



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 **THIRD DAY** of **OCTOBER 2012** 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 Meeting of the Council held on 3 July 2012 (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, 1 OCTOBER 2012 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, 1 OCTOBER 2012).

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, 2 OCTOBER 2012).

6. Consideration of Part I items by the Boards of the Council:-

BOARD

DATE

Licensing Board

4 September 2012

7. To receive the following Part II minutes of the Boards of the Council:

- Economic Development Board: 19 September 2012
- Policy and Organisation Board: 26 September 2012*

*Minutes to follow

8. Overview and Scrutiny Committee Report
Armed forces community covenant
9. Regeneration of Rowner – Implementation of Compulsory Purchase Powers – Update Report
10. Fees and Charges Report

**IAN LYCETT
CHIEF EXECUTIVE**

**TOWN HALL
GOSPORT**

25 September 2012

FIRE PRECAUTIONS

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

In the event of the fire alarm being activated, please leave the Council Chamber and Public Gallery immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

MEMBERS ARE REQUESTED TO NOTE THAT:

(1) 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

(2) MOBILE PHONES SHOULD BE SWITCHED OFF FOR THE DURATION OF THE MEETING

AGENDA ITEM NO. 6 (i)

REPORT TO: COUNCIL

DATE OF MEETING: 3 OCTOBER 2012

REPORT BY: COUNCILLOR BEAVIS (CHAIRMAN OF THE LICENSING BOARD)

At its meeting on 4 September 2012 the Licensing Board considered a report of the on the following item and made the following recommendation to Full Council.

**REVISED STATEMENT OF PRINCIPLES ISSUED UNDER THE GAMBLING ACT 2005
(APPENDIX LI1)**

RECOMMENDATION: That Council adopt the reviewed Gambling Act Statement of Principles for the issue of licences under the Gambling Act 2005.

APPENDIX 'L1'

AGENDA ITEM NO. 6

Board/Committee:	LICENSING BOARD
Date of Meeting:	4 th September 2012
Title:	REVISED FAREHAM AND GOSPORT STATEMENT OF PRINCIPLES ISSUED UNDER THE GAMBLING ACT 2005
Author:	COMMUNITY AND CUSTOMER SERVICES MANAGER
Status:	FOR DECISION

Purpose

To consider the Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005, which the Council is required to be published every three years, for use in connection with applications/reviews under the Gambling Act 2005 ("Statement of Principles").

Recommendation

That the Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005, which forms part of this report be recommended to the Full Council for adoption for licences and permits issued under the Gambling Act 2005.

1 Background

- 1.1 The Gambling Act 2005 introduced significant changes in the regulation of the Gambling Industry. The majority of these changes fall to a new regulator, the Gambling Commission, to implement. Local Authorities are required to act as the licensing authority in relation to the licensing of premises and the issuing of permits for certain activities, namely -
- casinos
 - betting offices and race tracks
 - bingo premises
 - adult gaming centres
 - family entertainment centres.
- 1.2 The licensing authority will also be responsible for issuing permits for the following activities:
- Gaming machines in alcohol licensed premises, such as pubs
 - Gaming machines for members clubs
 - Gaming in members clubs

- Unlicensed family entertainment centres (i.e. those premises that have machines providing the lowest level of stakes and prizes)
 - Prize gaming.
- 1.3 The Gambling Act 2005 requires licensing authorities, when considering applications to licence premises for gambling activities or when issuing permits, to have regard to their Gambling Act Statement of Principles.
- 1.4 Applicants for premises licences and permits must also have regard to the Gambling Act Statement of Principles when making their applications.
- 1.5 The Gambling Act Statement of Principles must address the three objectives of the Gambling Act which are:
- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - ensuring that gambling is conducted in a fair and open way;
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.6 It is only these objectives stated in the Act that may be addressed by the Gambling Act Statement of Principles.
- 1.7 Local Authorities are required to review their Gambling Act Statement of Principles every three years. The current 3 year period ends on 31st January 2013 and therefore it must be reviewed and re-published before that date.

2 Report

- 2.1 In January 2010, Fareham and Gosport Council's agreed to develop a partnership arrangement in respect of their Environmental Health Sections. Since then work has been carried out to align the services of both Council's where possible and make the best use of the shared resource. In 2013 both Council's Gambling Act Statement of Principles are due for renewal so a Joint Statement of Principles has been prepared to both develop the partnership and promote consistency of approach to enforcement between both of the Council's. However in producing a Joint Statement of Principles each Local Authority's local needs have been recognised.
- 2.2 In accordance with the requirements of the Gambling Act 2005 the second three year review of the Gambling Act Statement of Principles has been completed and the Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005 has been prepared in accordance with guidance provided by the Gambling Commission.
- 2.3 The Reviewed Draft Fareham and Gosport Gambling Act 2005

Statement of Principles was presented to the Licensing and Regulatory Affairs committee at Fareham for consultation prior to a single wider consultation exercise as required by the Act. It has been subject to a mandatory period of public consultation and has been considered by the statutory consultees. The Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005, has been amended to incorporate the outcome of the consultations which are shown in shaded text on pages, 7, 8 and 37 together with updated Appendices A and B at the end of the document. The Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005 is attached as Appendix 1

3 Risk Assessment

- 3.1 The Council is required by statute to review and publish every three years a reviewed Gambling Act Statement of Principles under the Gambling Act 2005. In the absence of such a statement it would not be possible to consider applications for premises licences and permits made under the Act.

4 Conclusion

- 4.1 This Council must adopt the three-yearly reviewed Gambling Act Statement of Principles issued under the Gambling Act 2005 by 2nd January 2013 which will become effective on 31st January 2013.
- 4.2 The reviewed Gambling Act Statement of Principles must be adopted by a meeting of the Full Council.
- 4.3 The Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005 has been prepared for adoption in compliance with guidance issued by the Gambling Commission.
- 4.4 The Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005 final draft has been prepared and is being presented back to both Councils.

Financial Services comments:	None
Legal Services comments:	Contained in the report.
Crime and Disorder:	Addressed by having regard to the first Licensing Objective as set out in Part A Licensing Objectives page 6 paragraph 1 of The Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005
Equality and Diversity:	As part of the review procedure the Reviewed Draft Fareham and Gosport Gambling Act 2005 Statement of Principles was published for 12 weeks public consultation inviting comments, suggestions, and recommendations from all groups in the community.

