



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 **TWENTY SIXTH DAY** of **NOVEMBER 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 1 October 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 24 NOVEMBER 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, 24 NOVEMBER 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, 25 NOVEMBER 2008).**

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

**BOARD**

**DATE**

Policy & Organisation Board

12 November 2008

7. To receive the following Part II minutes of the Boards of the Council:
  - Policy and Organisation Board: 12 November 2008
  - Community and Environment Board: 03 November 2008
8. Gosport Community Safety Partnership

To consider the report of the Deputy Chief Executive and Borough Treasurer (copy herewith).
9. Redevelopment of Holbrook Recreation Centre.

To consider the report of the Leisure and Cultural Services Manager (copy herewith).
10. Portsmouth and Gosport Joint Board – Appointment of Members.

To consider the report of the Borough Solicitor (copy herewith).

**IAN LYCETT  
CHIEF EXECUTIVE**

**TOWN HALL  
GOSPORT**

**18 November 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: 26 NOVEMBER 2008**

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

**At its meeting on 12 November 2008, the Policy and Organisation Board considered a report on the following item and made the following recommendation to Full Council.**

**REVIEW OF STOKES BAY FESTIVAL (APPENDIX PO1)**

**RECOMMENDATION: That:**

- a) a variation of the premises licence to permit alcohol sales until 22:45 and regulated entertainment until 23:00 be approved;
- b) responsibility for meeting the timescales rest with both the event organiser and the police;
- c) the agreement between the Council and the event organiser for the use of the Council's land include a clause that failure to provide documentation on time will result in cancellation of the agreement by the Council;
- d) a requirement be approved for a cadre of professional stewards to be provided to ensure public safety and evidence of personnel qualifications etc provided to this Council in advance;
- e) future conditions regarding ticketing take into account electronic ticketing procedures and a condition to disclose advance ticket sales for each day of the event to the licensing authority be included;
- f) the premises licence not include a noise limiter condition for this type of event;
- g) the event management plan be included in the premises licence conditions with the letter agreed by the Council 14 days prior to the event and delivered by the organiser at least 7 days before the commencement of the event;
- h) the agreement between the Council and the event organiser for provisions relating to the effective pedestrian and vehicle separation and signing any future agreements be adequately specified;

- i) the agreement between the Council and the event organiser for the use of the land for provisions relating to the organisation of car parking be adequately specified;
- j) specific requirements for numbers and cleansing of toilets be included in the agreement between the Council and the event organiser for the use of the land, this provision being separate from the Premises Licence;
- k) the Premises conditions include a condition requiring technical details of any big tops, marquees, tents or similar temporary structures open to the public to be provided to the Council at least 14 days prior to the commencement of the event and that these details be provided in English. Where any of the foregoing temporary structures have a wind speed restriction on use the Premises conditions should include a condition relating to:
  - i. the provision of a calibrated anemometer to effectively measure wind speed on the licensed arena site during times that the site is open to the public; and
  - ii. the provision of a competent representative from the company supplying the relevant temporary structures to advise on the safety of those temporary structures whilst the site is open to the public having regard to the prevailing conditions;
- l) any event taking place under the premises licence be considered by the Safety Advisory Group but final approval of the details of the event be obtained from each relevant public body and the premises licence be required to reflect this; and
- m)
  - i. specific requirements for layout and organisation of any campsite be included in the agreement between the Council and the Event Organiser for the use of the Council's land; and
  - ii. the Event Organiser identify in the Event Management Plan and have available an overflow campsite with car parking facilities for campers in excess of the numbers allowed by the agreement with the Council.

## APPENDIX PO1

<b>Board/Committee:</b>	POLICY AND ORGANISATION BOARD
<b>Date of Meeting:</b>	12 NOVEMBER 2008
<b>Title:</b>	REVIEW OF STOKES BAY FESTIVAL
<b>Author:</b>	CHIEF EXECUTIVE
<b>Status:</b>	FOR DECISION

### **Purpose**

To comply with the Boards request, at its last meeting, to undertake a review of the operation of the Stokes Bay Festival.

### **Recommendation**

The Board to consider the report and the recommendations contained within it.

### **1 Background**

- 1.1 In January 2008 an application was received from Mr Peter Chegwyn for and on behalf of Hampshire Festivals for permission to hold a Folk Festival on Stokes Bay between Thursday 31 July and Sunday 3 August 2008.
- 1.2 The proposed event included:-
  - the provision of live music and entertainment between 1800 and 2300 on the Thursday 31st and between 1300 and 2300 on the Friday, Saturday and Sunday.
  - craft stalls,
  - a solar powered cinema tent,
  - children's entertainers
  - a licensed bar.
  - a campsite was also to be provided for ticket holders on land to the east of Military Road.
- 1.3 The existing Premises for Stokes Bay did not cover the land that had been requested to be used for the main event and therefore, it was necessary to apply for a Premises Licence. The land accommodating the camp site did not require a Licence.
- 1.4 Consultation was undertaken with the ward councillors for both Anglesey and Alverstoke wards as the event proposed to make use of land within both wards.
- 1.5 A report was subsequently considered by the Emergency Sub Board on Monday 18 February 2008 at which approval was given for the event to

proceed.

- 1.6 A separate application for a Premises Licence was submitted to the Licensing Sub Board. Objections were received and a hearing took place on June 3 and 24. The Licence was granted with specific conditions being applied (see Appendix A). Subsequently Mr Chegwyn also applied for a Temporary Events Notice.
- 1.7 The Stokes Bay Festival itself ran over four days and it is important to note that it was a safe event for the public and the Festival appears to have been enjoyable for those who attended. This report considers the operation of the Stokes Bay Festival by looking at the following issues:
  - Licensing and compliance with conditions
  - Requirements of the Event Management Plan
  - The role of Gosport's Safety Advisory Group
  - Use of the Council's land
  - Financial issues

## **2.0 Licensing and Compliance with Conditions**

- 2.1 In the main the event was held in compliance with the Premises Licence issued for the site although some breaches were noted. The principal breaches of the Premises Licence are of a technical / bureaucratic nature and highlight areas of the existing Premises Licence that need to be the subject of a variation request, in order to simplify the conditions and clarify compliance. None of these breaches had an adverse impact on the safety of the public who attended the event.
- 2.2 The role of the Safety Advisory Group (SAG) in relation to the Premises Licence in particular requires further clarification given the nature of that group and its constituents. This is further considered in Section 4 of this report.
- 2.3 For many public events, an Event Management Plan (EMP) may not be available until the opening of the event due to the need to incorporate into the document a number of different requirements from the contributors. This is considered further below.
- 2.4 The campsite and car park are not directly relevant to the Premises Licence or Temporary Event Notice (TEN) however their operation had a significant impact on the overall levels of compliance.
- 2.5 Verbal undertakings given by the event organiser were not complied with e.g. details on the site letter, no amplified music under the TEN.
- 2.6 The operator of the bar area was co operative through out the event and assisted with Licence compliance.
- 2.7 The sound engineer was co-operative throughout the event. This

assistance contributed to the low number of noise related complaints received.

