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8 January 2010

S U M M O N S

MEETING: Community and Environment Board
DATE: 18 January 2010
TIME: 6.00pm
PLACE: Committee Room 1, Town Hall, Gosport
Democratic Services contact: Lisa Reade

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

Councillor Burgess (Chairman)
Councillor Kimber (Vice Chairman)

Councillor Beavis	Councillor Forder
Councillor Cully	Councillor Mitchell-Smith
Councillor Edgar	Councillor Murphy
Councillor Mrs Forder	Councillor Wright

The Mayor (Councillor Mrs Searle) (ex officio)
Chairman of the P and O Board (Councillor Hook) (ex officio)

FIRE PRECAUTIONS

(To be read from the Chair if members of the public are present)

In the event of the fire alarm (single continuous sound) sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, following any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

Legal & Democratic Support Unit: Linda Edwards – Borough Solicitor
Switchboard Telephone Number: **(023) 9258 4242**
Britdoc Number: **DX136567 Gosport 2** Website: **www.gosport.gov.uk**

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Members are requested to note that if any member wishes to speak at the Board meeting then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

AGENDA

RECOMMENDED
MINUTE FORMAT

PART A ITEMS

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.

3. MINUTES OF THE MEETING OF THE COMMUNITY AND ENVIRONMENT BOARD HELD ON 7 SEPTEMBER 2009

To approve as a correct record the Minutes of the meetings of the Community and Environment Board held on 7 September 2009 (copy herewith).

4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Thursday 14 January 2010. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Thursday 14 January 2010).

6. PRESENTATION – UK CLIMATE IMPACT PROFILE FOR GOSPORT

Presentation by Hampshire County Council

Part II
Contact Officer:
David Jago
Ext. 5517

Continued

7. ALVER VALLEY – MANAGEMENT OF FISHING LAKE

To advise the Board of the recommended action agreed by the Alver Valley Steering Group in respect of the future management of the Alver Valley fishing lake.

Parts II
Contact Officer:
David Martin
Ext. 5512

8. NEW STORE AT MIDDLECROFT ALLOTMENT

To seek approval for the grant of a lease of land to the Allotment Holders Association for the purpose of constructing a new store in the location shown coloured red on Plan 1.

Part II
Contact Officer:
Mark Pam
Ext. 5563

9. ANY OTHER ITEMS

Which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

AGENDA ITEM NO. 7

Board/Committee:	COMMUNITY & ENVIRONMENT BOARD
Date of meeting:	18 JANUARY 2010
Title:	ALVER VALLEY – MANAGEMENT OF FISHING LAKE
Author:	LEISURE & CULTURAL SERVICES MANAGER
Status:	FOR DECISION

PURPOSE

To advise the Board of the recommended action agreed by the Alver Valley Steering Group in respect of the future management of the Alver Valley fishing lake.

RECOMMENDATION

The Board is recommended to approve

- (i) The grant of a lease of the Council land shown on Plan 1 on terms to be agreed by the Council's Head of Property Services.
- (ii) That the Borough Solicitor be authorised to enter into such documentation as is necessary to effect the above decision in consultation with the Head of Property Services.
- (iii) That authorisation is sought from the Policy and Organisation Board to proceed, should the Board agree with the above recommendations.

1. BACKGROUND

- 1.1 The Alver Valley Country Park has been a long term objective of the Council and work has been progressing over recent years to implement the Management Plan that was approved by the Council in June 2003.
- 1.2 Within the proposed Country Park is a lake, known as the RMC Lake that has been used for fishing for many years. The Alver Valley Management Plan proposes that this lake continues to be used for fishing subject to a suitable management regime.
- 1.3 The Alver Valley Steering Group has considered this matter in recent years and has put forward a recommended course of action as outlined in this report.