Service Improvement Plan implications:	None
Corporate Plan:	<p>This report has positive outcomes in :</p> <p><i>Participation</i> – the development of the revised Statement of Principles was influenced by a consultation process</p> <p><i>Partnership</i> - is central to effective gambling control</p> <p><i>People</i> – effective control helps reduce crime and anti-social behaviour.</p>
Risk Assessment:	Included in the report.
Background papers:	Full Council Minutes 25 November 2009 Licensing Board Minutes 6 th June 2012
Appendices/Enclosures:	
Appendix 'A'	The Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005
Report author/ Lead Officer:	Russell Bray, Senior Licensing Officer.

EXTRACT FROM THE MINUTES OF THE
LICENSING BOARD MEETING
4 SEPTEMBER 2012

30. REVISED FAREHAM AND GOSPORT STATEMENT OF PRINCIPLES ISSUED UNDER THE GAMBLING ACT 2005

Consideration was given to a report of the Community and Customer Services Manager requesting that the Licensing Board give consideration to the Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005, which the Council was required to publish every three years, for use in connection with applications/reviews under the Gambling Act 2005 ("Statement of Principles").

The Licensing Officer confirmed to the Board the proposed amendments and provided clarification on the additional paragraph relating to small lotteries.

In answer to a Member's question, the Licensing Officer advised that fixed betting terminals were located in licensed betting shops and were controlled by the Gambling Commission. In the event that there were any issues surrounding such terminals, compliance managers could be consulted.

RESOLVED: That the Revised Fareham and Gosport Statement of Principles issued under the Gambling Act 2005, which forms part of the report of the Community and Customer Service Manager be recommended to the Full Council for adoption for licences and permits issued under the Gambling Act 2005.



FAREHAM BOROUGH
COUNCIL
www.fareham.gov.uk

APPENDIX A



Working in partnership

Fareham and Gosport Environmental Health Partnership

Gambling Act 2005

Statement of Principles

This Statement of Principles will remain
in force from 31st January 2013 until to 30th January 2016

Contents

	Item	Page
Contents		2
Preface		3-5
Part A		
Licensing objectives		6
Introduction to Fareham area		7 -11
Introduction to Gosport area		7 -11
Consultation on Statement of Principles		12-13
Fundamental Principles		13
Responsible authorities and interested parties		14-17
Exchange of information		18
Compliance and Enforcement		18-19
The Borough Councils functions		19
Part B		
Premises licences		20-32
Consideration of applications		20
Conditions on premises licences		20-22
Planning permission and building regulations		22
Other legislation		23
Reviews of premises licences		24-25
Provisional Statements		26
Adult gaming centres		27
Licensed family entertainment centres		28
Tracks		29-30
Casinos		31
Bingo Premises		32
Betting premises		32
Travelling fairs		32
Part C		
Permits / Temporary and Occasional Use Notices		33-36
Unlicensed family entertainment centre gaming machine permits		33
(Alcohol) licensed premises gaming machine permits		33-34
Permits: 3 or more		34
Prize gaming permits		35
Club gaming and club machine permits		35-36
Temporary Use Notices		36
Occasional Use Notices		36
Small Society Lotteries		37
Miscellaneous		38-40
Rights of appeal and judicial review		38
The Council's Delegations		39-40
Appendices		
Appendix A: Summary of gaming machine provisions by premises		41 - 42
Appendix B: Summary of gaming machine categories and entitlements		43

THE BOROUGH COUNCILS

Introduction

Fareham and Gosport Councils have a Corporate Strategy / Plan in place which details each Council's ambition for its area. In order to achieve this there are a number of Corporate Priorities for each Council. In Fareham Environmental Health contributes to the Corporate Priority of ensuring Fareham remains "A Safe and Healthy place to live and work" and also contributes toward "Protecting and enhancing the Environment". In Gosport it contributes toward the Strategic Priority of "Promoting Health and Well Being"

The Environmental Health contribution is made by delivering a range regulatory services which include the administration and issue of licences and permits under the Gambling Act 2005

In January 2010, Fareham and Gosport Council's agreed to develop a partnership arrangement in respect of their Environmental Health Sections. Since then work has been carried out to align the services of both Council's where possible and make the best use of the shared resource. In 2013 both Council's Gambling Act Statement of Principles are due for renewal so a Joint Statement of Principles has been prepared to both develop the partnership and promote consistency of approach to enforcement between both of The Council's. In producing a joint statement, local arrangements have been reflected where necessary

At Fareham Borough Council the Environmental Health Section is within the Regulatory and Democratic Services Department and at Gosport Borough Council is within the Community and Customer Services Unit. The Service is lead by a Shared Head of Environmental Health, the staff at each Council have been authorised to undertake environmental health duties within both Fareham and Gosport's areas.

The aim of this Statement of Principles is to provide clarity as to how the Environmental Health Service intends to help the Council carry out its statutory function and achieve its ambition and priorities by setting out the methods of achieving compliance with the Gambling Act and the criteria that will be considered in exercising those functions.

Throughout this Statement of Principles the term "The Borough Councils" should be read as jointly applying to both Councils Licensing Authority functions i.e. Fareham and Gosport. Where the Statement applies to only one of the Councils, it will be stated which one.

This page does not form part of the Statement of Principles

GAMBLING ACT 2005

SECTION 349

Statement of Principles

The contents of this document are provided as information on the policy and principles of The Borough Councils in carrying out their functions in relation to the regulation of gambling. The document is not a full and authoritative statement of the law or statutory guidance and does not constitute professional or legal advice.

The Statement of Principles as determined by The Borough Councils in respect of their licensing functions in relation to the Gambling Act 2005 for the three year period commencing 31st January 2013 is set out in this document. During the three year period, the document will be kept under regular review and, following a full consultation process, the Borough Councils will make such revisions to it, at such times, as it considers appropriate. Further statements of principles will be published in accordance with legislative requirements, currently every three years thereafter.