## **Premises**

- 2.8 The Premises Licence permitted the site to be open from 09:00 – 23:00. Regulated Entertainment was permitted between 12:00 and 22:00 (11:00 to 22:00 Sundays), the sale of alcohol between 11:00 and 21:45. These requirements were met in the main and the event finished on time every night except for Sunday, when the regulated entertainment finished at 22:08.

## **Temporary Event Notice.**

- 2.9 Following the granting of a Premises Licence, Mr Chegwyn applied for a Temporary Event Notice. This was considered by a Licensing Sub Board following objections from the Police on the 25<sup>th</sup> July 2008 and subsequently approved with conditions (see Appendix B).
- 2.10 Due to the nature of the audience at this particular event, the closing down of the bar and subsequent re-opening did not produce the crime and disorder issues that had been the concern of the Police. Security staff were able to undertake this operation successfully on each night. The process of closing and re-opening the bar did, however, cause some confusion on site with other stall holders who were required to close at 23:00 as the Premises Licence had not given them permission to open after this time.
- 2.11 At the Licensing Sub Board to hear the Police objections to the TEN, Mr Chegwyn gave assurances to the Sub Board that no amplification would be involved in the provision of this entertainment. In the event this entertainment was amplified and the cause of some complaints particularly as it took place after 22:00 when the normal provision of amplified music had ceased under the Premises Licence.
- 2.12 ***Recommendation***  
***Consideration to vary the Premises Licence should be given urgent consideration. A variation to permit alcohol sales until 22:45 and regulated entertainment until 23:00 as was originally applied for and is the case for Walpole Park where similar events are held would make sense in the light of our knowledge of this event. Such arrangements should negate the need for TENs and provide improved control over the closure of the site at the end of each day. Any attempt to circumvent the Premises Licence hours by applying for a TEN should be prevented in the agreement with the event organiser for the use of the Council's land.***

## **Other Conditions**

- 2.13 There were issues between the Police and the organiser over specific

conditions. The policing agreement for the event required agreement 28 days prior to the event taking place, in the event the agreement was reached on the 31<sup>st</sup> July (day one of the event).

- 2.14 Whilst a satisfactory CCTV system was installed, it was agreed with Police during the week of the event and not 28 days prior to the event.
- 2.15 A drugs policy for the event was required. This was agreed with the Police on the 31<sup>st</sup> July and not 28 days prior to the event.
- 2.16 There were no signs in the bar advising of the offences relating to the sale of alcohol to under 18s. This was a condition of the Licence. There were signs relating to Challenge 21 and there was no evidence of drinking by under 18s throughout the event.
- 2.17 ***Recommendation***  
***The responsibility for meeting the timescales rests with both the event organiser and the police. Difficulties were experienced in identifying the responsible officer within the police for various requirements. A single point of contact for all statutory bodies should be identified for future events of this nature to simplify access to those bodies.***
- 2.18 Many of the Premises Licence conditions relate to the provision of information prior the event. The failure to provide this information in a timely manner does place considerable pressure on Officers, although a technical breach of the conditions is not likely to result in successful legal proceedings.
- 2.19 ***Recommendation***  
***The agreement between the Council and the event organiser for the use of the Council's land should include a clause that failure to provide documentation on time will result in cancellation of the agreement by the Council.***

### **Stewarding**

- 2.20 The schedule of stewards and security personnel was to be provided to the licensing authority 24 hours prior to the event commencing. This was not done. Site personnel were required to be issued with high visibility tabards, individually numbered and marked with their job title.
- 2.21 Tabards were provided however with only "Steward" or "Security" printed on them, however, they were individually numbered.
- 2.22 The tabards were to be further differentiated by colour, in the event all tabards were yellow.
- 2.23 Members of the security team who were not SIA registered were nevertheless issued with "Security" tabards although these officials did



not undertake front line security tasks.

- 2.24 All stewards were required to be suitably trained and briefed. The stewards were volunteers and whilst they received a briefing on the site for basic duties no information on other relevant duties or responsibilities was provided.
- 2.25 There were insufficient stewards and SIA staff on site to effectively cover all the crowd control points identified on the EMP. There were three occasions when SIA security at entrances was inadequate.
- 2.26 **Recommendation**  
*The specification for security / stewards should not only address training and experience but also identify minimum numbers to be provided in each of the principal site areas i.e. the arena, campsite and car park. The EMP refers to the use of experienced stewards; this was not immediately evident during the event. SIA registration does not automatically cover other stewarding tasks e.g. traffic management. For future events a cadre of professional stewards must be provided to ensure public safety and evidence of personnel qualifications etc provided to this Council in advance.*

#### **Tickets**

- 2.27 Tickets for the event were to display information confirming that searching would be carried out. Ticket sales commenced prior to the grant of the Licence with the conditions relating to ticket sales. Subsequently following a complaint, documentation issued with bookings carried this information. The organiser at a later date incorporated this information on ticket confirmations. The majority of tickets were purchased in advance via the web site and a conventional printed ticket did not exist for the event.
- 2.28 The licensing authority was not informed of the number of tickets sold prior to the event opening to the general public. Once the site was opened the mechanism for counting festival attendees on-site was not accurate and it would not have been possible to ascertain whether the site capacity as specified in the Premises Licence, had been exceeded.
- 2.29 **Recommendation**  
*Future conditions regarding ticketing need to take into account electronic ticketing procedures.  
A condition to disclose advance ticket sales for each day of the event to the licensing authority should be included.*

#### **Noise Limiter**

- 2.30 The Premises Licence requires a noise limiter device of the type and

design approved by Environmental Services. The Licence did not however set a site maximum sound level for such a device.

- 2.31 The provision of a sound limiter for an external event is impractical. If the Licence condition is taken literally the event organiser must provide such a device but not set it as no parameters are identified. At this event the sound engineer was able to profile the sound energy to minimise nuisance to residential Premises in the area. The land agreement for the use of the land set a maximum average noise level of 100dBA Leq fast and a maximum peak level of 125dBC at the mixing desk. This standard was capable of being monitored and was more appropriate.

