COUNCIL RESOLVED: That the Minutes of the Annual and Adjourned Annual meetings of the Council held on 14 and 15 May 2008 be confirmed and signed.

MAYOR'S COMMUNICATIONS

(A) COUNCIL REPRESENTATIVE FOR GOSPORT BOROUGH FOOTBALL CLUB

The Mayor read out a letter received from the Honorary Chairman, Gosport Borough Football Club regarding the outstanding service Councillor Hook and his family had given to the Football Club in his time as Borough Council representative to the Football Club.

In line with the Honorary Chairman's request the Mayor advised that the Football Club's sincere thanks to Councilor Hook for all the work, help, advice and counselling given by him during his nine years as the Council's representative to the Football Club would be recorded in the Minutes.

The Football Club would welcome Councillor Hicks as the new Borough Council's representative and latterly Councillor Hook as the newly elected Vice Chairman following the Club's recent Annual General Meeting.

(B) THE MRS HAMPER FUND CHARITY

The Mayor advised that the two Council Trustees' period of office on the Mrs Hamper Fund Charity expired in July 2008. Unfortunately one of the previous Trustees had died therefore a new nominee had had to be found.

COUNCIL RESOLVED: That Mrs M Megson and Mr L Brodley be appointed as the Council's Trustees on the Mrs Hamper Fund Charity until July 2012.

(C) MINI OLYMPIC TORCH

The Mayor reported that the cluster schools for Brune Park Community School had presented him with a Mini Olympic Torch following their own event on 6 June 2008. He would keep the Torch in the Parlour for the remainder of his time in office.

(D) HASLAR UPDATE

The Mayor introduced Councillor Edgar in order for him to give Councillors an update on Haslar. Councillor Edgar thanked Councillors for their support on the Haslar Campaign.

He also thanked Portsmouth Liberal Democrats for forming their own Group to fight for Haslar. They had turned up in high numbers recently to support a Haslar March. Councillor Edgar referred to the media attention recently given to the decision to close important front line services at St Richard's Hospital, Chichester and the concern of more patients coming across the Sussex/Hampshire border to attend QA Hospital.

Councillor Edgar referred to the unhelpful reference in The News to the proposal to build 700 houses on the Haslar site post July 2009. This was part of a leaked document for the site from a developer which also included a Medical Centre. He stated that he had today as Haslar Task Force Spokesperson toured the site with Recreation, Heritage and Communities representatives from the County Council and English Heritage. He underlined that he would never negotiate with such representatives when undertaking tours of the Haslar site. He reiterated that he could not carry out his Spokesperson role without the support of the Public and the Council.

(E) CHAIRMAN'S URGENT ITEM - REDEVELOPMENT OF HOLBROOK RECREATION CENTRE – CONSULTANCY SERVICES

The Mayor reported that he had a Chairman's urgent item on the above matter. He recommended the Council to take this item as the last item on the agenda.

In the above light the Mayor also wished to suspend Standing Order 3.3.2 so that he could move Standing Order 4.15.1 in order to allow the Leisure and Cultural Services Manager to present the above report.

COUNCIL RESOLVED: That:

- (a) the Chairman's Urgent item on the 'Redevelopment of Holbrook Recreation Centre – Consultancy Services' be taken as the last item on the agenda;**
- (b) Standing Order 3.3.2 be suspended in order to allow Standing Order 4.15.1 to be put to the Council meeting; and**
- (c) Standing Order 4.15.1 be moved to enable the Leisure and Cultural Services Manager to present his report on the Redevelopment of Holbrook Recreation Centre – Consultancy Services.**

(NOTE: The Leisure and Cultural Services Manager's report was accordingly circulated to Councillors in the Council Chamber.)

DEPUTATION

The Mayor reported that a Deputation request had been received from Dr David Wright on the Stokes Bay Festival. He recommended that Dr Wright should give his presentation prior to agenda item 7 (Notice of Motion).

COUNCIL RESOLVED: That Dr Wright be allowed to give his presentation prior to agenda item 7.

QUESTIONS PURSUANT TO STANDING ORDER 3.4

(A) Question No 1 standing in the name of Councillor Philpott on the blame for the outcome of the appeal against Gosport Council's Licensing Committee conditions applied to Fleetlands Football Club's application for a Club Premises Certificate was answered by the Chairman of the Policy and Organisation Board.

(B) Question No 2 standing in the name of Councillor Philpott on the awarding of costs against the Council in the appeal judgement referred to in Question No 1 and the payment of the bill by tax payers was answered by the Chairman of the Policy and Organisation Board.

(C) Question No 3 standing in the name of Councillor Philpott on the above appeal judgement and the awarding of costs and what potential services

would be cut to meet the bill was answered by the Chairman of the Policy and Organisation Board.