Advertising

Before publishing a statement or revision, The Borough Councils will publish a notice of its intention to do so, no less than four weeks before the statement or revision is to be published. The notice will:

- a) specify the date on which the statement or revision is to be published;
- b) specify the date on which the statement or revision will come into effect;
- c) specify the internet address where the statement or revision will be published and the address of the premises at which it may be inspected; and
- d) be published on the Borough Councils websites and in/on one or more of the following places:
 - A local newspaper circulating in the areas covered by the statement;
 - A local newsletter, circular, or similar document circulating in the areas covered by the statement;
 - A public notice board on or near the principal office of each authority;
 - A public notice board on the premises of public libraries in the areas covered by the statement.

Publication

This statement or any subsequent revision of the statement will be published on The Borough Councils websites (www.fareham.gov.uk) and (www.gosport.gov.uk). The statement or any subsequent revision of the statement is also available for inspection at the following locations:

- Fareham Borough Council, Civic Offices, Civic Way Fareham, Hants. PO16 7AZ
- Gosport Borough Council, Town Hall, High Street, Gosport, Hants PO12 1EB

Declaration

In publishing this document, The Borough Councils have had regard to the licensing objectives of the Gambling Act 2005 (the Act), the guidance issued by the Gambling Commission and any responses from those consulted on the policy statement.

The Act introduced a new regulator for commercial gambling, the Gambling Commission, which replaced the Gaming Board of Great Britain. Operators' licences and personal licences are issued and regulated by the Gambling Commission, whilst local authorities are responsible for the issue and regulation of premises licences, and other permits.

The Act places responsibilities on licensing authorities in ways similar to the Licensing Act 2003. There are some interdependencies between the Licensing Act 2003 and the Gambling Act 2005 in terms of the framework for decision making and the procedures that must be followed. However The Borough Councils will take care to ensure that in dealing with applications under the Gambling Act it follows the procedures that the Gambling Act 2005 requires and only take into account issues that are relevant to that Act. Care will be taken not to confuse Gambling Act considerations with those relevant to alcohol licensing or planning.

When using this document, reference should also be made to the Gambling Act 2005, any associated regulations and any guidance and advice issued by the Gambling Commission or the Department of Culture, Media and Sport and information contained on The Borough Councils web sites (www.fareham.gov.uk) and (www.gosport.gov.uk)

PART A

Licensing Objectives

1. In exercising most of the functions under the Gambling Act 2005, The Borough Councils must have regard to the licensing objectives contained in that Act. In particular it must have regard to the licensing objectives when exercising its functions in relation to premises licences, temporary use notices and some permits. The licensing objectives are:
 - preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - ensuring that gambling is conducted in a fair and open way; and
 - protecting children and other vulnerable persons from being harmed or exploited by gambling
2. It should be noted that in considering gambling applications, these objectives are not the same as those in the Licensing Act 2003. In particular, they do not include considerations in relation to public safety or prevention of public nuisance.
3. The Gambling Commission will play a leading role in preventing gambling from being a source of crime. The Borough Councils will also need to consider the location of premises in the context of preventing gambling from being a source of crime or disorder. In this context, disorder means activity that is more serious and disruptive than mere nuisance. In addition, The Borough Councils will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

In ensuring that gambling is conducted in a fair and open way, The Borough Councils have noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section of this document. Also, where appropriate, the Borough Councils will pay attention to the information that is made available to customers using gambling facilities that are regulated by permits.

4. The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling. The Borough Councils will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc. The Borough Councils will also need to consider the location of premises in the context of protecting children and vulnerable persons.

Introduction to Fareham area

5. The Borough of Fareham has a population of 111,600 (Source Office for National Statistics 2011 Census: Population and household estimates for England and Wales).
6. The Borough covers almost thirty square miles of southern Hampshire between Portsmouth and Southampton. With the town of Fareham at its centre, the Borough extends from Portchester in the east, which borders the northern side of Portsmouth harbour, to the River Hamble in the west. From south to north, it reaches from the Solent coastline at Hill Head and extends northwards into rural Hampshire towards Wickham.
7. The Borough has grown rapidly in recent years, with the development of extensive areas of housing, shops and industry.
8. The town centre redevelopment is completed, which consists of shops, leisure facilities, bars and restaurants.
9. The town centre of Fareham is now a flourishing commercial centre and is the Borough's largest single community. However, there are several other important local centres based on former villages. Portchester lies to the east of Fareham town with Stubbington and Hill Head to the south. To the west are Titchfield, Warsash, Park Gate, Locks Heath and Sarisbury, together with the new settlement at Whiteley.

The Borough has a number of premises conducting gambling activities as issued on 9th August 2012 which are set out in the below table:

8 betting offices
1 entertainment centre
239 alcohol licensed premises
30 members' clubs
1 bingo hall

At the time of publication there are no tracks or casinos within the Fareham Borough Council area.

Introduction to Gosport area

10. The Borough of Gosport has a population of 82,600 (Source Office for National Statistics 2011 Census: Population and household estimates for England and Wales) making it one of the smallest but most densely populated council areas in the County. It is also one of the smallest in size situated on a peninsular forming the western side of Portsmouth Harbour and covering approximately 10.6 square miles.
11. The Borough has changed in recent years, with the contraction of military establishments and accommodation and the development of the waterfront areas and industry in the borough.
12. The town centre of Gosport provides the commercial centre whilst there is another significant local commercial centre situated at Lee on the Solent.