- 2.32 **Recommendation**  
***The Premises Licence should not include a noise limiter condition for this type of event.***

### **3.0 Requirements Of The Events Management Plan**

#### **Noise Management Plan**

- 3.1 *Section viii) of the Noise Management Plan* may not have been complied with as there is no evidence that the Festival Organiser monitored sound levels:  
*"...at the perimeter of the site at regular intervals during concert performance"*
- 3.2 *Section v) of the Noise Management Plan* was not complied with as amplified music was still playing on some stalls after 22.00 on at least 2 occasions:  
Thursday 31<sup>st</sup> July – music still playing at 22.10  
Friday 1<sup>st</sup> August – music still playing at 22.15
- 3.3 *Section ix) of the Noise Management Plan states:*  
*"All residents living within half a mile of the site will be sent a written letter prior to the commencement of the Festival....."*

Failure to provide the information letter led to complaints principally because the letter provided for free access onto the site for the Thursday and Friday evening performances. Failure to provide a contact number for the organiser was a breach of verbal undertakings provided to the licensing authority that such detail would in fact be provided on the letter. The letter to residents is a tried and tested way of mitigating residents concerns relating to such events.

- 3.4 **Recommendation**  
***Rather than relying on the organiser complying with their event management plan this should be included in the Premises Licence conditions. The letter should be agreed by the Council 14 days prior to the event and delivered by the organiser at least 7 days***

***before the commencement of the event.***

### **Pedestrian Control Barriers**

- 3.5 There were a number of instances where the signage provided for pedestrian and vehicle routes did not comply with the EMP. Pedestrian routes were also not lit as provided for in the plan.
- 3.6 There were no speed limit signs on the car park area, the campsite or along Military Road/GAFIRS access road as required by the Risk Assessment in the EMP.
- 3.7 Section v) of the Traffic Management Plan also specified: *“Heras fencing will be used to prevent pedestrians taking a short-cut from the raised footpath to the west of the Festival arena down a slope into the day car park and on to Gate B”.*
- 3.8 The Head of Security was asked to provide this fencing at 16.00 on Thursday 31<sup>st</sup> July, but whilst Heras fencing was fixed along the western perimeter of the site up to the promenade, no fencing was ever fixed from the promenade to denote a safe pedestrian route through the car park into Gate B.
- 3.9 In this instance the failure to provide proper safe access to the site for pedestrians and adequate warning to motorists was mitigated by relatively low attendance numbers and the fact the majority of festival clients remained onsite all day. The operator was advised on three separate occasions to provide signage in the road but failed to do so.
- 3.10 ***Recommendation***  
***Whilst the agreement between the Council and the event organiser for the use of the Councils land did include provisions relating to the effective pedestrian and vehicle separation and signing any future agreements will need to be more specific.***

### **General Issues relating to the Traffic Management Plan**

- 3.11 A complete temporary signing was not provided for approval. On -site Parking was generally poorly controlled with inadequate stewarding to make best use of the site.
- 3.12 ***Recommendation***  
***Parking areas are not included in the Premises Licence. The agreement between the Council and the event organiser for the use of the land included provisions for the organisation of car parking but any future agreements will need to be more specific.***

### **Toilets**

- 3.13 There were too few toilets as these were split between the licensed site

and the campsite. 6 more units had to be delivered on Friday 1<sup>st</sup> August. The servicing of toilets was not effective and they were not cleansed and serviced at the start of each day as required by the EMP. There were occasions when they were either no water or no hot water.

- 3.14 No toilets were illuminated during the hours of darkness, either on the festival arena or on the campsite, so were difficult and unsafe to use in the night-time as it was not possible to see once a person was inside with the door shut.

3.15 ***Recommendation***

***Specific requirements for numbers and cleansing of toilets should be included in the agreement between the Council and the event organiser for the use of the land. This provision must be separate from the Premises Licence.***

**Risk Assessment including Campsite**

- 3.16 Risk assessments were provided in the EMP but not all were complied with, as indicated below.

**Big Top**

- 3.17 The Fire Safety Officer had to carry out a practical test to determine the fire resistance of the Big Top material as the relevant certificate was only provided in Italian.
- 3.18 No technical details were initially available for the design and construction of the Big Top in order that the Council's Structural Engineer could check its safety and integrity, having regard to the ground conditions of the site. These details were partially provided on 31<sup>st</sup> July immediately prior to opening the site but with no chance for Council officers to interpret the information.
- 3.19 Due to high winds overnight on Friday 31<sup>st</sup> July and during Saturday 1<sup>st</sup> August it became necessary to consult with Carlinden Events (the Big Top suppliers) on the safety of the Big Top and any need to evacuate the public from the big top area.
- 3.20 No provision was made in the Big Top for disabled patrons.
- 3.21 There were very few public complaints regarding the Festival. Some concern was expressed regarding car parking in adjacent residential roads.
- 3.22 The Friends of Stokes Bay have produced a review of the Festival. In summary, the report acknowledges that the Festival was enjoyed and passed off without serious incident, but raises questions of the non-compliance with the Licence conditions and the use of the Temporary Event Notice. These issues are dealt with in this report.

### 3.23 **Recommendation**

***The Premises conditions should include a condition requiring technical details of any big tops, marquees, tents or similar temporary structures open to the public to be provided to the Council at least 14 days prior to the commencement of the event and that these details be provided in English. Where any of the foregoing temporary structures have a wind speed restriction on use the Premises conditions should include a condition relating to:***

- iii. the provision of a calibrated anemometer to effectively measure wind speed on the licensed arena site during times that the site is open to the public.***
- iv. the provision of a competent representative from the company supplying the relevant temporary structures to advise on the safety of those temporary structures whilst the site is open to the public having regard to the prevailing conditions.***

## 4.0 **The Role of Gosport's Safety Advisory Group (SAG)**

- 4.1 The Gosport SAG was formed 18 months ago to help ensure acceptable standards of safety at all public events in the Gosport Borough area. It is co-coordinated by GBC and the Corporate Services Manager chairs meetings of the group. The Emergency Services, the Police, the Borough Council and County Council are all represented on this group.
- 4.2 It is important to note that SAG acts in a purely advisory capacity, has no legal entity and has no legal powers and therefore cannot itself dictate whether or not any particular event takes place or impose any conditions on event organisers.
- 4.3 SAG's role is to provide advice and support to assist event organisers in considering safety matters when planning their event. Advice and guidance is provided via the GBC web site where there is also an Event Notification Form which organisers can *voluntarily* complete and return. This is then automatically circulated to all SAG members, enabling the organiser to easily make contact with all agencies in the Borough about their event. It is then the responsibility of each individual agency to contact the event organiser if they have any questions or concerns about the proposed safety arrangements.
- 4.4 SAG meets at quarterly intervals to review events which have taken place and consider forthcoming events. This enables co-ordination between the individual agencies regarding events and helps ensure that everyone is properly informed. For larger events (HMS Sultan Show, Waterfront Festival, Stokes Bay Festival) it is normal to invite the Event Organiser to a "special" SAG meeting to discuss the event, any Event Management Plan produced for the event and any other issues and concerns of the individual agency.

