



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 **SECOND DAY** of **APRIL 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 and Extraordinary Meetings of the Council held on 6, 13 and 25 February 2008 (copies 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 31 MARCH 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, 31 MARCH 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, 1 APRIL 2008).

6. To receive the following Part II minutes of the Boards of the Council:
 - Policy and Organisation Board: 12 March 2008
 - Community and Environment Board: 3 March 2008
 - Housing Board: 5 March 2008

**IAN LYCETT
CHIEF EXECUTIVE**

**TOWN HALL
GOSPORT**

25 March 2008

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

MINUTES OF THE MEETING OF THE COUNCIL HELD ON 6 FEBRUARY 2008

Attendance:

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

The Deputy Mayor (Councillor Kimber) (P);

Councillors Allen (P), Ms Ballard (P), Burgess (P), Carr (P), Carter (P), Mrs Champion (P), Champion (P), Chegwyn (P), Clinton (P), Mrs Cully (P), Cully (P), Davis (P), Dickson (P), Edgar (P), Farr (P), Foster (P), Foster-Reed, Hicks (P), Hook (P), Jacobs (P), Langdon (P), Mrs Mudie (P), Philpott (P), Rigg (P), Mrs Salter, Mrs Searle (P), Smith (P), Taylor (P), Train (P), Ward (P), Mrs Wright (P) and Wright (P).

Also in attendance: Honorary Aldermen Mrs Bailey, Foster and O'Neill.

ONE MINUTE'S SILENCE

In order to express their sympathy regarding the recent death of Commander Ian Coulton, RN, Commanding Officer of Fort Blockhouse and Haslar Hospital, Members of the Council stood in silent tribute for one minute.

STANDING ORDERS 3.3.5 AND 4.15.1

The Mayor reported that Notices of Motion had been received under Standing Orders 3.3.5 and 4.15.1 by the Borough Solicitor.

The first Notice of Motion under Standing Order 3.3.5 requested that Standing Order 3.3.2 (Eight days' notice of Motion) be suspended to enable the following Notice of Motion to be considered by Council:

"Gosport Borough Council fully support the need for general aviation to continue from Daedalus airfield, so as to attract jobs and ensure the continued economic viability of the Daedalus site."

COUNCIL RESOLVED: That Standing Order 3.3.5 be moved to enable the suspension of Standing Order 3.3.2 so that the above Notice of Motion can be considered by Council.

The Chairman of the Policy and Organisation Board moved under Standing Order 4.6.3 that this Motion be debated tonight as a matter of urgent need in the interests of the Borough prior to the last item on the agenda.

COUNCIL RESOLVED: That the above Motion be debated tonight as a matter of urgent need in the interests of the Borough prior to the last item on the agenda.

The second Notice of Motion under Standing Order 4.15.1 requested that the Chief Executive and the Environmental Services Manager be allowed to introduce their respective reports related to Corporate Equalities Policy, Race Equality Scheme 2007 – 2010 and Authorisation of Officers, Part 15 Gambling Act 2005.

COUNCIL RESOLVED: That Standing Order 4.15.1 be moved to enable the Chief Executive and Environmental Services Manager to introduce their respective reports related to Corporate Equalities Policy, Race Equality Scheme 2007 – 2010 and Authorisation of Officers, Part 15 Gambling Act 2005.

APOLOGIES

Apologies for inability to attend the meeting were submitted on behalf of Councillor Mrs Salter and Honorary Alderman Hayward.

MINUTES

COUNCIL RESOLVED: That the Minutes of the Ordinary and Extraordinary meetings of the Council held on 28 November and 12 December 2007 be confirmed and signed.

MAYOR'S COMMUNICATIONS

HASLAR "WAY FORWARD" DOCUMENT

The Mayor was pleased to announce that the Haslar Task Force "Way Forward" document had motivated an excellent response. This had not only been from local people but last week, the Town Hall had received 8 signatures of support

from Malta and one from Bermuda. This showed that the saving of Haslar Hospital was not just a local issue.

In view of the continuing widespread support for the contents of the document it had been decided to extend at least until March the final return date.

The Mayor thanked all those who had played a part in the production and distribution of the "Way Forward" document.

Members of the Council accordingly supported the action of the return date being extended until at least the end of March for responses to the Haslar Task Force "Way Forward" document.

QUESTION PURSUANT TO STANDING ORDER 3.4

(A) Question No 1 standing in the name of Councillor Kimber on proposals for the Holbrook site was answered by the Leader of the Council.

CONSIDERATION OF RECOMMENDATIONS FROM COUNCIL BOARDS

COUNCIL DWELLING RENTS 2008/2009

At its meeting on 23 January 2008, the Housing Board recommended:

That with effect from 7 April 2008:

- a) The average weekly Council Dwelling rents increase by 5.37%; and
- b) Garage, carports and parking lot rents increase by 5.00%.

COUNCIL RESOLVED: That the recommendations be approved and adopted.

TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS 2008 – 2009

At its meeting on 29 January 2008, the Policy and Organisation Board recommended that:

The report be referred to Council for formal approval including the prudential indicators and limits within the report.

COUNCIL RESOLVED: That the recommendation be approved and adopted.

COUNCIL BUDGET 2008/09

At its meeting on 29 January 2008, the Policy and Organisation Board recommended that:

Council approve a revised 2007/08 budget totaling £12,302,210 and a budget for 2008/09 totalling £12,707,000.

MOTION: That the Policy and Organisation Board's (29 January 2008) recommendation for a revised 2007/08 budget and a budget for 2008/09 be approved and adopted.

AMENDMENT: That the Policy and Organisation Board's (29 January 2008) recommendation for a revised 2007/08 budget and a budget for 2008/09 be approved and adopted subject to a budget for 2008/09 totalling £12,608,000 representing a below inflation rise of 1.9%.