The Borough has a number of premises conducting gambling activities as issued on 9th August 2012 which are set out in the below table:

9 betting offices

4 entertainment centres

156 alcohol licensed premises

32 members' clubs

1 bingo hall

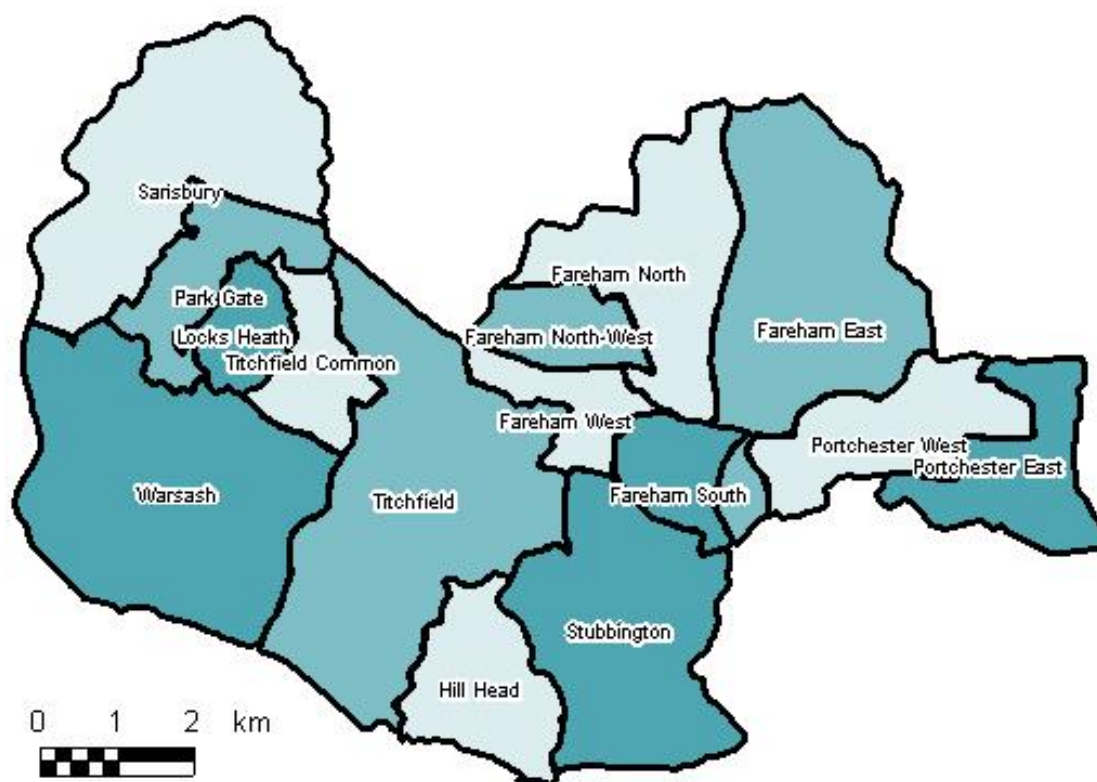
At the time of publication there are no tracks or casinos within the Gosport Borough Council area.

13. The Councils recognise that legal gambling in a fair and open way, with suitable protection for vulnerable persons, is an important part of the districts and contributes to the local economy and attention is drawn to the section 'Fundamental Principles' regarding demand, objections and locations for any application for gambling premises
14. Maps showing the location of Fareham and Gosport Boroughs in relation to the South of England and of the wards within Fareham and Gosport are shown overleaf.

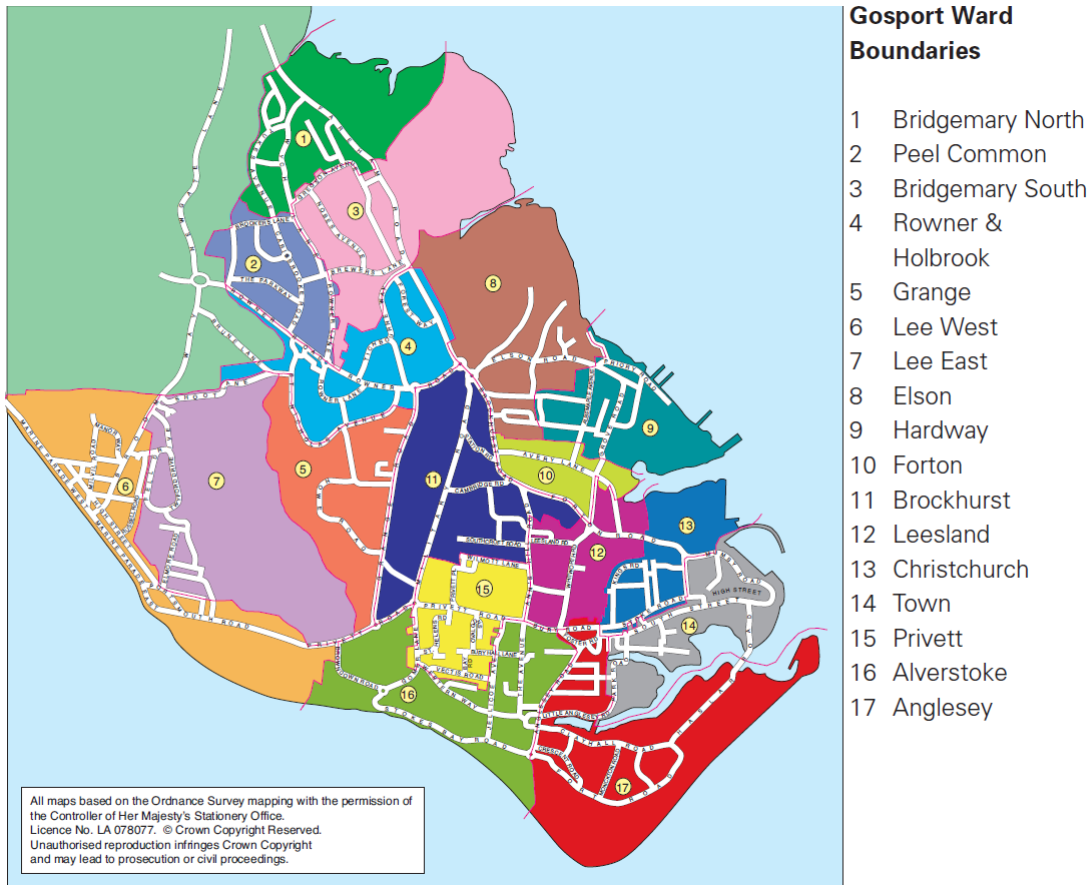
Fareham and Gosport Borough Council Areas



Fareham Borough Council Area



Gosport Borough Council Area



Consultation on the Statement of Principles

15. The Borough Councils consulted the following on this statement:

- The Chief Officer of Police for Hampshire;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the Fareham and Gosport area, namely :-
 - Licensed Premises
 - FBC / GBC website
 - Gaming Machine permit holders
 - Betting Shops
 - Local Solicitors firms
 - Pub Companies
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act, namely :-
 - Trading Standards
 - HM Customs
 - Social Services
 - Hants Child Protection Committee
 - Gamblers Anonymous
 - FBC /GBC website
 - Local Church leaders
 - Local Solicitors firms
 - Gambling Anonymous