(D) Question No 4 standing in the name of Councillor Hook on the Chairman's support for the principles of partnership working was answered by the Chairman of the Policy and Organisation Board.

STANDING ORDER 4.2.2

A variation of order of business was moved under Standing Order 4.2.2 so that item 7 (Notice of Motion) on the agenda could be taken at the end of the meeting as agenda item 14.

The Motion was accordingly put to the vote and declared CARRIED.

COUNCIL RESOLVED: That Standing Order 4.2.2 be moved to enable a variation of order of business so that agenda item 7 would now be taken at the end of the meeting as agenda item 14.

CONSIDERATION OF RECOMMENDATIONS FROM COUNCIL BOARDS

DISPERSAL ORDER PROTOCOL AND FEEDBACK ON BRIDGEMARY DISPERSAL ORDER

At its meeting on 25 June 2008, the Policy and Organisation Board recommended that:

- a) authority be delegated to the Chief Executive, in consultation with the Leader of the Council and Ward Councillors, to give consent to Dispersal Order applications in line with the protocol contained in at Appendix A of the report and for the Constitution of the Council to be amended to reflect such a delegation; and
- b) the feedback on the Bridgemary Dispersal Order be noted.

COUNCIL RESOLVED: That the recommendations be approved and adopted.

HASLAR TASK FORCE

NOTE: Councillor Edgar advised that as he had previously received a Special Responsibility Allowance as Haslar Task Force Spokesperson he would withdraw from the meeting for this item. Members felt that Councillor Edgar should stay and contribute to the debate on issues other than finance. In the circumstances Councillor Edgar declared a personal interest in this item and remained in the meeting.

At its meeting on 25 June 2008, the Policy and Organisation Board recommended that:

- a) Gosport Borough Council membership on the Haslar Task Force remain non-political and on a 1:1:1 basis;
- b) Councillor Edgar remain as Gosport Borough Council's spokesperson on the Task Force;
- c) a meeting of the Haslar Task Force be called as soon as possible and Group Leaders be invited to attend;
- d) administrative support continue to be provided by Gosport Borough Council officers;
- e) until a review in the Autumn, no special responsibility allowances be paid for representation on outside bodies; and
- f) the remit of the Haslar Task Force continue to be to save Haslar Hospital.

MOTION: That the Policy and Organisation Board's (25 June 2008) recommendations a) to f) be approved and adopted.

AMENDMENT: That the Policy and Organisation Board's (25 June 2008) recommendations a) to f) be approved and adopted subject to an additional recommendation (g) in the following terms:

"Councillor Edgar, as Spokesperson on the Haslar Task Force, be involved in all future discussions until closure regarding the RH Haslar site."

The Amendment was accordingly put to the vote and declared CARRIED.

COUNCIL RESOLVED: That the Substantive Motion as amended be approved and adopted.

PART II MINUTES

COUNCIL RESOLVED: That the following Part II Minutes be received:

Policy and Organisation Board: 25 June 2008 (Minute Nos. 10 – 23)

Community and Environment Board: 16 June 2008 (Minute Nos. 10 – 16)

Housing Board: 18 June 2008 (Minute Nos. 10 – 11)

STANDING ORDER 4.15.1

The Mayor reported that notice had been received requesting that Standing Order 4.15.1 be moved to enable the Environmental Services Manager, Chief Executive and Borough Solicitor to introduce their respective reports related to Climate Change Strategy, Gender Equality Scheme 2008 – 2011 and H M Submarine Affray Disaster Relief Fund.

COUNCIL RESOLVED: That Standing Order 4.15.1 be moved to enable the Environmental Services Manager, Chief Executive and Borough Solicitor to introduce their respective reports related to Climate Change Strategy, Gender Equality Scheme 2008 – 2011 and H M Submarine Affray Disaster Relief Fund.

CLIMATE CHANGE STRATEGY

The Environmental Services Manager introduced his report on the above. The purpose of his report was to summarise the LGA Climate Change Commission Report of 5 December 2007 and propose ways in which the Council may implement some of their recommendations.

The report made reference to the Climate Change Strategy which was contained in Appendix 'A' of the Manager's report. The strategy was designed to reflect the Commission's findings and to provide a framework for the development of an action plan and appropriate targets. The action plan would begin to address the issues raised by the Commission whilst taking into account the Council's capacity to deliver those actions.

Other enclosures to the Manager's report related to the Nottingham Declaration at Appendix 'B' and the requirement to submit a project plan to the Carbon Trust, which was attached as Appendix 'C'. The latter plan was a consequence of the Council being successful in its application to be part of the Carbon Trust Local Authority Carbon Management Programme.