- 4.5 There is no legal obligation on any organisation to notify SAG of an event. As mentioned above for a particularly large event the organiser might be invited to attend a special SAG meeting to enable safety issues to be considered well in advance of the event. However, there is no compulsion to attend although organisers do find it very helpful when planning their event. The organisers of smaller scale events are not normally invited to SAG as issues can generally be dealt with directly by the individual agencies.
- 4.6 The Corporate Services Manager has provided details of the involvement of Gosport's SAG with the Stokes Bay Festival. This is attached to this report for information (see Appendix D).
- 4.7 The Licensing Sub-Board imposed a number of conditions on the Premises Licence which required SAG to approve certain matters for example the event management plan, stewarding arrangements, tabards. Given the nature of SAG, for any future event, the conditions in any Premises Licence should ensure that it is the appropriate body that approves any proposals and not this advisory group.
- 4.8 The condition on the Premises for the Stokes Bay Festival which required SAG to provide written approval of the Event Management Plan 28 days prior to the event, was not achieved as each individual of public bodies had varying requirements that were the subject of negotiations with the organiser right up to the commencement of the event.
- 4.9 ***Recommendation***  
***It is sensible to require any event taking place under the Premises Licence to be considered by the SAG but final approval of the details of the event has to be obtained from each relevant public body and the Premises Licence should reflect this.***

## **5.0 Use Of The Land**

- 5.1 The event organiser entered into a separate agreement for the use of the Council's land. This agreement covered the use of the land for 12 days of which 8 days involved set up and take down. The agreement set out the conditions upon which the Council permitted its land to be used and covered the camping and car parking areas.

### **Campsite**

- 5.2 The agreement for the use of the Council's land covered the provision of the campsite. At some point on Thursday 31 July the Campsite expanded from its original planned size and without the Council's permission additional areas of Council land were used. A consequence of the expansion was that cars and vehicles were not adequately separated from the tents as set out in the EMP.

- 5.3 There was no control over the number of tents, caravans, mobile homes and camper vans allowed on the site and the total number of campers on the site is not known.
- 5.4 Despite it being known that the approved campsite was full, tickets were still being sold for people to use the campsite up until the following afternoon (Friday 1<sup>st</sup> August).
- 5.5 Once the campsite was full, additional toilets (see separate comments) and additional fire points were provided, but no additional drinking water points or waste water disposal points to cater for the additional numbers.
- 5.6 Caravans, mobile homes and camper vans were directed by the event organiser to park on the Council Pay and Display Car Park (at GAFIRS) when the campsite was full. Officers have been advised that people parking on the Pay and Display Car Park in order to visit the Festival were told that they would have to pay the daily parking fees (which would be reimbursed by the Event Organiser) but that they should ignore the “No Overnight Parking” rule, in contravention of the Car Parking Order.
- 5.7 At 16.10 on Friday 1<sup>st</sup> August there was 1 caravan and 6 mobile homes/camper vans on this Pay and Display Car Park and one large, partially erected trailer tent. At 11.25 on Saturday 2<sup>nd</sup> August there were 2 caravans and 14 mobile homes/camper vans parked on the Pay and Display Car Park (including those which had been noted at 16.10 the previous day). At 13.25 on Saturday 2<sup>nd</sup> August there were an additional 2 camping vehicles parked on the Pay and Display Car Park, making the total up to 16 mobile homes/camper vans and 2 caravans.
- 5.8 ***Recommendation***  
***Many of the above issues were due to the poor standard of stewarding and organisation of the site. Specific requirements for layout and organisation of any campsite should be included in the agreement between the Council and the event organiser for the use of the Council’s land.***  
***The Event Organiser should identify in the EMP and have available an overflow campsite with car parking facilities for campers in excess of the numbers allowed by the agreement with the Council.***

## **6.0 Financial Matters**

- 6.1 The event organiser did not request any funding from the Council and it was confirmed that all costs associated with the event would be met by the organiser. Staff costs were met by this Council i.e. Environmental Health Officers time.
- 6.2 In setting a charge for use of the land for such an event, consideration was given to the Council’s approved Fees & Charges. In the relevant

section of the 2008/09 Fees & Charges, the following charges apply to the use of Walpole Park and Sea Front Land:

Category	Unit Cost	Charge £
Commercial Fairs etc	Per day	485
Overnight Parking	Setting up	84
Charitable Organisation Functions	See note 2 below	75
Caravan Rallies	Per caravan per night	7

### **NOTES**

1. *Price includes water, fencing and reinstatement*
2. *Fees for certain charitable Organisations may be waived at the Committee's discretion*
3. *Other relevant sites by negotiation with the Leisure and Cultural Services Manager*

6.3 Where no specific charges were available, the Council's existing charges were used for guidance as to calculating a fee for the various aspects of the event. This was broken down to take account of:

- Use of the main event field
- Use of the adjacent field for camping (the organiser advised up to 500 tents / camping units may use the site)
- Car parking on the main event field (up to 100 spaces were estimated, although the Council does not charge in its car parks after 6.00pm)

The total Hire Fee was set at £5000 and was paid in full before the event set up began.

In addition, a deposit of £5000 was paid to the Council to cover any costs to address reinstatement or dealing with other extra costs that the Council may have incurred. In the outcome, this deposit was returned in full as any ground repairs were arranged directly between the organiser and a local contractor.



## **7.0 Risk Assessment**

- 7.1 Risks to this Council in connection with any future similar events will be reduced by the adoption of the recommendations contained within this report.

## **8.0 Conclusion**

- 8.1 There were 11 complaints from the public over the four days mainly concerned with noise. There were no public order issues and no health and safety incidents.
- 8.2 The event commenced on the 31<sup>st</sup> July but due to circumstances, the Premises Licence was not granted until the 24<sup>th</sup> June. The Licence required that information be provided in a number of instances within 28 days of the event. This timescale was perhaps in retrospect, too tight and unlikely to be met in all cases.
- 8.3 Although there were a number of breaches of Licence conditions, these were of a technical nature and did not materially affect the safety of people attending the event. Therefore, in accordance with the Council's Enforcement Policy, no formal legal proceedings are proposed.

<b>Financial Services comments:</b>	Contained within Section 6 of this report
<b>Legal Services comments:</b>	Contained within this report
<b>Service Improvement Plan implications:</b>	Nil
<b>Corporate Plan:</b>	N/A
<b>Risk Assessment:</b>	See Section 7.0
<b>Background papers:</b>	Nil
<b>Appendices/Enclosures:</b>	
Appendix A	Premises Licence
Appendix B	Temporary Event Notice
Appendix C	Gosport's Safety Advisory Group
<b>Report author/ Lead Officer:</b>	Ian Lycett

## **A MEETING OF THE POLICY AND ORGANISATION BOARD**

**WAS HELD ON 12 NOVEMBER 2008**

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

It was reported that Councillors Mrs Bailey, Carr, Allen and Carter had been nominated to replace Councillors Chegwyn, Hicks, Langdon and Philpott respectively for this meeting.