16. The Borough Councils will also consult the above for any subsequent revision of the statement

17. In determining its policy, The Borough Councils will always:

- Have regard to the Gambling Commission Guidance to Licensing Authorities
- Give appropriate weight to the views of those it has consulted

18. In determining what weight to give to particular representations on its statement, the factors taken into account will always include:

- Who is making the representation in terms of their expertise or interest;
- What their motivation may be for their views;
- How many other people have expressed the same or similar views;
- How far the representations relate to matters that The Borough Councils should be including in its policy statement

19. It will be for The Borough Councils to ensure they look at the views of

consultees and considers carefully whether they should be taken into account, and to what extent (having regard to the above factors). The Borough Council will always give reasons for the decisions it has made following consultation, details of which can be viewed on:-

- The Fareham Borough Council web-site or by contacting the Licensing Section at Fareham Borough Council Civic Way Fareham PO16 7AZ
 - The Gosport Borough Council web-site or by contacting the Licensing Section at Gosport Borough Council The Town Hall High Street Gosport PO12 1EB
20. Any comments as regards this policy in respect of both Fareham and Gosport's' District should be sent to:

Licensing Officer
Environmental Health Section
Gosport Borough Council
Town Hall,
High Street
Gosport
PO12 1EB

Tel: (023)9258 4242
Fax: (023)9254 5360
Email: ehs@gosport.gov.uk

Fundamental Principles

21. In carrying out their functions, the Borough Councils will regulate gambling in the public interest and will have regard to the guidance issued under section 25 of the Act. With the exception of premises licensing and temporary use notices, The Borough Councils may use their discretion where there are strong and defensible reasons for departing from the guidance, and the Borough Councils considers it right to do so. In any such case the Borough Councils will clearly express and explain their reasons for doing so.
22. This statement of principles does not override the right of any person to make an application under the Act and to have that application considered on its merits. Additionally, this statement of principles does not undermine the right of any person to make representations on an application or to seek a review of a licence where provision has been made for them to do so.
23. The statement of principles will not comment on the need for gambling premises. Unmet demand is not a criterion in considering an application for a premises licence, and each application will be considered on its merits without regard to demand.
24. The location of premises will only be commented on in so far as the location relates to the licensing objectives. The Borough Councils will

consider very carefully applications for premises licences, permits and other authorities in respect of certain gambling premises that are located close to:

- Schools and young persons establishments and places where meeting facilities are provided for you people, on a regular basis, e.g. halls, Church halls.
- Young offenders premises
- Centres established for assisting persons with a gambling addiction
- Vulnerable adult centres and places where meeting facilities are provided for vulnerable adults, on a regular basis, e.g. halls, Church halls
- Residential areas where there are an average or higher concentration of families with children

Each application will be considered on its merits, and will depend to a large extent on the type of gambling that it is proposed will be offered on the premises. If an applicant for a premises licence can show how licensing objective concerns can be overcome, that will be taken into account when reaching a decision on whether or not to grant a licence.

25. Moral objections to gambling will not be a reason to reject an application for premises licences. In rejecting an application, the Borough Councils will rely on reasons that demonstrate that the licensing objectives are not being met.

Responsible Authorities and Interested Parties

26. When dealing with applications for and reviews of premises licences, The Borough Councils are obliged to consider representations from two categories of persons, referred to as “**responsible authorities**” and “**interested parties.**” (It should be noted that these are defined differently to those defined in the Licensing Act 2003). Representations made by persons other than responsible authorities or interested parties will be inadmissible.
27. The Borough Councils will only consider representations that are relevant, which are likely to be those that relate to the licensing objectives, or that raise issues under this statement of principles, or the Commission's guidance or codes of practice (i.e. those matters mentioned in section 153 of the Act).
28. The Borough Councils will examine closely all representations to ensure that they are not frivolous or vexatious, which will include:
- Who is making the representation, and whether there is a history of making representations that are not relevant;
 - Whether it raises a ‘relevant’ issue; or
 - Whether it raises issues specifically to do with the premises that are the subject of the application.
29. “**Responsible authorities**” are public bodies that must be notified of

applications by the applicant. The full list and contact details are contained on the Borough Council's web sites.

30. ***The Borough Councils are required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:***

- ***the need for the body to be responsible for an area covering the whole of The Borough Council's area; and***
- ***the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.***

31. The Borough Councils have designated the Local Safeguarding Childrens Board as the body that is competent to advise the authority about the protection of children, as the Board leads and co-ordinates arrangements for responsive work to protect children via a multi agency approach.

32. The Borough Councils will take care to ensure that the concerns that responsible authorities may have in relation to their own functions are not taken into account if they are not relevant to the application for a premises licence under the Act. The following are examples of representations not likely to be considered relevant:

- that there are already too many gambling premises in the locality (although may be relevant if it points to rising problems in crime, underage gambling or problem gambling);
- that the proposed premises is a fire risk;
- that the location of the premises is likely to lead to traffic congestion;
- that the premises will cause crowds of people to congregate in one area, which will be noisy and a nuisance;

This list is not exhaustive and each case will be decided in the facts.

33. The Borough Councils will be unlikely to turn down an application for a premises licence where relevant objections can be dealt with through the use of conditions attached to the licence.

34. **"Interested parties"** are persons who may make representations. The Borough Councils must be able to take the view that the "interested party":

- lives sufficiently close to the premises to be likely to be affected by the authorised activities; or
- has business interests that might be affected by the authorised activities; or
- represents persons in either of those two groups.

35. Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely

to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation, is sufficient.