2 REPORT

- 2.1 The Steering Group invited tenders from interested fishing clubs and, subsequently, received a proposal from the Portsmouth & District Angling Society (the Society).
- 2.2 The tenders were required to address a list of criteria that were considered appropriate to provide competent management of water areas for fishing.
- 2.3 The tender from the Society meets the Council's requirements as laid down in the criteria.
- 2.4 Having considered the proposals from the Society, the Steering Group agreed that it would wish to recommend to this Board that the Council enters into a lease with the Society for a 10 year period in line with the terms laid down in the criteria and their proposal. Minutes of the meetings of the Steering Group 31 October 2006 and 04 December 2006 are attached as Appendix B.

3 FINANCIAL IMPLICATIONS

- 3.1 The Society has indicated a commitment to undertake works to improve the Lake for fishing. This will include provision of new 'swims' and platforms from which anglers fish. An initial estimate of £2000 is a minimum investment that the Society believes is necessary.
- 3.2 As the Society will also provide warden / bailiff duties at the Lake and surrounds, it is proposed that a peppercorn rent is charged for the 10 year period. Following the completion of this period, the financial situation can be reviewed for future requirements and implications.

4 RISK ASSESSMENT

- 4.1 The use of designated water areas within the Alver Valley for fishing is identified within the Master Plan for the Alver Valley Country Park. The Steering Group believes that the designated area should be restricted to the former RMC Lake only. This seeks to avoid either neglect or incorrect use of all water areas within the boundary of the Country Park.
- 4.2 As the Council does not have the necessary angling management expertise within its staffing resources, it was decided to invite tenders from appropriate organisations with extensive experience of fishing, to achieve effective angling management.

5 CONCLUSION

- 5.1 The proposal is to complete negotiations with the Club and to enter into a 10 year lease arrangement. This period of time also allows the Club to seek external funding in support of the development of its angling objectives.
- 5.2 The Club's proposal has addressed the tender criteria and details are described in Appendix A.

Financial Services comments:	It is proposed that a peppercorn rent is charged for the lease as the Society have undertaken to commit to managing the Lake and implementing a range of fishing improvements without cost to the Council.
Legal Services comments:	The Council can enter into the Lease referred to above, but must receive best consideration when the rent to be paid is determined. Best consideration can be a peppercorn, as the Lease will oblige the Lessees to implement improvements and provide warden services.
Service Improvement Plan implications:	The proposed action is included within the Leisure & Cultural Services Plan.
Corporate Plan:	The proposal meets the Strategic Priorities of (i) People - better leisure facilities and increased usage; (ii) Places - quality public areas and green spaces; (iii) Prosperity - improved social inclusion
Risk Assessment:	See Section 4 of the report.
Background papers:	N/A
Appendices / Enclosures:	
Plan 1	Alver Valley Country Park
Appendix 'A'	Appendix A – Basis of Society's Proposals
Appendix 'B'	Appendix B - Minutes of meetings of the Alver Valley Steering Group October and December 2006
Report Author / Lead Officer:	Leisure & Cultural Services Manager

APPENDIX A

BASIS OF TENDER PROPOSALS FROM PORTSMOUTH & DISTRICT ANGLING CLUB

Nb. Club proposals are in *italics*

1. Tenure

Tenders should indicate the preferred period required. In any event, this is likely to be not less than ten years.

The Club have agreed that a 10 year period will be acceptable.

2. Membership and Access

Tenders should state:

i) The type of membership scheme in use, indicating categories of membership;

11 categories are available totalling over 500 members, 40% within postcodes PO11, 12, 13 and 17

ii) The prices charged to different categories of membership;

These range from under 12's being free, through Junior at £20, Senior Citizen at £38 to Adult at £75. Family membership is available at £120

iii) The procedure to review fees;

To be clarified

iii) The entitlement / benefits that membership confers on each member;

All membership benefits apply to all classes

iv) whether restrictions are applied to any member depending upon home address;

Fully open membership scheme without restriction

v) How the Club will actively promote the activity to local people, especially to local youngsters;

See 4 (ii) and 5.1

vi) what provision will be in place for people who want to fish on a casual basis?

All categories of the community are accommodated within the Club's structure with equal benefits applying to all members.

3. References

Tenders should:

- i) Clearly state the number and types of facilities operated;

The Society manages over twelve (12) Lakes and Rivers on behalf of Hampshire County Council, Portsmouth City Council, West Sussex County Council and The National Trust. They also manage three waters in the Gosport area namely; Brockhurst Moat, Brownich Lake and Abshott Pond.