This to be made up as per the budget book with the following amendments

Re-instate parking charges in the short term town centre car parks	(300,000)
(To ensure parity with Lee-on-the-Solent)	
Reduce car parking charges to 50p per hour and £3 per day	62,000
Additional funding for one new Enforcement Officer	25,000
Revenue increase on Parking Fines	(25,000)
Introduce Voluntary kerbside collection of glass for recycling	65,000
Additional 25 dual litter/dog bins including installation	11,000
Additional funding for beach and foreshore cleaning	10,000
Replacement street name plates	15,000
50% increase to bus shelter repairs	6,000
Additional funding for ground maintenance for playgrounds	3,000
Educational and promotional material for Streetscene Enforcement	3,000

20 m.p.h. signs for all schools in Gosport (2 per school)	6,000
Implement next 10 Traffic Regulation Orders on safety grounds	10,000
Increase Travel Tokens by £1 (rate of inflation)	10,000
Reduce Tuesday market rent from £24.50 to £14.50 per stall	0

The balance of 99,000 being the difference from the original budget (£12,707,000) to the amended budget as set out above.

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

FOR THE AMENDMENT: The Deputy Mayor and Councillors Allen, Burgess, Carter, Mrs Champion, Champion, Clinton, Dickson, Edgar, Foster, Hook, Jacobs, Langdon, Philpott, Rigg, Taylor and Ward (17)

AGAINST THE AMENDMENT: Councillors Ms Ballard, Carr, Chegwyn, Mrs Cully, Cully, Davis, Farr, Hicks, Mrs Mudie, Mrs Searle, Smith, Train, Mrs Wright and Wright (14)

ABSTENTION: The Mayor

The Amendment was accordingly declared **CARRIED**.

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

PART II MINUTES

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

Policy and Organisation Board: 29 January 2008 (Minute Nos. 59-66)

Community and Environment Board: 21 January 2008 (Minute Nos. 38 – 43)

Housing Board: 23 January 2008 (Minute Nos. 39 – 41)

CORPORATE EQUALITIES POLICY

The Chief Executive introduced his report on the above. The purpose of the report was to seek adoption of the Corporate Equalities Policy as the Council's framework equalities document replacing the previous Equality Plan 2003.

This policy ensured the Council met its legal obligations under relevant anti-discrimination legislation and Codes of Practice by setting out a more comprehensive approach to equality and diversity through explicit recognition of the Council's current statutory duties and commitments.

COUNCIL RESOLVED: That the Corporate Equalities Policy be adopted.

RACE EQUALITY SCHEME 2007 – 2010

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

The purpose of the report was to ensure Gosport Borough Council was addressing its legal duties and responsibilities under the Race Relations Amendment Act 2000 by adopting a Race Equality Scheme which prohibits racial discrimination in the delivery of services and employment. Local Councils were required to produce a Race Equality Scheme and update that scheme every three years.

This Race Equality Scheme 2007 – 2010 updated the Council's previous scheme.

COUNCIL RESOLVED: That the Race Equality Scheme 2007 – 2010 be adopted.

AUTHORISATION OF OFFICERS, PART 15 GAMBLING ACT 2005

The Environmental Services Manager introduced his report on the above. It was reported that the Gambling Act 2005 introduced control over premises used for gambling including a system of premises licences and permits issued by the Licensing Authority. The legislation provided for officers authorised under the Act to carry out a range of inspections to ensure compliance with the Act.

The recommendation to delegate the power to appoint authorised officers under the Gambling Act 2005 to the Environmental Services Manager was in

accordance with other similar powers delegated to that Manager under the Council's Constitution.

COUNCIL RESOLVED: That -

- a) an amendment to the delegations to the Environmental Services Manager to include the power to authorise officers as required by Section 304 (3) (b) Gambling Act 2005 be approved;
- b) an amendment to the Council's Constitution to identify the Head of Environmental Health as the appropriate person to initiate any enforcement action to be taken under the Gambling Act 2005 be approved; and
- c) the Borough Solicitor be authorised to make all necessary amendments to the Council's Constitution to give effect to Recommendations a) and b) above.

NOTICE OF MOTION

It was reported that Councillor Burgess had given notice of the following Motion in accordance with Standing Order 3.3.5:

"Gosport Borough Council fully support the need for general aviation to continue from Daedalus airfield, so as to attract jobs and ensure the continued economic viability of the Daedalus site."

The Motion was accordingly seconded by Councillor Hook.

COUNCIL UNANIMOUSLY RESOLVED: That the Motion be approved.

ELECTION OF MAYOR AND DEPUTY MAYOR 2008-2009

The Council was informed that in accordance with Standing Order 2.4 the Borough Solicitor had written to Group Leaders and Members of the Council to invite Member nominations for the selection of Mayor-Elect and Deputy Mayor-Elect for the next Municipal Year.

It was reported that one nomination each had been received by the Borough Solicitor; Councillor D R Kimber for Mayor-Elect and Councillor J Train for Deputy

Mayor-Elect for the 2008-2009 Municipal Year. The Council accordingly approved the nominations and Councillors Kimber and Train briefly returned thanks for their nominations.

The Council rose at 8.13pm

MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL HELD ON 13 FEBRUARY 2008

Attendance:

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

The Deputy Mayor (Councillor Kimber) (P);

Councillors Allen (P), Ms Ballard (P), Burgess (P), Carr (P), Carter (P), Mrs Champion, Champion, Chegwyn (P), Clinton (P), Mrs Cully (P), Cully (P), Davis, Dickson (P), Edgar (P), Farr (P), Foster, Foster-Reed (P), Hicks (P), Hook (P), Jacobs (P), Langdon (P), Mrs Mudie, Philpott, Rigg, Mrs Salter (P), Mrs Searle, Smith (P), Taylor (P), Train (P), Ward, Mrs Wright and Wright (P).