36. If interested parties wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Democratic Services of:-
- Fareham Borough Council at Fareham Borough Council Civic Offices Civic Way Fareham. 01329 236100
 - Gosport Borough Council at Gosport Borough Council Town Hall High Street Gosport. 02392 584242
37. ***The address details of Interested Parties making representations will be released to the applicant / licence holder and will also be made public at any hearing. This is necessary to enable the applicant / licence holder to have a fair hearing, particularly in relation to the "sufficiently close to the premises" test.***
38. The Borough Councils will take the following factors into account when determining what is "*sufficiently close to the premises*":
- the size of the premises;
 - the nature of the premises;
 - the distance of the premises from the location of the person making the representation;
 - the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and
 - the nature of the complainant. This will not include the personal character of the complainant, but the interests of the complainant that may be relevant to the distance from the premises.
39. The Borough Councils will take the following factors into account when determining who are "*persons with business interests that could be affected*"
- the size of the premises;
 - the catchment area of the premises i.e. how far persons travel to visit; and
 - whether the person making the representation has business interests in that catchment area that might be affected.
40. The Borough Councils are unlikely to consider arguments from one gambling business making representations that they could be affected by another gambling business expanding into any part of the country. The Borough Councils must be satisfied that the relevant business is likely to

be affected by considering the above factors.

41. The Borough Councils considers the following to be “*persons representing those*” in the above categories:
- Residents and tenants associations,
 - Elected Members acting at the express and unsolicited request of interested parties,
 - Trade unions and trade associations.
42. The above considerations are not exhaustive, and the Borough Councils will have regard to anything an interested party, or persons representing them, say about his or her status to make representations.
43. Admissible and relevant representations should be made in writing to the Council where the premises is situated:-

For the Borough of Fareham

Licensing Officer
Regulatory Services
Fareham Borough Council
Civic Offices
Civic Way
Fareham
PO16 7AZ

For the Borough of Gosport

Licensing Officer
Environmental Health Section
Gosport Borough Council
Town Hall,
High Street
Gosport
PO12 1EB

Exchange of Information

44. The Borough Councils will act in accordance with the relevant legislation and guidance from the Commission and will adopt the principles of better regulation in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling

Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

45. The Borough Councils will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The Borough Councils will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
46. Should any protocols be established as regards information exchange with other bodies then they will be made available on The Borough Councils web-sites www.fareham.gov.uk or www.gosport.gov.uk
47. Arrangements are in place with the Gambling Commission and the Borough Councils as regards information exchange between the Commission and local authorities.

Compliance and Enforcement

48. The main enforcement and compliance role for the Borough Councils will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences it issues, and also the manufacture, supply or repair of gaming machines.
49. The Borough Councils will act in accordance with relevant legislation and guidance from the Commission and adopt the principles of better regulation.
50. The Borough Councils will adopt a risk-based inspection programme, which includes the targeting of high-risk premises which require greater attention, whilst operating a lighter touch in respect of low-risk premises.
51. In determining the level of risk in respect of premises, The Borough Councils will use the following criteria:

All regulatory inspections and enforcement will be in line with the Joint Enforcement Policy, principally:

- proportionate: intervention only when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- accountable: decisions must be justified, and subject to public scrutiny;
- consistent: rules and standards must be joined up and implemented fairly;
- transparent: regulators should be open, and keep regulations simple and user friendly; and
- targeted: focused on the problem, and minimise side effects.

52. The Borough Councils will endeavour to avoid duplication with other regulatory regimes so far as possible.

The Borough Councils Functions

53. The Borough Councils will:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- Issue *Provisional Statements*
- Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue *Club Machine Permits* to *Commercial Clubs*
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines
- Grant *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

54. The Borough Councils will not be involved in licensing remote gambling. This will fall to the Gambling Commission via Operator Licences.

55. Applications can be made at either the Civic Offices Fareham or the Town Hall Gosport irrespective of which Authority, the premises are situated in.

56. Where there are relevant representations in respect of applications or Review requests, the Hearing will be held at the Authority in whose area the premises to which the application relates is situated, at Fareham Borough Council, this will be the Licensing Panel and at Gosport Borough Council, the Licensing Board.

PART B

Premises licences

Consideration of Applications

57. The Borough Councils will aim to permit the use of premises for gambling in so far as it thinks it:
- in accordance with any relevant code of practice under section 34 of the Gambling Act 2005;
 - in accordance with any relevant guidance issued by the Commission under section 25 of the gambling Act 2005;
 - reasonably consistent with the licensing objectives; and
 - in accordance with this statement of licensing policy.
58. The Borough Councils will have no discretion to grant a premises licence in circumstances where that would mean departing from the above.
59. Also see the 'Fundamental Principles' section of this policy.

Conditions on Premises Licences

60. The Borough Councils will not attach conditions that limit the use of premises for gambling except where that is necessary as a result of the requirement to act:
- in accordance with the Gambling Commission guidance, the Gambling Commission codes of practice or this policy statement; or
 - in a way that is reasonably consistent with the licensing objectives
61. The Borough Councils cannot issue conditions on premises licences which:
- make it impossible to comply with an operating licence condition;
 - relate to gaming machine categories, numbers, or methods of operation;
 - require membership of a club or body; and
 - impose conditions in relation to stakes, fees, winnings or prizes.
62. The Borough Councils will take decisions on individual conditions on a case-by-case basis, but against the background of any policy set out in this document or Gambling Commission guidance.
63. The Borough Councils will ensure that any conditions imposed are proportionate to the circumstances which it is seeking to address, and will ensure that any premises licence conditions:
- are relevant to the need to make the proposed building suitable as a gambling facility;
 - are directly related to the premises and the type of licence applied for;

- are fairly and reasonably related to the scale and type of premises;
and
 - are reasonable in all other respects.
64. Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures The Borough Councils will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. The Borough Councils will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.
65. The Borough Councils will also ensure that where category C or above machines are on offer in premises to which children are admitted:
- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults are admitted to the area where these machines are located;
 - access to the area where the machines are located is supervised;
 - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
 - at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
66. These considerations will apply to premises including buildings where multiple premises licences are applicable.
67. The Borough Councils will carefully consider the configuration of buildings in relation to the protection of children, particularly in multi-purpose developments. The Borough Councils will look for measures that:
- prevent children from participating in gambling, or being invited to gamble where this is not permitted by law;
 - prevent children from having accidental access to, or to closely observe, gambling; and
 - ensure entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised.
68. The Borough Councils may require persons operating gambling premises to:
- supervise entrances;
 - segregate gambling areas from non-gambling areas frequented by children;