They work closely with the Environment Agency, English Heritage and Natural England, and manage waters to SSSI standard.

- ii) Include a minimum of two organisations from which references can be obtained;

Satisfactory references have been received from Hampshire County Council and Portsmouth City Council for management of water areas in their respective ownership.

- iii) Demonstrate membership of an appropriate affiliated / governing body representing fishing interests / activities.

P&DAS is affiliated to the Angling Trust (formerly, National Federation of Anglers and ACA) Founder member of Hants & Sussex Anglers Association (founded 1975)

4. Business Planning

Tenders should include:

- i) A Business Plan to show how the Club will operate its business to achieve the overall aim of effective management of the designated fishing area.

The development of the Alver Lake project will be controlled by the Societies Fishery Management Officer. A programme plan will be developed with help from the Environmental Agency (EA) where, a water quality survey will be carried out along with a Fish stock and plant life survey, to identify the best way forward to develop a General fishery to support everyday angling (Family, OAP, Disabled and Juniors).

On-going and future maintenance of the fishing areas, to include existing and new fishing stations, this work will be the responsibility of the Fishery Management Officer. This role within the society is the responsibility for the upkeep of the waters, fish stocks, tool stocks, development of and implementation of the fisheries policy approved by the management committee.

The development of the Alver Lake project will be controlled by the Societies Fishery Management Officer. A programme plan will be developed with help from the Environmental Agency (EA) where, a water quality survey will be carried out along with a Fish stock and plant life survey, to identify the best way forward to develop a General fishery to support everyday angling (Family, OAP, Disabled and Juniors).

This work will be carried out by the Societies membership where, planned and organised working parties will be managed to complete the planned development of the fishery.

The planned work will be to carry out the following

- *Bankside clearance*
- *Hedgerow and Grass cutting*
- *Swim Station building*

ii) A description of activities and events e.g. competitions and what provision will be made for instruction / development for beginners / improvers etc.

The Society will develop the Alver Lake into a General fishery to support Family, Junior, Disabled and Old Age Pensioner Angling. This fishery will be developed into a Safe Environment with good Access and Swim Stations.

5. Sustainability, Infrastructure and Operations

5.1 Tenders should explain the Club's philosophy of how it operates its activities.

Portsmouth and District Angling Society operates its business conducted by a management committee which consists of a Chairman, Vice-Chairman, Honorary Secretary, Honorary Treasurer, Fishery Officer, Development Officer, PR Officer, Competition Secretary, Alliance delegate, Affiliations Delegate, Junior Co-ordinator and two committee Members. Over the course of a membership year a series of meetings are held to conduct and sustain the society's business, which are as follows:

*Management Committee (Monthly)
Annual General Meeting (yearly)
Extraordinary General Meeting (as required)
Disciplinary Committee (as required)
Wardens and Bailiff's meeting (Bi-monthly)*

The objectives of the Society are:

- *To provide fishing waters*
- *Promote good fellowship within the Society and with other Societies*
- *To educate all members by practical tuition*
- *To promote competition within the Society and with other Societies*
- *To promote specimen angling*
- *To encourage family pleasure angling*
- *To encourage conservation and the improvement of the environment*
- *To promote the good image of angling*

5.2 The Tender should also include how the Club will identify:

i) on-going and future maintenance of fishing areas, to include existing and new fishing stations;

See under Section 4 Business Planning

ii) The form of supervision / warden duties to be undertaken;

To be clarified

iii) Adequate provision for disabled users;

There will be adequate provision for disabled usage on the Alver Lake.

iv) Effective and approved husbandry of fish stocks;

There will effective and approved husbandry of fish stocks; this will be planned and approved by the Environment Agency.

v) A timetable of the proposed open / closed season dates with daily times where relevant.

OPEN 1st April – 31st January CLOSED: 1st February to 31st March

6. Finance & Administration

6.1 Tenders should include:

i) A copy of the Club's management structure, rule book and constitution;

iv) A copy of the Club's accounts for the past three years;

vi) A copy of the Club's insurance policy and current certificate.