Also in attendance: Honorary Freeman Ashby and Honorary Aldermen Mrs Bailey, Flory, Foster, Hayward, O'Neill, Rushton, Mrs Snaith and Mrs Whitbread.

APOLOGIES

Apologies for inability to attend the meeting were submitted on behalf of Councillors Mrs Champion, Champion, Davis, Foster, Philpott, Rigg, Mrs Searle, Ward and Mrs Wright and Honorary Alderman Miles.

ELECTION OF HONORARY FREEMAN

COUNCIL RESOLVED: That this Council, in pursuance of their powers under Section 249 (5) of the Local Government Act, 1972, do hereby confer on Mrs Dorothy Rose Simpson, the Honorary Freedom of the Borough of Gosport in recognition of her eminent services to the people and Borough of Gosport over many years.

The Council rose at 6.22pm

MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL HELD ON 25 FEBRUARY 2008

Attendance:

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

The Deputy Mayor (Councillor Kimber) (P);

Councillors Allen (P), Ms Ballard (P), Burgess (P), Carr (P), Carter (P), Mrs Champion (P), Champion (P), Chegwyn (P), Clinton (P), Mrs Cully (P), Cully (P), Davis (P), Dickson (P), Edgar (P), Farr (P), Foster (P), Foster-Reed (P), Hicks (P), Hook (P), Jacobs (P), Langdon (P), Mrs Mudie (P), Philpott (P), Rigg (P), Mrs Salter (P), Mrs Searle (P), Smith (P), Taylor (P), Train (P), Ward (P), Mrs Wright (P) and Wright (P).

Also in attendance: Honorary Alderman O'Neill.

APOLOGIES

Apologies for inability to attend the meeting were submitted on behalf of Honorary Aldermen Foster and Hayward.

NOTICE OF MOTION

It was reported that Councillor Cully had given notice of the following Motion in accordance with Standing Order 3.3.5:

“We give notice that we wish to move suspension of Standing Order 3.3.2 (Eight days’ notice of Motion) at the Council Meeting on 25 February 2008.

This is to enable the Council to consider the following Notices of Motion.

Motion 1

That the Council suspend Standing Order 4.6 (Procedure for Motions following notice) and Standing Order 4.14 (Rescission of Previous Decisions) so that this Council meeting may consider the motion set out in Motion 2.

Motion 2

That the Council approve a budget for 2008/09 totalling £12,707,000 as set out in Agenda Item No. 6 (ii) of the Council meeting dated 6 February 2008 and that this is the figure used as the Council's budget requirement in the calculation of Council Tax pursuant to Sections 32-36 of the Local Government Finance Act 1992."

The Motions were accordingly seconded by Councillor Mrs Cully.

COUNCIL RESOLVED: That Standing Order 3.3.5 be moved to enable the suspension of Standing Orders 3.3.2, 4.6 and 4.14 so that this Council meeting may consider the motion set out in Motion 2 above.

Upon Motion 2 being put to the meeting the following Amendment was received by the Mayor.

AMENDMENT: That the following wording be added to Motion 2.

"(ii) and that all short term car parks to be charged at the same rate throughout the Borough of Gosport."

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

FOR THE AMENDMENT: The Deputy Mayor and Councillors Allen, Burgess, Carter, Mrs Champion, Champion, Clinton, Dickson, Edgar, Foster, Hook, Jacobs, Langdon, Philpott, Rigg, Taylor and Ward (17)

AGAINST THE AMENDMENT: The Mayor and Councillors Ms Ballard, Carr, Chegwyn, Mrs Cully, Cully, Davis, Farr, Foster-Reed, Hicks, Mrs Mudie, Mrs Salter, Mrs Searle, Smith, Train, Mrs Wright and Wright (17)

The Amendment was accordingly declared TIED.

Whereupon the Mayor used his casting vote against the Amendment which was duly LOST.

Upon Motion 2 being put to the meeting, in accordance with Standing Order 4.12.4, it was requisitioned that the voting on Motion 2 be recorded. A recorded vote was thereupon taken, and the names of the Members voting for and against Motion 2 were read to the Council as follows:

FOR MOTION 2: The Mayor and Councillors Ms Ballard, Carr, Chegwyn, Mrs Cully, Cully, Davis, Farr, Foster-Reed, Hicks, Mrs Mudie, Mrs Salter, Mrs Searle, Smith, Train, Mrs Wright and Wright (17)

AGAINST MOTION 2: The Deputy Mayor and Councillors Allen, Burgess, Carter, Mrs Champion, Champion, Clinton, Dickson, Edgar, Foster, Hook, Jacobs, Langdon, Philpott, Rigg, Taylor and Ward (17)

Motion 2 was accordingly declared TIED.

Whereupon the Mayor used his casting vote for Motion 2 which was duly CARRIED.

COUNCIL RESOLVED: That Motion 2 be approved and adopted.

STANDING ORDER 4.15.1

The Mayor reported that notice had been received requesting that Standing Order 4.15.1 be moved to enable the Borough Treasurer to introduce his report related to Council Tax Setting 2008/2009.

COUNCIL RESOLVED: That Standing Order 4.15.1 be moved to enable the Borough Treasurer to introduce his report related to Council Tax Setting 2008/09.

COUNCIL TAX SETTING 2008/2009

Consideration was given to a report of the Borough Treasurer on Council Tax Setting for 2008/2009.