### **43. GOSPORT LOCAL PLAN REVIEW - SAVED POLICIES**

Consideration was given to a report of the Development Services Manager which advised Members of the need to request the Secretary of State to save the Local Plan Review policies and to agree the list of policies to be saved.

RESOLVED: That the Secretary of State be requested to save the Local Plan Review policies set out in Appendix C of the Development Services Manager's report.

### **44. FORTON ROAD CONSERVATION AREA APPRAISAL DOCUMENT**

Consideration was given to a report of the Development Services Manager which presented to the Board a final version of the Forton Road Conservation Area Appraisal following public consultation on the draft appraisal.

The Board expressed its thanks to all concerned with the production of the document.

RESOLVED: That the Forton Road Conservation Area Appraisal be approved as a supporting document to inform Development Control decisions, and policies and proposals in the Local Development Framework.

### **45. LAND ADJACENT TO 2 PORTSMOUTH ROAD**

Consideration was given to a report of the Development Services Manager which sought the Board's approval for the sale of the freehold interest of the land shown cross hatched black and hatched black on the plan attached to the report.

RESOLVED: That:

- a) the Head of Property Services be authorised to agree terms for the sale of the Freehold interest of the land adjacent to 2 Portsmouth Road; and

- b) the Borough Solicitor be authorised to enter into such legal documentation as is necessary to effect the above decision.

#### **46. PRESENTATION: GOSPORT SUMMER PASSPORT**

A presentation was made by Jamie O'Reilly, the Council's Head of Community Safety and Luke Norbury who had worked with the Wessex Youth Offending Team at the time of the Summer Passport.

Members were advised that the scheme aimed to develop both a co-ordinated and strategic multi-agency approach to the delivery of free open access activities for young people aged 11-17 throughout the summer period within the Gosport borough. The scheme provided a diverse programme of opportunities through the facilitation of sports, leisure and arts, which were particularly developed to engage those young people at risk of offending.

The scheme had proved to be very successful and of great benefit to the young people involved. A number of improvements for 2009 had been identified.

The Chairman congratulated all concerned on the success of the scheme.

The meeting ended at 7.00 p.m.

**MEETING OF THE COMMUNITY AND ENVIRONMENT BOARD  
WAS HELD ON 3 NOVEMBER 2008**

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

It was reported that, in accordance with Standing Orders, notice had been received that Councillor Hook would replace Councillor Langdon for this meeting.

**41. REVIEW OF FEES AND CHARGES FOR NON-SPORTING USE OF LEISURE LAND**

Consideration was given to a report of the Leisure and Cultural Services Manager which examined the current level of fees and charges for use of Council leisure land. The report examined whether the range of requests could be suitably accommodated and whether the Council could demonstrate it was receiving an appropriate level of income to offset any costs that may be incurred. The report offered a more robust system ensuring a consistent approach in setting charges for the various user groups.

The Chairman advised Members that the purpose of this report was to achieve a fair and transparent tariff for the use of Council leisure land that would reflect the actual cost to the Council of the use of the land and also to include the reinstatement costs.

Members agreed that it was not always easy to distinguish between commercial events and those that could be deemed community events as these often included a profit element, for example, a car boot sale. However, it was agreed that charity events were those that were run by a registered charity and could be more easily identified. The Chairman indicated that if it was necessary for a decision to be made as to whether a charity be allowed to run an event free of charge, he would consult with the Leader and Group Leaders to decide if the matter could be decided by them or needed to be brought before the Board.

A Member expressed concern that notice had been given that the Licensing Board would be hearing applications for the Licensing of events on a number of Council owned areas of leisure land, including Stokes Bay and the Alver Valley that were in the remit of the Board. These applications were for licences which would be valid until 2 am. He considered that the Community and Environment Board should have had the opportunity to debate these licence proposals and to consult with the Police prior to them going before the Licensing Board for consideration. He requested that a motion to withdraw the licence applications be put before the Board.

The Head of Legal Services was asked if there would be a cost implication to the licence applications being withdrawn at this stage and he replied that there

would.

It was suggested that Stokes Bay and the Alver Valley covered large areas of land and that consideration should be given to them being broken down into smaller areas in relation to the booking of events.

The Chairman replied that the fees were based on the perceived number of people attending an event. If there were different charges for different sized areas of land at Stokes Bay or the Alver Valley it may tempt event organisers to cut costs and hire an area of land too small for the number of people they hoped to attract, with resulting Health and Safety issues.

It was further suggested that because an area of land for an event would be taken out of use to members of the public during the set up time, 100% of the fee should be charged during set up days as opposed to the 25% charge indicated at paragraph iii) in Appendix B to the report. The Chairman felt that this would make the costs too high to attract events to the area and be counter productive. Some Members felt there would also be the concern that organisers may cut corners with Health and Safety issues in order to set an event up quickly to save costs. It was requested that a motion setting the charge at 100% on set up days be put to the Board.

A Motion requesting that set up fees should be 100% of the chargeable rate was proposed and seconded. On being put to the vote the motion was lost on the casting vote of the Chairman.

A Motion was proposed and seconded requesting that the current licensing applications for Council owned leisure land be withdrawn and brought before the Board for consideration after consultation with the Police. On being put to the vote the motion was lost on the casting vote of the Chairman.

RESOLVED: That the level of fees and charges contained in Appendix B to the report of the Leisure and Cultural Services Manager be recommended to Full Council as part of the 2009/2010 Budget process.

#### **42. PROPOSED PROVISION OF A DRAINAGE SYSTEM TO THE FOOTBALL PITCHES AT BROOKERS FIELD**

Consideration was given to a report of the Leisure and Cultural Services Manager which sought the Board's approval for the use of Developer Contributions for the provision of a drainage system to service the football pitches at Brookers Field.

RESOLVED: That the use of £70,000 of Developer Contributions from the Sports Pitches Fund to help finance the scheme, subject to a grant of £70,000 being received from the Football Foundation, be approved.

#### **43. BROCKHURST ALLOTMENTS – SECURITY IMPROVEMENTS AND CAR PARKING PROVISION**

Consideration was given to a report of the Leisure and Cultural Services Manager which sought the Board's approval for the use of funding received by the Council from the sale of land at Camden Allotments to upgrade the existing perimeter boundary fencing and gates at Brockhurst Allotments and to provide additional car parking facilities.

In answer to a Member's question it was confirmed that the new fencing would be installed in conjunction with suitable planting for added security. It was also confirmed that approximately 92% of Brockhurst allotments were in use and the proposed improvements would allow further land to be brought into use.

RESOLVED: That the use of £52,800 from the above funding be approved.

#### **44. IMPROVEMENTS TO PLAY AREA FACILITIES**

Consideration was given to a report of the Leisure and Cultural Services Manager which sought the Board's approval for the use of Developer Contributions for improvements to Play Area Facilities at Old Road Play Area, Leesland Park Play Area and Leesland Park Skate Park.