These have been received, inspected and found to be satisfactory

6.2 Tenders should indicate:

The Society will develop the Alver Lake from finances within the Society using its own membership subscriptions, applied grants for water development and re-generation.

i) What payment it would be prepared to make to the Council for the Agreement;

The P&DAS would be prepared to make a peppercorn payment, during the lease agreement while the Alver lake project is under development and review further lease payments once the development was complete and the water opened for General and day ticket usage; the development is estimated to take a five (5) year period.

ii) What funding, if any, is required from the Council and for what purpose?

There would be no funding requested from the Gosport Borough Council directly. The only commitment from the Council would be for road access to the site for disabled and OAP access for safety.

iii) What funding will be necessary to deliver the Business Plan and how this may be obtained?

At present an estimate of the funding cannot be offered until all the surveys have been carried out to establish a complete budget. The initial outlay from the Society to enable a development plan to be established is Approx £2000.

Minute of Meeting 31 October 2006

3.

MANAGEMENT OF WATER AREAS

Note: Councillor Champion declared a personal interest in this item but remained in the meeting room throughout its discussion.

Consideration was given to a briefing note from the Leisure and Cultural Services Manager (a copy of which is attached to these minutes as Appendix A), which made proposals for progressing the way forward with regard to management of the designated water areas.

Members were advised that the proposals concerned the, as yet unnamed, twin lake area, which had been fished in the past and it was intended that it should continue as a fishing area.

Tenders for the management of the water areas had been invited from two clubs. A tender had been received from the Portsmouth and District Angling Club, the other club having not made a submission.

The Portsmouth and District Angling Club had been clear about how they proposed to manage the water areas but further clarification was still required on the procedure to review fees, the club's management structure, rule book and constitution, accounts for the past three years, insurance policy and current certificate, the form of supervision/ warden duties to be undertaken and the timetable of the proposed open/closed season dates with daily times where relevant.

The question of provision for disabled anglers was raised. This was covered minimally in the business plan summary, which contained nothing specific in this regard although, at their presentation in May 2005, the club had indicated that it had disabled people amongst its members.

The view was expressed that the Steering Group should look into the club's proposals before making a recommendation to the Community and Environment Board.

Members were advised that the club's intention was, once it had an agreement in principle with the Council, to carry out surveys and produce more specific proposals in negotiation with officers.

Concerns were expressed regarding access to membership and fishing at the lakes. Details of the club's booking scheme would be required.

Members agreed that the club should make a further presentation to the

Steering Group before Christmas, to include more details of their proposals.

The Leisure and Cultural Services Manager undertook to circulate a copy of the report he had received via E mail on the proposals of Portsmouth and District Angling Club, which had been summarised in his briefing note. He would be asking for clarification on areas identified in the report as being unclear.

RESOLVED: That Portsmouth and District Angling Society be invited to make a presentation before Christmas, containing more details of their proposals, to a meeting of the Alver Valley Steering Group.

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Minutes of Meeting 04 December 2006

9.

MANAGEMENT OF ALVER VALLEY FISHING LAKE

At the meeting of the Steering Group on 31 October 2006, the Steering Group had identified a number of issues within the proposal from Portsmouth & District Angling Club on which they sought further clarification.

It had been agreed that a further meeting would be held prior to Christmas 2006 to which the Club would be invited so that they could respond to Members' queries and enable a decision to be reached on the future management of the Fishing Lake

A list of queries which summarised the areas for clarification had been drafted and sent to the Club.

Consequently a presentation was made to the Steering Group by Ian Snook (Hon. Treasurer) and Dave Coombs (Hon Secretary) of the Club.

The presentation highlighted the areas of clarification identified by Members and provided the Club's response to each area. A copy of the presentation is attached in the Minute Book as Appendix A.

The Leisure and Cultural Services Manager advised Members that the length of lease being sought was for ten years.