The Borough Treasurer reported that the Council was required to set the levels of Council Tax for the Borough for 2008/2009 as the billing authority. The tax level resulted from the precept requirements of the County Council, Police Authority and Fire and Rescue Authority, the Council's approved budget and local tax collection balances. No comments related to the budget level had yet been received as a result of the statutory consultation process with major business rate payers.

The Borough Treasurer advised that whilst the Council had agreed a general fund budget of £12,608,000 at its meeting on 6 February 2008, there was a proposal to amend this to £12,707,000 on the Council agenda for tonight's

meeting. The appendices to his report dealt with each option in turn and only the appropriate one should be considered and approved.

Surpluses or deficits from Council Tax collection were assessed annually in order that corrective action could be taken in setting future tax levels. They formed part of the figure contained in recommendation 5.2 (d) of the report. The figure of £55,000 represented Gosport's share of surpluses on the Council Tax Collection Fund as considered as part of the approved Budget.

Despatch of Council Tax bills would commence early in March 2008 and be completed shortly afterwards.

MOTION: That Appendix B to the Borough Treasurer's report be moved and the following recommendations be approved and adopted.

- (i) That it be noted that the Borough Treasurer determined the Council's Tax Base on 06 December 2007 in the amount of 27,432.4 as its Council Tax Base for the year 2008/2009 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992, as amended by Section 84 of the Local Government Act 2003.**
- (ii) By virtue of the budget approved by Council on the 25 February 2008 the following amounts be now calculated by the Council for the year 2008/2009 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-**
 - (a) £49,527,690 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act.**
 - (b) £36,820,690 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.**
 - (c) £12,707,000 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.**
 - (d) £7,279,031 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-**

domestic rates, revenue support grant and additional grant; increased by the amount of the sums which it estimates will be transferred in the year from its collection fund to its general fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax Surplus).

(e) £197.87 being the amount at (c) above less the amount at (d) above, all divided by the amount at (i) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its council tax for the year.

(f)

Valuation

Bands

	£	(Local tax rates for Borough purposes)
A	131.91	
B	153.90	
C	175.88	
D	197.87	
E	241.84	
F	285.81	
G	329.78	
H	395.74	

being the amounts given by multiplying the amount at (e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

(iii) That it be noted that for the year 2008/2009 Hampshire County Council, Hampshire Police Authority and Hampshire Fire & Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below:-

Precepting Authority Valuation Bands
(Local tax rates for County purposes)

		£
Hampshire County Council	A	666.00
	B	777.00
	C	888.00
	D	999.00
	E	1221.00
	F	1443.00
	G	1665.00
	H	1998.00

(Local tax rates for Police purposes)

		£
Hampshire Police Authority	A	90.36
	B	105.42
	C	120.48
	D	135.54
	E	165.66
	F	195.78
	G	225.90
	H	271.08

(Local Taxes for Fire & Rescue Purposes)

		£
Hampshire Fire & Rescue Authority	A	38.82
	B	45.29
	C	51.76
	D	58.23
	E	71.17
	F	84.11
	G	97.05
	H	116.46

- (iv) That, having calculated the aggregate in each case of the amounts at (f) and (iii) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2008/2009 for each of the categories of dwellings shown below:-

Valuation Bands

(Total local tax rates within Gosport)

£

A	927.09
B	1081.61
C	1236.12
D	1390.64
E	1699.67
F	2008.70
G	2317.73
H	2781.28

COUNCIL RESOLVED: That the Motion be approved and adopted.

The Council rose at 7.13pm

**PART II MINUTES OF THE POLICY AND ORGANISATION BOARD
HELD ON 12 MARCH 2008**

72. HOUSING RENEWAL POLICY 2008/09

Consideration was given to a cross reference from the meeting of the Housing Board held on 5 March 2008.

RESOLVED: That the 2008/09 Housing Renewal Policy be formally adopted.

73. ECONOMIC IMPACT OF THE DEFENCE SECTOR

Consideration was given to a report of the Head of Economic Prosperity which sought support for an Economic Impact Assessment of the Defence Sector on the Gosport economy and agreement on the utilisation of monies allocated for this purpose.

Members were of the opinion that any consideration of the economic impact of the Defence Sector should look back over the last 20 – 25 years of Gosport's economic history to more truly reflect the decline in Defence Sector jobs and its effect on Gosport. They also considered that the minor as well as the major Defence Establishments should be included in the assessment.

RESOLVED: That:

- a) support be given to the proposal for an Economic Impact Assessment to be made of the Defence Sector on the Gosport economy; and
- b) any surplus funds be used for environmental improvements on the Borough's older industrial estates, as per Paragraph 3.4 of the report.

74. FUNDING CODE FOR GOSPORT COMPACT

Consideration was given to a report of the Chief Executive which sought the adoption of the 'Funding Code of Good Practice' developed between the Council and the voluntary and community sector (VCS) organisations in Gosport who had signed up to the 'One Compact for Hampshire' agreement.

RESOLVED: That the Council adopt the Funding Code of Good Practice as a complementary document to the existing Gosport Compact agreement which was adopted by the Council in 2006.

75. LEASE OF LAND AND PAVILION TO BRIDGEMARY BOWLING CLUB

Consideration was given to a cross reference from the Community and Environment Board held on 3 March 2008.

Members requested that officers establish that the proposed rent take account of the market value of the site.

RESOLVED: That:

- a) the Head of Property Services be authorised to agree terms with Bridgemary Bowling Club to enter into a new lease subject to the Club first obtaining Planning Permission for the erection of a store; and
- b) 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.

76. PROCUREMENT OF DIAL-A-RIDE

Members were presented with a report of the Financial Services Manager which considered the changes proposed by Hampshire County Council to the procurement of Gosport's Dial-a-Ride Service and reviewed the joint funding of those services.