The Council's Youth Champion advised Members that he had toured some of the parks and play areas with members of the Youth Council. They had put forward some good ideas concerning new style play equipment and he had brought some leaflets about play equipment for Members to look at. The Youth Club members had told him how pleased they were with the improvements to Leesland Park Skate Park, the concrete ramps being much quieter than the old metal ones. They were also pleased with the benches that had been installed by the Skate Park but they requested that a Youth Shelter be provided for use during wet weather.

The Chairman advised that the possibility of erecting a Youth Shelter had been considered but local residents had been against this initiative. Unfortunately, they felt this may attract vandals and drug dealers as it would provide shelter for them. He acknowledged that it was unfortunate that the children who behaved well during the day and made use of the Skate Park were penalised by the bad behaviour of others during hours of darkness.

RESOLVED: That the use of £106,500 funding for the following projects be approved:

- 1) Old Road Play Area - £26,500
- 2) Leesland Park Play Area - £15,000 (towards scheme cost of £35,000)
- 3) Leesland Park Skate Park - £65,000

#### **45. IMPROVEMENTS TO ALVER VALLEY BMX TRACK**

Consideration was given to a report of the Leisure and Cultural Services Manager which sought the Board's approval for the use of £27,000 from Developer Contributions for improvement works at the Alver Valley BMX Track.

Darren Fells (Chairman) and James Christie (Vice Chairman) of the BMX Club were invited to address the Board. They explained to Members the very positive impact that taking part in the BMX Club activities had on the young members of the Club. For many it was the first time they had the opportunity to learn self discipline and to have their achievements recognised. This led to an improvement in their behaviour at home and at school and increased their ability to concentrate and learn at school. The Club also provided courses in First Aid and the use of computers, the latter skill also benefiting school work.

The Club were keen to improve the track both for the safety of members and to gain accreditation from the British Cycling Club. There were a number of young Club members whom the British Cycling Club considered showed the potential to become national and Olympic champions of the future. The planned improvements would enable training to take place for longer periods during the winter months, thus enabling these young athletes to reach their personal goals.

Members expressed their full support for the Club and the excellent work it was doing with young people, giving them motivation and skills and something worthwhile to do, without which some would be getting into trouble and failing to achieve at school. They also noted the involvement of the British Cycling Club and the fact that they had recognised the potential of young athletes from Gosport.

The Board Chairman advised the BMX Club Chairman that the Grants Sub Board could make grants to help young athletes to attend national and international events, as it was recognised that buying equipment and travelling to such events would be expensive. The BMX Chairman replied that the Club would take note of this potential resource as many of the young members came from families without the resources to pay for their children to compete at regional or national level and beyond.

RESOLVED: That the use of £27,000 from Developer Contributions for improvement works at the Alver Valley BMX Track be approved.

#### **46. ANY OTHER BUSINESS**

The Chairman advised Members that there was funding available in the Sports Pitches Fund and the Developer Contribution Fund. If Councillors knew of projects in their Wards that could benefit from contributions from these funds, he asked them to put them forward for consideration.

The Council's Youth Champion invited the Chairman to attend a meeting of the Youth Council and he replied that he would be delighted to accept such an invitation.

The meeting commenced at 6.00 pm and concluded at 7.28 pm

## **APPENDIX C**

### **SAG - INVOLVEMENT WITH STOKES BAY FESTIVAL**

#### 9 January 2008 SAG Meeting

SAG considered a briefing note that had been submitted by the Event Organiser (EO). It was agreed that a Special SAG be arranged to discuss the event with the EO.

#### 4 February 2008 – Special SAG Meeting

The EO attended the Meeting, having previously submitted the standard Event Notification Form. At the conclusion of the debate it was agreed that there would be further consideration at the Group's next meeting in April. In the meantime the EO would submit to SAG the EMP, including the Site Layout Plan, Traffic Management Plan and Risk Assessments.

#### 14 April 2008 SAG Meeting

EO had submitted a draft EMP just prior to the Meeting, incorporating Noise Management Plan, Crowd Management Plan, Traffic Management Plan, Emergency Plan and Risk Assessment. Concerns about various aspects were raised by some agencies but a full discussion was not possible as the group had not had sufficient time to properly review the documents prior to the Meeting. It was therefore agreed that, having read the document, individual agencies would contact the EO directly with their concerns/issues and responses would be sought prior to the next Meeting.

#### 30 June 2008 SAG Meeting

It was noted that the Licensing Sub-Board had approved the Council's Application for a Premises Licence on 24 June 2008, but concern was expressed that the Conditions of the Licence imposed a number of responsibilities on SAG which it was not in a position to fulfill, due to its lack of legal status.

The EO was invited to join the Meeting and circulated a revised EMP. Again the Group felt they needed time to read the document before making any formal comment. Nevertheless during the debate a number of issues were raised by the various agencies, as noted in the Minutes of the Meeting. It was agreed that the EO submit by email a revised Site Layout Plan and an amended EMP by 2 July 2008 to enable consideration at a Special SAG on 10 July 2008.

#### 10 July 2008 Special SAG Meeting

The EO had circulated on the morning of the Meeting an updated version (3) of the EMP. Following initial discussions the EO was invited to join the Meeting. Again a whole range of issues were discussed and in order to



enable SAG to try to fulfill some of the Conditions imposed by the Licensing Sub-Board, and in view of the short amount of time before the event was due to take place, it was agreed that each agency provide a status report by 17 July 2008. This would state whether their agency was satisfied with the safety arrangements for the event, although it was noted that this might be subject to site inspection before the start of the event.

The EO was also reminded of the need to comply with all of the Licence Conditions if the event were to proceed.

In the final lead-in to the event all agencies then communicated directly with the EO to discuss outstanding issues and agree a way forward to enable the event to take place.

#### 9 September 2008 SAG Meeting

It was agreed that if the event were to be repeated in 2009 the EO would be requested to submit an EMP by the end of March 2009 at the latest with a view to arranging a Special SAG in April 2009.

## AGENDA ITEM NO. 8

<b>Board/Committee:</b>	<b>COUNCIL</b>
<b>Date of Meeting:</b>	<b>26 NOVEMBER 2008</b>
<b>Title:</b>	<b>GOSPORT COMMUNITY SAFETY PARTNERSHIP</b>
<b>Author:</b>	<b>DEPUTY CHIEF EXECUTIVE &amp; BOROUGH TREASURER</b>
<b>Status:</b>	<b>FOR DECISION</b>

### Purpose

To ratify appointments to the Gosport Community Safety Partnership Strategic Board.

### Recommendation

That Council ratifies the appointment of the Chairman of Policy and Organisation Board as the Council's representative on the Community Safety Partnership Strategic Board; and appoints a standing deputy to the Gosport Community Safety Partnership Strategic Board , for the rest of this civic year.