- supervise gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives

Planning Permission and Building Regulations

69. The Borough Councils recognise that there should be a clear separation of the planning and licensing systems and licensing applications will be viewed independently of planning applications. To achieve this, close liaison will be maintained at Fareham Borough Council, between the Licensing & Regulatory Affairs Committee, Licensing Panel and Development Control Committee and at Gosport Borough Council, between the Licensing Board and the Regulatory Board.
70. Licensing applications are not a re-run of the planning application and should not cut across decisions taken by, Fareham Borough Council's Development Control Committee, or Gosport Borough Council's Regulatory Board, or following appeals against decisions by that respective Committee or Board.
71. Fareham Borough Council's Licensing & Regulatory Affairs Committee and Licensing Panel where appropriate, will provide reports to Fareham Borough Council's Development Control Committee; and Gosport Borough Council's Licensing Board where appropriate, will provide reports to Gosport Borough Council's Regulatory Board. Reports will be similarly provided to and any appropriate review panels on the situation regarding licensed premises in their respective areas including the general impact of gambling on the licensing objectives.
72. The Borough Councils will not take into account matters not related to gambling and the licensing objectives, such as the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal. However, an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed, but may apply for a provisional statement if the building is not yet complete.
73. It will be a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence.

Other Legislation

74. The Borough Councils will not take into account matters not related to gambling and the licensing objectives when considering an application for a premises licence. However, it is for the operator to ensure that premises comply with all other relevant legislation, such as fire safety, food safety and health & safety. It should be noted that the list is not exhaustive, and applicants must ensure that they comply with all other regulatory regimes in respect of their employees and the public.
75. So far as is possible, this statement of principles will avoid duplicating those other regulatory regimes.

Reviews of premises licences

76. The purpose of a review will be to determine whether The Borough Councils should take any action in relation to a licence. If action is justified, The Borough Councils will have the following options:
- revoke the licence;
 - suspend the premises licence for a period not exceeding three months;
 - exclude a default condition imposed by the Secretary of State, or remove or amend such an exclusion; and
 - add, remove or amend a licence condition imposed by The Borough Councils.
77. In determining what action, if any, should be taken following a review, The Borough Councils must have regard to the principles set out in Section 153 of the Act, as well as any relevant representations.
78. A responsible authority, an interested party or the authority itself may make an application for a review. Generally, The Borough Councils must grant the application for a review, but may refuse it if it thinks that the grounds on which the review is sought:
- a. are not relevant to the principles that must be applied by the Borough Councils in accordance with the Commission guidance/codes of practice, this statement of principles or the licensing objectives;
 - b. raise general objections to gambling as an activity, that are likely to be irrelevant to the principles contained in a) above;
 - c. are frivolous;
 - d. are vexatious;
 - e. will certainly not cause The Borough Councils to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence;
 - f. are substantially the same grounds cited in a previous representation of request for review relating to the same premises. The Borough Councils will take into account how much time has passed since the earlier application in reaching a judgement about whether it is reasonable to rely on this as a reason not to review the licence; or
 - g. are substantially the same as representations made at the time the application for a premises licence was considered. As with (f) above, The Borough Councils will take into account how much time has passed since the earlier application in reaching a judgement about whether it is reasonable to rely on this as a reason not to review the licence, but the underlying requirement will be that the licence should not be reviewed on the basis of the same arguments considered on the grant of the premises licence. The Borough Councils will process

applications for review without delay, so that both the applicant for a review and the premises operator know where they stand.

79. The Borough Councils will hold a hearing unless the applicant and any person who has made relevant representations consent to the review being conducted without one.
80. The Borough Councils will, as soon as possible, notify its decision to:
- the licence holder;
 - the applicant for review (if any);
 - the Commission;
 - any person who made representations;
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs.

Provisional Statements

81. The Borough Councils will consider provisional statement applications from persons in respect of premises that:
- are expected to be constructed;
 - are expected to be altered; or
 - are expected to be acquired as a right to occupy.
82. Responsible authorities and interested parties may make representations on applications for provisional statements
83. Once the premises have been constructed, altered or acquired, the holder of a provisional statement can return to the Borough Councils and put in an application for the necessary premises licence.
84. If a provisional statement has been granted, the Borough Councils is constrained in the matters it can consider when an application for a premises licence is made subsequently in relation to the same premises:
- no further representations from relevant authorities or interested parties will be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances.
85. The Borough Councils may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- a) which could not have been raised by objectors at the provisional licence stage; or
 - b) which in The Borough Council's opinion reflect a change in the operator's circumstances.

- c) where the premises have not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and The Borough Councils shall discuss any concerns they have with the applicant before making a decision.

Adult Gaming Centres

86. The Borough Councils will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.
87. The Borough Councils will expect applicants to offer their own measures to meet the licensing objectives; however, appropriate measures / licence conditions may cover issues such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-barring schemes
 - ***Provision of information leaflets / helpline numbers for gambling addiction organisations such as GamCare and debt advice organizations such as CAB, Credit Action***
88. This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Licensed Family Entertainment Centres

89. The Borough Councils will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.
90. The Borough Councils will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:
- CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage

- Specific opening hours
- Self-barring schemes
- ***Provision of information leaflets / helpline numbers for gambling addiction organisations such as GamCare and debt advice organizations such as CAB, Credit Action***
- Measures / training for staff on how to deal with suspected truant schoolchildren on the premises.

91. This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
92. The Borough Councils will refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The Borough Councils will also make themselves aware of any mandatory or default conditions on these premises licences when published.