Members considered that the proposal gave value for money and that Gosport Borough Council should sign up to the Memorandum of Agreement.

RESOLVED: That the Council sign the proposed 'Memorandum of agreement for joint funding of the Gosport Dial-a-Ride service contracted through Hampshire County Council'.

77. REVIEW OF MEDIUM TERM FINANCIAL STRATEGY AND CAPITAL STRATEGY

Members were presented with a report of the Financial Services Manager, which considered the updated Medium Term Financial and Capital Strategies.

RESOLVED: That the Medium Term Financial Strategy and Capital Strategy be approved.

78. NATIONAL NON-DOMESTIC RATES: WRITE OFFS

Consideration was given to a report of the Financial Services Manager which advised Members of a number of outstanding National Non-Domestic Rate (NNDR) debts each in excess of £10,000 which required write-off approval from this Board in accordance with the Council's Financial Regulations.

In answer to Members' questions, assurances were given that every effort was made to trace debtors including the use of tracing agents and bailiffs to assist in the recovery of outstanding monies. Successes were achieved in the recovery of this type of debt and they could be pursued for 6 years from the date the debt was last acknowledged.

Members were advised that a loophole in the law made it difficult to pursue the owners of one of the properties detailed in Appendix A to the report. Current business rates were now being collected from that particular property.

RESOLVED: That the write-offs detailed in Appendix A of the Financial Services Manager's report be approved.

79. COUNCIL'S ENFORCEMENT POLICY

Consideration was given to a report of the Borough Solicitor requesting that consideration be given to the approval of a generic enforcement policy.

Whilst acknowledging Members' wishes for a zero tolerance policy for those who break the law, the Borough Solicitor drew attention to paragraph 2.2 of the Policy which detailed the aims of enforcement action.

RESOLVED: That, following minor amendments, approval be given to the generic enforcement policy set out in Appendix A to the report of the Borough Solicitor.

80. ENVIRONMENTAL HEALTH ENFORCEMENT POLICY

Consideration was given to a cross reference from the Community and Environment Board meeting held on 3 March 2008.

RESOLVED: That:

- a) the Revised Environmental Health Enforcement Policy be approved: and
- b) a further report be made to the Board at the conclusion of a consultation exercise should this be necessary.

The meeting ended at 6.26 pm

**PART II MINUTES OF THE COMMUNITY AND ENVIRONMENT BOARD
HELD ON 3 MARCH 2008**

49. PROJECT INTEGRA ANNUAL ACTION PLAN REVIEW 2008-2013

Consideration was given to a report of the Environmental Services Manager which sought approval for the adoption of the Project Integra Annual Action Plan 2008-2013 for the Partnership. Approval was sought in accordance with the current and revised Constitution.

In answer to a Member's question, it was confirmed that the weight of glass deposited in domestic bins was not known. Whilst it was acknowledged that glass was a heavy item and that percentages for waste disposal and recycling were based on tonnage, it was considered more beneficial to achieve a Borough wide recycling collection before looking into the introduction of a kerbside glass collection. It was hoped that a recycling collection for St Georges Barracks and Clarence Yard would be introduced this month. However, higher recycling rates would need to be achieved to reach the 40% target for 2010.

It was confirmed that the income from green recycling was achieved through the sale of the green bags which were priced at £1.30 each or 95p for Old Age Pensioners.

RESOLVED: That approval be given to the Draft Project Integra Annual Action Plan 2008-2013.

50. ENVIRONMENTAL HEALTH ENFORCEMENT POLICY

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

Consideration was given to a report of the Environmental Services Manager which advised Members that on 17 December 2007 the Government published the Regulator's Compliance Code under section 22(1) of the Legislative and Regulatory Reform Act 2006. Local authorities were required to approve compliant enforcement policies by April 2008. Delays in publishing the code meant that it would not be possible to consult on the content of the Environmental Health Enforcement Policy in time. Consultation would therefore take place once the new policy was approved and a further report would be made in due course.

Members expressed concern that Council Officers should be subjected to abuse or attack during the course of their duties. It was suggested that the Policy should indicate what action would be taken against those issuing threats of any kind. Members were advised that a generic Enforcement Policy was being brought to the Policy and Organisation Board. This could be amended to

include an indication of the action that would be taken against members of the public who threaten Enforcement Officers.

It was also pointed out that the Council kept a list of those people who posed a risk to staff visiting their properties, allowing appropriate arrangements to be made for Enforcement Officers to be accompanied by the Police if trouble was expected during a particular visit.

Members stated that it would have been more appropriate if the consultation period had taken place before they were asked to approve the Policy but they understood that this was due to the delay in the publication of the Regulator's Compliance Code. Provided that a report was brought back to the Board, should changes need to be made to the Policy as a result of the consultation exercise, they were prepared to agree the Policy as presented.

RESOLVED: That:

- i. the Revised Environmental Health Enforcement Policy be approved;
- ii. the recommendation be referred to the Policy and Organisation Board; and
- iii. a further report be made to the Board at the conclusion of a consultation exercise should this be necessary.

51. LEASE OF LAND AND PAVILION TO BRIDGEMARY BOWLING CLUB

Consideration was given to a report of the Development Services Manager that sought Board approval for the termination and re-grant of a lease of land and buildings in Bridgemary Avenue to Bridgemary Bowling Club on the terms outlined in the report.

In answer to a Member's question, it was confirmed that the revised rent of £4,600 per annum had yet to be agreed with the Club. However, the rent was in line with that paid by Clubs of a similar size and status locally.

Members also expressed the desire to see the Club encourage young players to take part in the sport of bowling.