The Head of Accountancy advised Members that he had studied the Club's accounts and could report that they appeared to be sound. The Club had been established in 1948 and managed 22 lakes and rivers. Satisfactory references had been obtained from Portsmouth City and Hampshire County Councils. As a matter of formality, a copy of the

Club's latest bank statement was requested.

In answer to questions from Members and officers, the representatives of the Club responded as follows:

- Subscriptions were based and calculated on the previous year's income and expenditure together with the forecast the following year. The current annual subscription was £76 which allowed fishing in other waters managed by the Club. There was an emergency fund to which the subscriptions contributed.
- The Club was independent but was supported by the Hants and Sussex Anglers Alliance, which had been formed 30 years ago to help safeguard smaller clubs although it would be disbanding soon. 87.5% of income was held by the Alliance.
- Supervision was provided by wardens supported by bailiffs. The system appeared to work well. A warden would be nominated for the Alver Valley Fishing Area.
- The close season would be from 1 February to 31 March inclusive. Any infringement of this rule by a Club member would result in the perpetrator being requested to appear before the Disciplinary Committee.
- It was the intention of the Club to provide swim (fishing) stations and access to the lake suitable for disabled people. There was a road running to the lake which could be used as the means of access although suitable gates would be installed to prevent unauthorised entry to the Country Park. Club members and officers of Gosport Borough Council would hold keys to the gates.
- At present only one site needed to be booked in advance by Club members. This was due to a limited number of swim stations at the site.
- Where there were instances of anti-social behaviour at fishing sites, the Club could call on the police for assistance if necessary or the Environment Agency, who had powers of confiscation.

Officers advised that the road referred to ran through the Country Park and on to Apple Dumpling Bridge. It was anticipated that it would be kept in use for service reasons.

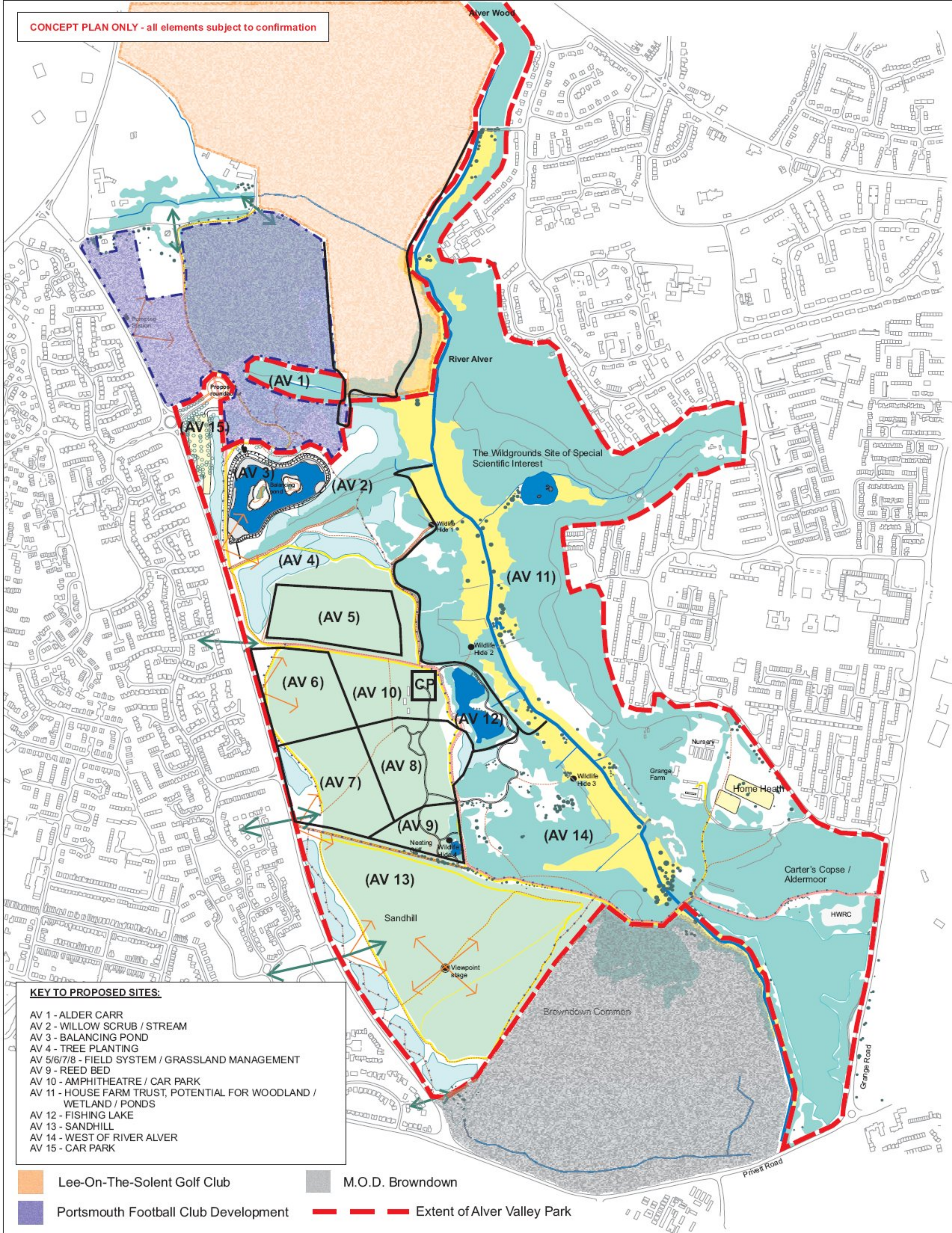
The Chairman thanked Messrs Snook and Coombs for their presentation and their contribution to the meeting. They then left the meeting prior to final discussions by the Steering Group