COUNCIL RESOLVED: That:

- (a) the Council adopts the draft Climate Change Strategy;**
- (b) the Mayor be requested to sign on behalf of the Council the Nottingham Declaration; and**
- (c) the Council approves the Carbon Trust Project Plan.**

GENDER EQUALITY SCHEME 2008 – 2011

Consideration was given to a report of the Chief Executive on the above.

The purpose of the report was to ensure the Council was addressing its legal duties and responsibilities under the Equality Act 2006, which prohibited discrimination on the basis of an individual's gender in the delivery of services and employment. The Council's Gender Equality Scheme 2008 – 2011 was enclosed as Appendix 'A' to the Chief Executive's report.

COUNCIL RESOLVED: That the Council adopts the Gender Equality Scheme 2008 – 2011

H M SUBMARINE AFFRAY DISASTER RELIEF FUND

The Borough Solicitor introduced her report on the above.

It was reported that the Fund had been raised by the Lord Mayor of Portsmouth and the Mayor of Gosport by public subscription for the aid of the widows, children and dependents of the persons who lost their lives in the disaster to H M Submarine "Affray" when she failed to re-surface after submerging in the English Channel on 17 April 1951. The report advised how the Fund had been administered over the previous decades and recommended a way forward to conclude the Fund.

COUNCIL RESOLVED: That Council:

- (a) appoints two Councillors, along with the Mayor, to the Trust's Administrative Committee to provide essential procedural support in order to satisfy the Committee's Quorum of five together with Portsmouth City Council's annual nomination of two Councillors;**
 - (b) supports the arrangement of a meeting of the Trust's Administrative Committee, with the Public Trustee in attendance, to consider the options for winding up the H M Submarine Affray Disaster Relief Fund; and**
 - (c) approves the appointment of Councillors Burgess and Cully as the two Borough Council representatives on the Trust's Administrative Committee.**
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PROJECT INTEGRA MANAGEMENT BOARD

COUNCIL RESOLVED: That Councillors Mrs Salter and Gill be confirmed as the Council's representative and Standing Deputy respectively on the Project Integra Management Board.

CHAIRMAN'S URGENT ITEM – REDEVELOPMENT OF HOLBROOK RECREATION CENTRE – CONSULTANCY SERVICES

NOTE: Councillor Mrs Mudie declared a personal and prejudicial interest in this item, left the Council Chamber and took no part in the discussion or voting thereon.

By reason of special circumstances, the Mayor 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 that the Council wished to progress the replacement of Holbrook Recreation Centre as soon as possible as the facilities were showing significant signs of ageing. To wait until the next scheduled Council meeting would incur a further delay of 11 weeks before Stage 2 of the project is able to commence.

Councillors were informed that the Holbrook Recreation Centre Working Group had met on Monday, 7 July 2008 to consider the proposal from Strategic Leisure Ltd to undertake development planning services in advising the Council on options for redeveloping the existing facility. The report now before Councillors sought the approval of the Council for the proposal to allow work to progress further on procuring the replacement recreation facility.

Prior to the recommendation in the report being put to the meeting it was proposed that the further work should be subject to a maximum of £43,513. This amendment was accordingly put to the meeting and approved.

COUNCIL RESOLVED: That approval be given to the extension of the work programme of Strategic Leisure Ltd. to undertake Stage 2 of the preparatory work to redevelop the Holbrook Recreation Centre subject to a maximum of £43,513.

DEPUTATION

Dr David Wright had requested permission to address the Council on behalf of the Friends of Stokes Bay concerning the issue of the proposed festival at the end of the month.

Dr Wright advised that The Friends of Stokes Bay were not the bunch of NIMBIES portrayed in the festival blog, but a Group with a long history of trying to prevent unreasonable development and activity at Stokes Bay to preserve this jewel in Gosport's crown for present and future generations of Gosport tax-payers and visitors alike. The Group had supported many activities at the front in the past, and many members would be glad to go to a well-run traditional folk festival there which was not unduly noisy. That is exactly what was given permission on 18 February – no more, no less. Unfortunately we were also promised by the organiser that he would consult with us, but he has made no attempt to do so, so we see no reason to trust him, particularly given his record last year at Wickham.

The main reasons for addressing you to-day relate to the campsite, the holding of 2 events at the front concurrently, safety at the site, and traffic and parking issues.