RESOLVED: That:

- i. the Head of Property Services be authorised to agree terms with Bridgemary Bowling Club to enter into a new lease subject to the Club first obtaining Planning Permission for the erection of a store;
- ii. 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; and
- iii. authorisation be sought from the Policy and Organisation Board to this recommendation.

52. CAR PARKING CHARGES

Consideration was given to a report of the Borough Solicitor requesting the Board to consider the evidence obtained by the Overview and Scrutiny Committee regarding car parking charges in the Borough.

The Chairman of the Overview and Scrutiny Committee advised that the report did not attempt to make a recommendation to the Board but had endeavoured to gather evidence on the effects of car parking charges in the Borough. Invitations had been extended to residents' and traders' representatives as well as fellow Members to present evidence to the Committee.

The Recommendations of the report were that:-

- full cognisance of the evidential findings of the Committee be taken;
- in considering the existing charging regime or in making any alterations to the existing charging regime in the Borough's car parks, the Board would give full regard to the evidence presented by the Overview and Scrutiny Committee as well as the implications to the Borough Council's finances;
- the advice of officers regarding the best utilisation of income streams be noted;
- the Overview and Scrutiny Committee's concern over the lack of parity in charging between short stay car parks in Lee-on-the-Solent be noted; and
- the conclusion of the Overview and Scrutiny Committee that car parking charges were only one of many factors that influence shoppers be noted.

Members debated the contents of the report and the appendices therein and agreed to note their contents.

RESOLVED: That the report of the Borough Solicitor on Car Parking Charges be noted.

The meeting commenced at 6.00 pm and concluded at 7.00 pm

**PART II MINUTES OF THE HOUSING BOARD
HELD ON 5 MARCH 2008**

47 HOUSING REPAIRS PROGRAMME 2008-09

The Board considered the report of the Housing Services Manager setting out the proposed 2008-09 Housing Repairs Programme and seeking the Board's approval for this programme.

Members were advised of two minor changes to Appendix B in the report resulting from 'Right to Buy' arrangements.

RESOLVED: That

- (i) the proposed 2008-09 Housing Repairs Programme be approved; and
- (ii) officers follow the principles (approved at the Housing Board meeting of March 2005) as detailed below:
 - (a) Officers be required to seek Board approval to vary the Housing Repairs Programme where work within an identified element of the approved Housing Repairs Programme cannot take place;
 - (b) Where urgent works are identified after approval of the Housing Repairs Programme for which there is no identified provision, officers in consultation with the Chairman of the Housing Board, be permitted to vary the programme for works up to £60,000;
 - (c) Where urgent works are identified after approval of the Housing Repairs Programme for which there is no identified provision, officers in consultation with the Chair and Group Spokespersons be permitted to vary the programme for works between £60,000 and £100,000;
 - (d) Officers be required to seek Board approval to vary the approved Housing Repairs Programme where urgent works are identified after approval of the programme, for which there is no identified provision and the value of these works exceeds £100,000;
 - (e) Officers be required to seek Board approval where work within an identified element of the approved Housing Repairs Programme is going to under- or over-spend by more than £100,000;
 - (f) Members be informed of significant variations to the Programme, as outlined in (a) to (e) above, which are relevant to their Ward.

48 HOUSING RENEWAL POLICY 2008-09

The Board considered the report of the Housing Services Manager. A formally adopted Housing Renewal Policy was required in order to implement changes to the home repair

and adaptation system.

Clarification was given following a Member's question regarding a small area of wording in the report.

RESOLVED: That

- (a) the new draft Housing Renewal Policy for 2008-09 be approved; and
- (b) the Board recommends to the Policy and Organisation Board (meeting 12 March 2008) that the Housing Renewal Policy be formally adopted.

The meeting commenced at 6pm and concluded at 6.05pm.

AGENDA ITEM NO.

Board/Committee:	Council
Date of Meeting:	2 April 2008
Title:	Consideration of an objection to the increase in Hackney Carriage and Private Hire fees
Author:	Environmental Services Manager
Status:	FOR RECOMMENDATION.

Purpose

The report brings to the attention of the Council an objection to the proposed increase in fees for Hackney Carriage and Private Hire licences. The report seeks either confirmation of these increases or amendment of the proposed fees as a result of further consideration by the Council. The proposed fee increase amended or not cannot be implemented until such time as this matter is considered and an implementation date agreed by the Council. Consideration of the objection to the Hackney Carriage and Private Hire fee structure at this time will permit implementation of the revised fees amended or not from the 1st April 2008/9.

Recommendation

Full Council is requested to consider the objections of Mr M Poulter to the proposed increase in Hackney Carriage and Private Hire fees and to uphold the revised fees or amend them as necessary.

1 Background

- 1.1 This authority is the licensing authority for Hackney Carriages and Private Hire operations within the Borough. In order to carry out this function the authority is permitted by statute to levy fees for driver's licences, vehicle licences and operator's licences that cover the reasonable cost of administering the licensing system.
- 1.2 The ability to levy and, where necessary, increase fees is subject to statutory provisions contained within the Local Government (Miscellaneous Provisions) Act 1976. The Act requires that licensing authorities advertise in advance any proposed increase in fees in order that objections to the increased fees can be considered by the licensing authority prior to implementation.

