

**A MEETING OF THE COMMUNITY AND ENVIRONMENT BOARD
WAS 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.

24. APOLOGIES

There were no apologies.

25. DECLARATIONS OF INTEREST

Councillor Chegwyn declared a personal and prejudicial interest in Agenda Item 11 – Grounds Maintenance and Street Cleansing Contract.

26. MINUTES

RESOLVED: That the Minutes of the meetings of the Board held on 16 June and 21 July 2008 be approved and signed by the Chairman as true and correct records, subject to the removal of the following sentence on page 4, second paragraph of the Minutes of 16 June 2008, "Members were of the opinion that the opening of bins should cease due to the antagonism this caused."

27. DEPUTATIONS

It was reported that no deputations had been received.

28. PUBLIC QUESTIONS

No questions had been received from the public.

PART II

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

CHAIRMAN