#### **1. Report**

- 1.1 At the last Council meeting the new constitution for the Community Safety Partnership was approved. The planned Partnership meeting in October therefore became a meeting of the Community Safety Partnership Strategic Board. As no objection has been raised to the suggestion, in Paragraph 2.1.4 of the Council report, that the Chairman of Policy and Organisation Board should be the Council's representative on the Strategic Board the Chief Executive, following consultation with group leaders advised the Partnership that the Council's representative on the Strategic Board was the chairman of Policy and Organisation Board.

<b>Financial services comments</b>	None.
<b>Legal Services comments:</b>	Incorporated into the report.
<b>Service Improvement Plan implications:</b>	None for this report
<b>Corporate Plan:</b>	None for this report
<b>Risk Assessment:</b>	None for this report
<b>Background papers:</b>	Papers of the Community Safety Partnership meeting of 18 <sup>th</sup> September 2008. Council Report 1 October 2008
<b>Appendices/Enclosures:</b>	None
<b>Report author/Lead Officer:</b>	Jamie O'Reilly, Head of Community Safety (Ext: 5501)

## AGENDA ITEM NO. 9

<b>Board/Committee:</b>	<b>FULL COUNCIL</b>
<b>Date of meeting:</b>	<b>WEDNESDAY 26 NOVEMBER 2008</b>
<b>Title:</b>	<b>REDEVELOPMENT OF HOLBROOK RECREATION CENTRE</b>
<b>Author:</b>	<b>LEISURE AND CULTURAL SERVICES MANAGER</b>
<b>Status:</b>	<b>FOR DECISION</b>

### **Purpose**

The Holbrook Recreation Centre Working Group met on Wednesday 5 November 2008 to receive a presentation from Strategic Leisure / Scott Wilson in respect of progressing the procurement of the replacement recreation facility.

### **Recommendation**

The Council is recommended to approve:

- i) the provision of the range of recreation facilities as outlined in the report, described as the 'Optimum Mix', together with a hotel, small retail outlet and restaurant facilities;
- ii) undertaking the procurement process for the provision of the above facilities;
- iii) the submission of a planning application for the proposed development.

### **1. Background**

- 1.1 Strategic Leisure Ltd. / Scott Wilson Group plc were appointed to work as the Council's consultants to produce a series of reports to assist the procurement of a replacement recreation facility at the Holbrook site.
- 1.2 The work has been progressed over the past year to a stage where the Working Group has agreed its preferred mix of facilities, proposed layout within the Holbrook site and preferred method for management of the facility.
- 1.3 As the Working Group is required to make a recommendation for approval to the Council, this report is seeking that approval to the scheme for new facilities at Holbrook Recreation Centre and to undertake the procurement process beginning with the necessary advertisement in the Official Journal of the European Union (OJEU) in order to invite developers to submit expressions of interest and to submit a planning application.

## **2. Report**

- 2.1 Appendix A lists the range of facilities that comprise the 'Optimum Mix' together with a summary of the additional facilities to form the complete development.
- 2.2 At the meeting of the Working Group (5 November), Members also received feedback on the results of public consultation that took place during October. This supported the view that the range of facilities within the 'Optimum Mix' would meet the expressed needs.
- 2.3 The consultants have completed the necessary studies and surveys and are producing the relevant documents to form the planning application. It is intended to submit this during December 2008.
- 2.4 In terms of the preferred method of procurement and implementation, the Working Group confirmed the recommendation of the consultants that a Design, Build, Operate and Maintain (DBOM) route would be suitable for the Council to follow (this was reported to Council at the July 2008 meeting).
- 2.5 The consultants had previously conducted 'soft market testing' to determine the extent of interest in the project. At the presentation to the Working Group on 5 November, they were able to reassure Members that there is sufficient interest in the market to attract a developer to deliver the complete project.
- 2.6 Legislation requires that the recreation element of the project is advertised in the Official Journal of the European Union (OJEU); the hotel element would usually be exempt. However, because the preferred approach is to procure the project as a single entity, the whole development will be advertised in this way. The benefits of combining the different uses as one project will lead to greater cohesion of design and a more efficient delivery of the respective components.
- 2.7 Following an assessment of the available land and the configuration of the mix of facilities, it has been possible to arrange the buildings so that both the new Centre and Hotel gain the benefit of a road frontage onto the A32. It is envisaged that the restaurant facilities will offer a link between the creation centre and the hotel and generate benefits to the operation of both facilities. A copy of the site layout is attached as Appendix B.
- 2.8 Car parking has been allocated in different areas to support each discrete facility. However, it is generally accepted that, at certain peak

times, or when major events occur, there may be an operational expediency to use all available parking. The aim of selecting a single developer can assist in achieving greater effectiveness with site operations.

- 2.9 Officers are aware that Members are keen to achieve the new recreation centre as quickly as possible. The Working Group was advised of the various stages of evaluation, negotiation and selection that have to be completed prior to award of contract. However, it is intended that all construction works will be undertaken at the same time.

### **3. Financial Implications**

- 3.1 Whilst there is only a provisional estimate of £6M in the current Capital Programme for this scheme, it is clear that the Council aspires to provide the optimum mix of activities in the new centre and would wish to fund a scheme costing up to £11M, subject to affordability. This new scheme total will require a commitment to raising funding of £7M primarily from new capital receipts from the disposal of assets, £4M funding being already in place. This route, rather than borrowing, will greatly assist affordability.
- 3.2 The projections in paragraphs 3.3 and 3.4 are in line with those already built into our budget model projections (see 3.5 below) i.e. they make the Council's forecast situation no worse. However, the current budget position is volatile with many significant variations being experienced or expected – risk has increased.
- 3.3 It is currently estimated that revenue charges for financing the scheme will be £285,000 p.a. beginning in the financial year following completion of the scheme. Prior to completion there will be some loss of investment income and, following completion, additional financing charges (above £285,000 p.a.) may be payable until all necessary capital receipts are obtained. It is anticipated that up to £100,000 p.a. could be made on the annual running cost of the new facility as advised by our consultant.
- 3.4 The Council has a forecast general fund revenue budget shortfall of approximately £500,000 in 2010/11 and a further £250,000 in 2011/12 which has yet to be addressed.
- 3.5 Whilst it is possible that enough of the assets specified may be disposed of in time, current economic conditions suggest that some temporary borrowing may be necessary as there is a significant risk that some of the funds may not be raised until after the new centre opens. This will result in revenue costs over and above those mentioned in paragraph 6 until such time as remaining funds are raised. The Council's accounting policies will be kept under review to take advantage of any discretion that can be used to minimise this

impact. (£1.25M = approximately £50,000 revenue impact = 1% on Council Tax.