In 1975 a group of people gathered together to try to prevent this Council from transferring the land east of Military Road to the Golf Club. That group is now The Friends of Stokes Bay. We were actually formed to preserve this very piece of land for use by the people of Gosport and visitors, and to prevent its use for commercial purposes. That piece of land would not even be available but for us. It is totally unsuitable for a campsite as it is undulating ground, commonly very wet – and not infrequently flooded. It is used every day by people from all over Gosport, it is home to a wide variety of fauna and flora, it is a Site of Importance for Nature Conservation, the nearby wetland area is particularly sensitive, and the risk of travellers is high. We understand Fire Officers require access every 50 metres, but that will destroy the bank which is now well established, together with the small trees and shrubs planted by Council staff at tax payers expense. The heavy traffic installing posh-wash showers and portaloos could do irreparable damage if it is wet, as will parked cars, campervans and caravans. Using this site for this purpose will create a flow of traffic up and down the road, ensuring almost certainly that pedestrian and wheeled traffic are intermingled – a major problem highlighted by Environmental Health staff over Wickham. And it will ensure that Military Road is not kept clear at all times for emergency services, as required by the Licensing Sub-Board. Many major problems with this festival will disappear if this site is not used for camping, and we implore you to forbid its use.

There are many other safety issues, and we have addressed some of these with Council officers. We are concerned that, at this late stage, we are unable to see the Event Management Plan to assure ourselves that proper and full risk assessment has been done and responsibilities assigned in accordance with the Event Safety Guide. All experience of such events emphasises that any competent organiser will have published these things months before. There is required to be fencing around the arena site, and the organiser and the Chief Executive have assured us that the campsite will also be fenced. If a fence along the side of the raised pathway across the bay is lined with canvas, it will create the largest spinnaker ever seen in Stokes Bay, which will be highly dangerous in even quite light winds, and the entire festival could broach for this reason alone.

It is the height of folly to allow a festival on this site with another event on the neighbouring licensed site. The increased numbers, will have a considerable impact on safety, and the muddled communications which will occur between the two could be serious if there is any emergency. This, like the campsite, is an issue which the Licensing Sub-Board decided was outside their remit, so they did not address two major issues with the festival.

These events are planned to take place when the bay is crowded with visitors as it will be in the summer holidays, in the height of summer, and when sailing is at its busiest because of Cowes week. The promenade will be crowded and so will the beach. This greatly increases the risks from the event, and the sailing means that GAFIRS will be at their busiest and must have free access

along the road at all times. The promenade and beach must be properly controlled and monitored to minimise the risk of incidents.

Traffic and parking will be a major problem, and will create serious difficulties for the general public who have a right to use the parks, and the land. If the land is damaged by traffic, and it will be if it is wet, it will take months to restore. Why should the people of Gosport have to suffer for no benefit to them at all? We believe all parking should and could be well away from the site. If the camp site and parking are removed to Bay House grounds or those vast open spaces off the other Military Road, with a shuttle bus service, the major problems with this festival would disappear.

I urge you to do your duty over this today and, at least, move the camp site and the cars.

NOTICE OF MOTION

It was reported that Councillor Hook had given notice of the following Motions in accordance with Standing Order 3.3:

- “(a) That the Council suspend Standing Orders 4.6 and 4.14 for the purpose of considering the following motion on Mr Peter Chegwyn’s proposed Stokes Bay Festival.
- (b) That the Council moves to Committee under Standing Order 4.15.1 for the purpose of considering the motion on Mr Peter Chegwyn’s Stokes Bay Festival.
- (c) Motion on Mr Peter Chegwyn’s proposed Stokes Bay Festival:

“That the Council reaffirm the decision taken by the Emergency Sub-Board on 18 February 2008 to allow Mr Peter Chegwyn to hold a festival at Stokes Bay and reconsider the terms of the decision.” ”

The Motions were accordingly seconded by Councillor Langdon.

Upon Motion (a) being put to the meeting, in accordance with Standing Order 4.12.4, it was requisitioned that the voting on Motion (a) be recorded. A recorded vote was thereupon taken and the names of the Members voting for, against and abstaining from Motion (a) were read to the Council as follows:

FOR MOTION (a): The Mayor and Councillors Allen, Beavis, Burgess, Carter, Champion, Dickson, Edgar, Edwards, Geddes, Hook, Langdon, Murphy, Philpott, Ward and Miss West (16)

AGAINST MOTION (a): Councillors Mrs Bailey, Ms Ballard, Bradley, Carr, Chegwyn, Mrs Cully, Cully, Mrs Forder, Forder, Foster- Reed, Gill, Hicks, Mrs Mudie, Mrs Salter, Salter, Smith and Wright (17)

ABSTENTION FROM MOTION (a): The Deputy Mayor

Motion (a) was accordingly declared LOST.

In the circumstances Motion (b) was not considered by the Council meeting. Motion (c) was referred under Standing Order 4.6.1 to the Policy and Organisation Board.

The meeting ended at 8.33pm