2 Report

- 2.1 At their meeting on 6th and 25th February 2007, Council agreed to increases in the council's fee structure. These fees included those levied on Hackney Carriage and Private Hire licences. The proposed increases for the period 2008/9 are as follows:

	2007/8	2008/9	Increase	% increase
Hackney Carriage vehicle	£212.00	£223.00	£11.00	5.19%
Hackney Carriage drivers licence	£75.00	£79.00	£4.00	5.33%
Private Hire Operator	£212.00	£223.00	£11.00	5.19%
Private Hire Vehicle	£212.00	£223.00	£11.00	5.19%
Private Hire Drivers Licence	£75.00	£79.00	£4.00	5.33%
Dual Licence	£103.00	£108.00	£5.00	4.85%
PH/HC duplicate licence	£28.00	£29.00	£1.00	3.57%

- 2.2 The increase in fees was advertised in “The News” on 287th February, Appendix 1 and notification was provided at the Council’s offices in advance of the implementation date (1 April) as required by statute.
- 2.3 As a result of the advertisement an objection has been received from Mr M Poulter who is a licensed Hackney Carriage driver and vehicle operator. Mr Poulter’s objections are that the increase in fees and charges at approximately 5% is above the Consumer Price Index, and that the last increase in fees and charges was implemented only 10 months ago. The objections is attached as Appendix 2.
- 2.4 Mr Poulter has been advised that his objection will be placed before Council and he has been provided with a copy of this report.
- 2.5 Section 70 of the Local Government (Miscellaneous) Provisions Act 1976 requires that where an objection to an increase in the Hackney Carriage or Private Hire Vehicle Licence fees is received and not withdrawn the Council must consider the objection and set a date upon which the revised fees, with or without modification shall come into force. Any proposed increase in fees cannot be implemented

until after such time as the Council has considered the objection.

- 2.6 The increase in fees relating to drivers licences is not subject to this statutory provision, however it would seem reasonable to consider the objection in full.

3 Risk Assessment

- 3.1 The failure to consider the objection to the increase in fees provides grounds for a Judicial Review if the objector is still aggrieved.
- 3.2 The Council has set fees that it considers to be reasonable; an implementation date for the revised fees structure can only be set once the objection received to the increase has been considered.

4 Conclusion

- 4.1 The increase in Hackney Carriage and Private Hire fees was in line with a general increase in fees set by the Council.
- 4.2 Mr Poulter's objection was received within the statutory time scale. The objection must therefore be considered prior to implementation of the revised fees with or without amendment.

- 4.3 Until such time as the Council determines this matter the revised fee structure for Hackney Carriages and Private Hire vehicles cannot be implemented.

- 4.4 Following their consideration of this matter the Council must confirm an implementation date for the revised fee structure within 2 months.

- Financial Services comments:**
- Until such time as this matter is determined the old fee structure must be used resulting in some loss of income.
 - If the increase in fees is not implemented then a reduction in projected Council income will occur.
 - If the objector is still not satisfied with the Council's response in this matter following the Council meeting he may seek a judicial review which may incur further expenditure if defended.

- Legal Services comments:**
- The Local Government (Miscellaneous Provisions) Act 1976 provided licensing authorities with the power to levy fees for the provision of a licensing scheme for Hackney Carriage and Private Hire drivers, vehicles and operators.
 - Section 70 of the Act requires that any increase in the fee structure for vehicles

	<p>or operators licences is subject to publication prior to implementation to provide for objections to the proposed increases to be received.</p> <ul style="list-style-type: none"> • The publication of the revised fee structure must be at least 28 days in advance of any proposed increase. • Any objections received to the increased fees, if not withdrawn must be considered by the licensing authority. Following consideration the licensing authority must confirm the revised fees, modified or not and establish an implementation date. This date must be no later than 2 months after the original date proposed for the implementation of the revised fees.
Service Improvement Plan implications:	The matter does not form part of the SIP.
Corporate Plan:	This matter is not identified in the Corporate Plan however the Council would wish to operate the licensing function at a proper cost.
Risk Assessment:	See above.
Background papers:	Report to the Licensing Board 5 th June 2006 "Review of Hackney Carriage Fare tariff".
Appendices/Enclosures:	
Appendix '1'	Advertisement of increased fees in the News (27.02.08)
Appendix '2'	Letter of objection received from Mr Poulter (25.03.08)
Report author/ Lead Officer:	T Dagens Ext 5516 Principal Environmental Health Officer

Appendix 1

www.portsmouth.co.uk

CONDITIONS OF ACCEPTANCE FOR ADVERTISEMENTS AND ANNOUNCEMENTS

Orders for insertion of advertisements in any titles or websites published by Portsmouth Publishing and Printing Limited ("the publisher") from advertisers or advertising agencies ("the customer") are accepted subject to the following conditions:

- The placing of an order constitutes a warranty from the customer to the publisher:
- (i) That the advertisement is legal, decent, honest and truthful, complying with the British Codes of Advertising and Sales Promotion, with any relevant codes of practice and with the requirements of current legislation; and
- (ii) That the advertisement is not defamatory and does not infringe the copyright moral rights or any other rights of any third party.
- Advertisements appearing on the publisher's websites may contain only hyperlinks or metatags linking to the customer's own website.
- The customer agrees to indemnify the publisher in respect of all costs, claims, damages, or other charges arising directly or indirectly as a result of the publication of the advertisement(s).
- Whilst every endeavour will be made to meet the wishes of the customer, the publisher does not guarantee the publication of any particular advertisement or its publication on any particular date.
- (i) In the event of any error, misprint or omission in the publication of an advertisement or part of an advertisement (however caused) the publisher will either re-publish the advertisement or relevant part of the advertisement as the case may be or make a reasonable refund of or adjustment to the cost, except that no re-publication, refund or adjustment will be made where the error, misprint or omission does not materially detract from the advertisement.
- (ii) In no circumstances shall the total liability of the publisher for any error, misprint or omission exceed (a) the amount of a full refund of any price paid to the publisher for the advertisement in connection with which liability arose or (b) the cost of a further or corrective advertisement of a type and standard reasonably comparable to that in connection with which liability arose.
- (iii) It is the responsibility of the customer to check the first appearance in any series of advertisements and notify the publisher immediately of any errors. The publisher assumes no responsibility for the repetition of errors unless notified by the customer.
- (iv) Save as set out above, the publisher accepts no liability in respect of any loss or damage occasioned directly or indirectly as a result of publication of any advertisement or any loss or damage occasioned directly or indirectly by any total or partial failure (however caused) of publication of any advertisement or of any title or website in which any advertisement is scheduled to appear.
- Every endeavour will be made to forward replies to box numbers to the customer as soon as possible after receipt by the publisher, but the publisher accepts no liability in respect of any loss of damage alleged to have arisen through delay in forwarding or omitting to forward such replies (however caused). The customer authorises the publisher to return to its originator any communication which, in the opinion of the publisher, should not be delivered to the customer.
- The publisher reserves the right to:
- (i) Refuse any advertisement or if already accepted to cancel an order at any time by giving reasonable notice before the next