Members were advised that ten years would appear to be an appropriate length of lease as the Club probably had five years of work

to carry out at the site. Any agreement would provide that the Council have the right to terminate for breaches and appropriate clauses would be inserted to protect the Council's interests.

Officers advised that the Council did not have ownership of all the areas it needed to permit public access to all of the Alver Valley. Granting access would tie in with the transfer of ownership of land from Persimmon to the Council. If matters progressed smoothly it may be possible to seek co-operation from Persimmon to allow the Club to access the lake at an early stage to survey the range of work tasks required.

RESOLVED: That the proposal for the Council to enter into a 10 year lease agreement with the Portsmouth & District Angling Club be recommended to the Community and Environment Board for approval.



AGENDA ITEM NO. 8

Board/Committee:	Community and Environment Board
Date of Meeting:	18 January 2010
Title:	New Store at Middlecroft Allotment
Author:	Director of Economic Development, Tourism and the Arts
Status:	For recommendation to Policy and Resources Board 25 January 2010

Purpose

To seek approval for the grant of a lease of land to the Allotment Holders Association for the purpose of constructing a new store in the location shown coloured red on Plan 1.

Recommendation

To approve the grant of a lease of the Council land shown on plan 1 on terms to be agreed by the Council's Head of Property Services.

That the Borough Solicitor be authorised to enter into such documentation as is necessary to effect the above decision in consultation with the Head of Property Services.

That authorisation is sought from the Policy and Organisation Board to proceed, should the Board agree with the above recommendations.

2 Report

- 2.1 The existing allotment store is in a poor state of repair. Following an inspection and structural survey by the Council's Structural Engineer it was recommended that the store be replaced.
- 2.2 The Allotment Holders Association will secure funding for replacing the building with a new concrete sectional garage but to do so will require a lease from the Council of the site for the new store.
- 2.3 It is proposed that a ground lease be granted for a term of 15 years at a peppercorn rent.