- 3.6 As long as there is a clear understanding of the costs and risks involved, the Council may approve the progression of the Holbrook Recreation Centre scheme. A detailed risk assessment and a more detailed test of affordability should be applied before contracts are entered into, in order to deliver a decision that is up to date and robust, in case of challenge.

#### **4. Risk Assessment**

- 4.1 Members are aware that the current Holbrook Recreation Centre is in poor condition and agree that the facility needs to be replaced.
- 4.2 The current centre is being maintained so that a level of recreational activity can continue until such time as a replacement facility is available. In the event of a major plant failure before a new facility was available, Members may have to assess the impact of such an occurrence on its leisure provision in that interim period.
- 4.3 The proposed layout is designed to retain the current facility for use until the new facility is open to the public.
- 4.4 Once a preferred partner developer is selected a comprehensive risk assessment of the project should be applied before contracts are entered into in order to deliver a decision that is up to date and robust, in case of challenge.

#### **5. Conclusions**

- 5.1 The project to provide a new recreation facility has reached a stage where a formal invitation to the market for developers to submit expressions of interest is required.
- 5.2 Further reports will be brought to Members to seek the necessary approvals at the appropriate stage in the procurement process.

<b>Financial Services comments:</b>	See section 3 of the Report.
<b>Legal Services comments:</b>	The Council has the power to provide recreational facilities and to enter into the proposed contract. As this is a complex procurement process external solicitors will need to be retained.
<b>Service Improvement Plan implications:</b>	The provision of a new recreation facility is included in the Plan.
<b>Corporate Plan:</b>	The following Strategic Priorities will be met: <b>PEOPLE</b> - Better Leisure facilities and increased usage <b>PROSPERITY</b> - Increased investment in Gosport's economy <b>PURSUIT OF EXCELLENCE</b> - <b>Enhanced customer service</b>
<b>Risk Assessment:</b>	See section 4 of the Report.
<b>Background papers:</b>	Referenced within the Report if appropriate.
<b>Appendices / Enclosures:</b>	
Appendix 'A'	Facility Mix Options
Appendix 'B'	Layout Plan
<b>Report Author / Lead Officer:</b>	Leisure & Cultural Services Manager

**RECREATION CENTRE - 'OPTIMUM' FACILITY MIX**

- Main Pool (25m x 6 lane)
- Teaching Pool
- Swimming Spectator Area 200
- Sports Hall (4 court)
- Fitness Suite (60-100 station)
- Health Suite (sauna/steam etc)
- Studio/Function/Meeting Rooms x 2
- Crèche
- Soft Play
- Cafeteria/Vending
- Floodlit Synthetic Pitch
- Staff, First Aid Room & Timing Room
- Storage
- Plant
- Dry Change
- Wet Change
- Outdoor Change
- Toilets
- Office/Reception

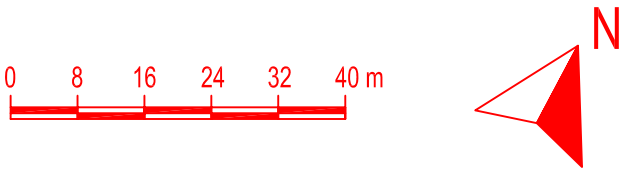
The remainder of the development will comprise

**HOTEL (Ranging between 40 - 60 bed budget style)**

**RESTAURANT FACILITIES (Capable of supporting both Hotel and Centre)**

**SMALL RETAIL OUTLET (Local store service)**





**GOSPORT BOROUGH COUNCIL**

<b>Board/Committee</b>	<b>COUNCIL</b>
<b>Date of meeting</b>	<b>26 NOVEMBER 2008</b>
<b>Title</b>	<b>PORTSMOUTH &amp; GOSPORT JOINT BOARD – APPOINTMENT OF MEMBERS</b>
<b>Author</b>	<b>BOROUGH SOLICITOR</b>
<b>Status</b>	<b>FOR DECISION</b>

**Purpose**

To elect six Councillors to serve on the Portsmouth & Gosport Joint Board for 3 years from 1 January 2009 to 31 December 2011.

**Recommendation**

To re-elect six Councillors as the Council's representatives on the Portsmouth & Gosport Joint Board as outlined in paragraph 2.4 for three-year terms of office from 1 January 2009.

**1.0 BACKGROUND**

- 1.1** The Portsmouth and Gosport Joint Board Licences the Watermen and their vessels, which operate in the confines of Portsmouth Harbour and areas adjacent to the Isle of Wight.
- 1.2** The Joint Board consists of 12 members, six from Gosport Borough Council and six from Portsmouth City Council. The Chairmanship rotates annually between the Borough Council and the City Council.

**2.0 REPORT**

- 2.1** The Joint Board was established by the Ferry Acts of 1809 and 1812 and these Acts were updated by the Gosport and Alverstoke Urban District Council Act 1919 and the Portsmouth Corporation Act 1920.
- 2.2** Section 62 (2) of the 1919 Act requires each Council each third successive year to elect from among themselves the number of members of the Board they are authorised to elect and each member so elected shall hold office for a period of three years.
- 2.3** Having given the factual information in the above paragraphs the introduction from 1 January 2007 of a Maritime and Coastguard

Agency (MCA) Boatmasters' Licence or Certificate and the existence of an alternative licence under the Inland Waters Small Passenger Boat Qualification (IWSPB) has in effect made the Joint Board as a licensing authority redundant. In the circumstances the Joint Board has requested officers to contact the MCA and Department for Transport (DfT) with draft Orders to abolish the Ferry Acts of 1809 and 1812 and associated Local Acts. To date the officers of both councils are still working with these government departments to achieve this objective.

- 2.4** The current six members' period of office i.e. councillors Cully, Edgar, Edwards, Gill, Hook and Smith are due to expire on 31 December 2008.
- 2.5** The Council has six seats on the Joint Board and as no alternative arrangements for the filling of these seats has been approved by all members of the Council; the allocation of seats must be in accordance with Section 15 of the Local Government and Housing Act 1989.
- 2.6** In essence this means that the allocation of the seats has to satisfy the following principles. Firstly, that all seats are not allocated to the same political group and secondly, that the majority of seats go to the political group with the majority on the full Council. As no party has a majority of seats on the Council the second principle does not apply. The previous allocation was on the basis of 3:2:1.

<b>Financial implications:</b>	Nil
<b>Legal Implications:</b>	Contained in paragraphs 2.1 & 2.2 of the report
<b>Service Improvement Plan implications:</b>	N/A
<b>Corporate Plan:</b>	N/A
<b>Risk Assessment</b>	N/A
<b>Background Papers:</b>	None
<b>Appendices/Enclosures:</b>	None
<b>Report author/Lead Officer:</b>	Geoff Rawling, Head of Democratic Services/Clerk to the Portsmouth & Gosport Joint Board (Ext: 5215)