Public Notices

GOSPORT BOROUGH COUNCIL FEES FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

NOTICE IS HEREBY GIVEN THAT:

1. Gosport Borough Council has resolved to vary the fees charged for all Hackney Carriage and Private Hire Licensing as follows:

	Existing Annual Fee	New Annual Fee
HACKNEY CARRIAGE		
Vehicle Licence	£212.00	£223.00
Driver Licence	£75.00	£79.00
Geography Test	£15.00	£16.00
PRIVATE HIRE		
Operator's Licence	£212.00	£223.00
Vehicle Licence	£212.00	£223.00
Driver Licence	£75.00	£79.00
DUAL DRIVER LICENCE	£103.00	£108.00
Dual Driver Licence Upgrade	£28.00	£29.00

2. A copy of this Notice has been deposited at the Town Hall, where it may be inspected during normal office hours (Monday - Friday, 9.00 am - 5.00 pm) for the period of 28 days from the date of the publication of this Notice.

3. Any objection to the proposed variations should be made, in writing, stating the grounds of objection and submitted to me within 28 days of the date of publication of this Notice.

If no objection to the variations is made within the period specified, or if all objections so made are withdrawn, the new fees shall come into operation on 1 April 2008.

D IAGO
ENVIRONMENTAL SERVICES MANAGER
Town Hall, Gosport
1 March 2008

Take notice

PUBLIC NOTICE

Pearsons Estate Agents are now in receipt of an offer for the sum of £275,000 for 17, MINERVA DRIVE GOSPORT HAMPSHIRE PO12 4GW.

Anyone wishing to place an offer on the property should contact Pearsons Estate Agents, 30, High Street, Gosport, PO12 1DF, telephone: 023 92 513514 before exchange of contracts.

Why

Make sure you know what's your neighbour

Religious Not

EVANGELICAL SERVICE TREASURE IN A VESSEL

Sunday 16 March
2.30 - 3.45pm
&
Monday 17 March
6.45 - 8pm

True Jesus Church, 114 North End Avenue, North End
Portsmouth, PO2 6NH
E-mail: tjgport@btinternet.com
Website: http://uk.tjc.org/portsmouth

JOSEPH CAREY PSYCHIC FOUNDATION

Spiritualist Charity No. 275018

WED 5 MARCH 7.30 p.m.

Evening of Clairvoyance

Featuring

Tony and Pam Agnew, Michael

Togart and Steve Lashley

Buckland Community Centre,

Maline Road, North End

Next Meeting Wed 2 April

CHICHESTER CH
TADELPHIANS,
Guides Hall, Whyke
Chichester, on Su
March 2, "Whose i
image & supers
tion?" For free liter
on Bible subjects
229 Aldwick P
Bognor Regis.

CORNER ST
Christian Fellow
warmly welcomes
Sundays 9.15 - 10.
at Family Church Of

Appendix 2.

Mt. Michael Poulter
18 Berrington Rd.
Gosport
PO12 4RU.

F.A.O
D JAGO
Environmental Services Mgt

COPY

25-03-08

Re: Proposed new fees for Hackney Licenses.

Dear D. Jago,

I would like to object to the proposed new Hackney Licence fees as published in the News on 27-02-08. I would like to object for the following reasons:

- 1) The proposed new fees equate to roughly 5% which is twice the rate of inflation. The inflation rate now calculated from the Consumer Price Index (CPI) as the CPI is used to adjust the effects of inflation to wages, pensions and salaries, I would expect that this should also apply to Licence Fees.
- 2) It is only 10 months since the last increase.
- 3) The cost to administer the said licences cannot be more than 5% above last years fees as staff wages cannot have increased by more than the CPI rate and there are minimal material costs.

m poulter

M. POULTER
PLATE NO: 53
DRIVER NO: 255

ENVIRONMENTAL HEALTH		
RECEIVED 25 MAR 2008		
REFERRED TO:		
FILE REF:	FOR FILING	

2 April 08.

Further information to be considered alongside
objection to proposed fee increases for Hackney
Carriage and Private Hire Vehicles Licences.

Ref: to para 4 section 1 of report sent to me
by T. Dagens 01-04-08;

I cannot agree that
the increase in proposed fees is reasonable
in comparison to other authorities. Listed below
are some examples of fees charged by other
authorities in near proximity to Gosport.

	Existing	Proposed	Notes
Portsmouth u/A	£100	£120	frozen since 1997
Winchester	£196	£212	up 8%
Eastleigh	£172	?	
Havant	£182	£187	up 2.8%
Fareham	£176	£176	frozen for 3 years.

These stats were obtained by searching on
the internet.

If we cannot agree on what is "reasonable"
I shall look into the possibility of a
judicial review.

m A/C

M. POULTER
HACKNEY PLATE 53.