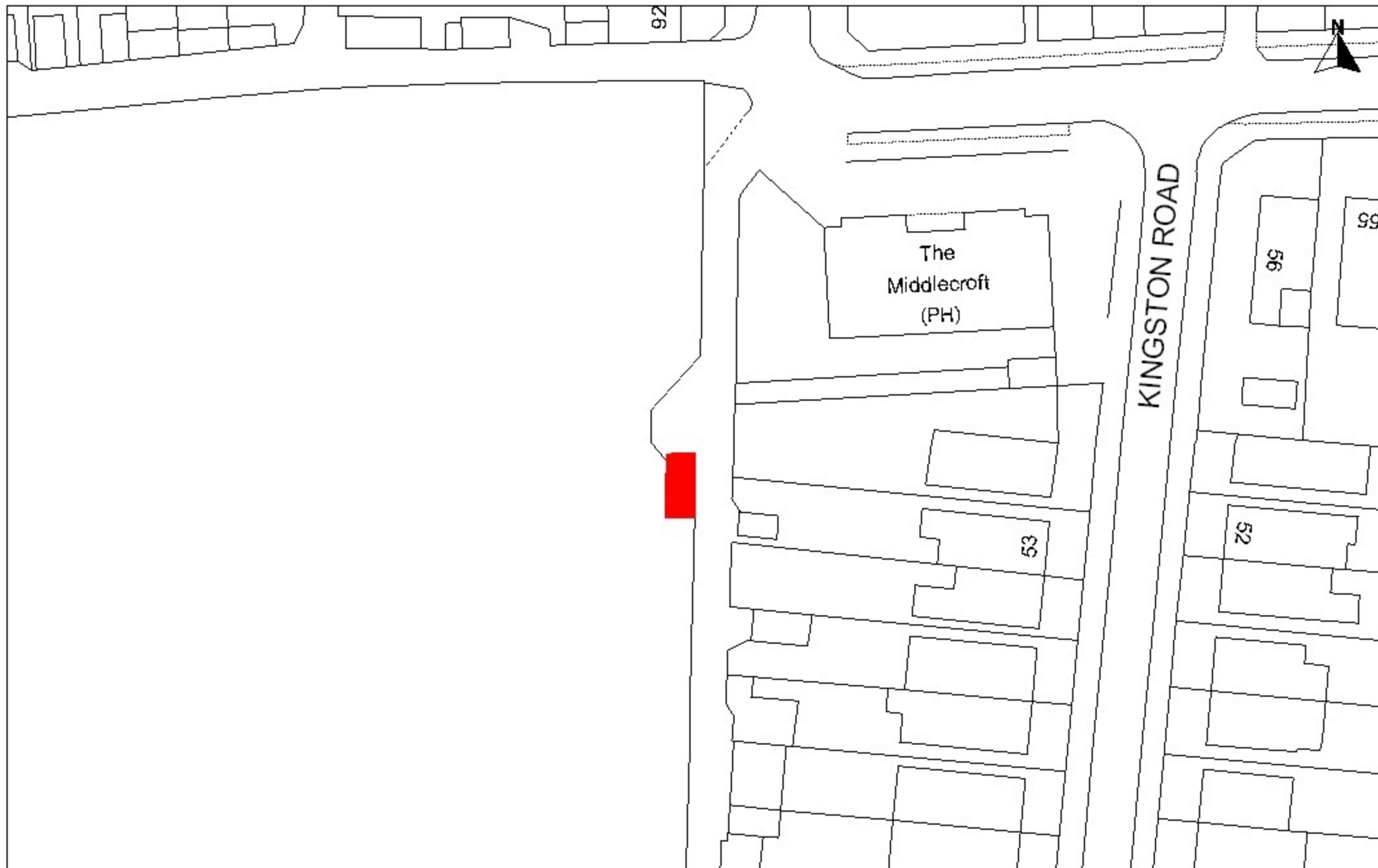
3 Risk Assessment

- 3.1 The building is dilapidated and in need of replacement as a consequence of this there are risks associated with its continued use.

4 Conclusion

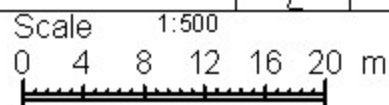
- 4.1 The grant of a ground lease will enable the Association to replace the old dilapidated building with a new structure.

Financial Services comments:	None
Legal Services comments:	The Council may complete the Lease referred to.
Service Improvement Plan implications:	None
Corporate Plan:	None
Risk Assessment:	As above
Background papers:	None
Enclosures:	Plan 1
Report author/ Lead Officer:	Head of Property Services



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

DATE : 04/12/2009



Middlecroft Allotment Building

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