Tracks

93. Tracks are sites (including horse racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity at tracks.
94. There are no tracks within either Fareham or Gosport Borough Council's area. However, the following are issues that would need to be considered should an application be received.
95. The Borough Councils are aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The Borough Councils will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
96. The Borough Councils will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
97. The Borough Councils will expect applicants to offer their own measures to meet the licensing objectives; however, appropriate measures / licence conditions may cover issues such as:
 - Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas

- Location of entry
- Notices / signage
- Specific opening hours
- Self-baring schemes
- ***Provision of information leaflets / helpline numbers for gambling addiction organisations such as GamCare and debt advice organizations such as CAB, Credit Action***

98. This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
99. **Gaming machines** - Guidance from the Gambling Commission will be followed as regards where such machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. The Borough Councils will consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track but are not allowed to play other categories of machines.
100. **Betting machines** – The Borough Councils will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. They will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.
101. **Condition on rules being displayed** - The Gambling Commission has advised in its Guidance for local authorities, "...rules should be made available at suitable central locations. The track premises licence holder should make the necessary arrangements to ensure that betting rules are accessible to all customers, regardless of which track they are in. If certain areas are restricted to certain customers (such as different stands within a football ground) then rules could be displayed at various parts of the track. Other measures could be taken to ensure they are made available to the public, such as printing them in the race card or programme. The requirement could also be met by making a copy of the rules available in leaflet form from the main track office, and customers could be given a copy if they request one"
102. **Applications and plans** – The Borough Councils recognise the requirements of the Act for applications for premises. In accordance with the Gambling Commission's guidance to ensure that licensing authorities gain a proper understanding of what they are being asked to license. The Borough Councils will require the application to provide information that

includes detailed plans for the racetrack itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”) and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities. The Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.”

103. The Borough Councils also note that in the Gambling Commission’s view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

Casinos

104. Fareham Borough Council has passed a ‘no casino’ resolution on the basis the factors required to be assessed by the independent Casino Advisory Panel appointed by the Secretary of State were not favourable:

- Type of area
- Social Impact
- Need for regeneration
- Willingness to licence
- Probability of implementation
- Regional and local context
- Community Benefits
- Unique Characteristics

105. This resolution will be reviewed at three yearly intervals or sooner should the criteria warrant a revision of the resolution.

106. Gosport Borough Council has not passed a ‘no casino’ resolution on the basis that the above factors required to be assessed by the independent Casino Advisory Panel appointed by the Secretary of State could be considered not to be unfavourable. This resolution will be reviewed at three yearly intervals or sooner should the criteria warrant a revision of the resolution.

107. **Casinos and competitive bidding** – The Borough Councils are aware that where The Borough Councils area is enabled to grant a Premises Licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a ‘competition’ under Schedule 9 of

the Gambling Act 2005. The Borough Councils will run such a competition in line with any regulations issued under the Gambling Act 2005.

108. **Licence considerations / conditions** - The Gambling Commission has stated that "further guidance will be issued in due course about the particular issues that licensing authorities should take into account in relation to the suitability and layout of casino premises" (Gambling Commission Guidance for local authorities - 17.30) This guidance will be considered by The Borough Councils when it is made available.
109. **Betting machines** - The Borough Councils will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

Bingo Premises

110. The Borough Councils note that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted The Borough Councils will ensure that:
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults are admitted to the area where the machines are located;
 - access to the area where the machines are located is supervised;
 - the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
 - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
111. The Borough Councils are aware that the Gambling Commission has issued guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. The Borough Councils will take this guidance into consideration.

Betting premises

112. **Betting machines** – The Borough Councils will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

Travelling Fairs

113. It will fall to The Borough Councils to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- The Borough Councils will also consider whether the applicant falls within the statutory definition of a travelling fair.
114. It is noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Borough Councils will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

Part C

Permits

Unlicensed Family Entertainment Centre gaming machine permits

115. Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to The Borough Councils for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
116. The Borough Councils need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25.
117. The Borough Councils cannot attach conditions to this type of permit.

Statement of Principles

118. The Borough Councils will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include the following:
- appropriate measures / training for staff as regards suspected truant school children on the premises,
 - measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

119. The Borough Councils will also expect that:

- applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

(Alcohol) Licensed premises gaming machine

120. There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D (See Appendices A and B). The premises merely need to notify The Borough Councils. The Borough Councils can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the Borough Councils, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

Permit: 3 or more machines

121. If a premises wishes to have more than 2 machines, then it needs to apply for a permit and The Borough Councils must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and *“such matters as they think relevant.”* The Borough Councils consider that *“such matters”* will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or being exploited by gambling and will expect the applicant to satisfy The Borough Councils that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures that will satisfy The Borough Councils that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

122. It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such

application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

123. It should be noted that the Borough Councils could decide to grant the application with a smaller number of machines and/or a different category of machines than was applied for. Conditions (other than these) cannot be attached.
124. It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

Prize Gaming Permits

125. In making its decision on an application for this permit The Borough Councils do not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

Statement of Principles

126. The applicant should set out the types of gaming that he or she is intending to offer and should be able to demonstrate:
 - that they understand the limits to stakes and prizes that are set out in Regulations; and
 - that the gaming offered is within the law
 - clear policies that outline the steps to be taken to protect children from harm.
127. It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but The Borough Councils cannot attach conditions. The conditions in the Act are:
 - the limits on participation fees, as set out in regulations, must be complied with;
 - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
 - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
 - participation in the gaming must not entitle the player to take part in any other gambling.

Club Gaming and Club Machines Permits

128. Members' Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set out in the regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D) (See Appendices A and B).
129. Before granting the permit, The Borough Councils will need to satisfy themselves that the premises meet the requirements of a members' club and may grant the permit if the majority of members are over 18.
130. Members' clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally.
131. The Borough Councils may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
 - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - (d) a permit held by the applicant has been cancelled in the previous ten years; or
 - (e) an objection has been lodged by the Commission or the police.
132. There is a 'fast-track' procedure available for premises which hold a Club Premises Certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the police, and the ground upon which an authority can refuse a permit are reduced and the grounds on which an application under the process may be refused are:
- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
 - (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
 - (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

Temporary Use Notices

133. There are a number of statutory limits as regards Temporary Use Notices.

It is noted that it falls to the Borough Councils to decide what constitutes a 'set of premises' where Temporary Use Notices are received relating to the same building / site.

Occasional Use Notices

134. The Borough Councils have very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Borough Councils will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

Small Society Lotteries

135. The Borough Councils will adopt a risk based approach towards their enforcement responsibilities for small society lotteries. The Councils consider that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- submission of incomplete or incorrect returns
- breaches of the limits for small society lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact their Council for further advice.

MISCELLANEOUS

Rights of appeal and judicial review

136. The Borough Councils are aware that its decisions may be subject to an appeal in accordance with the provisions of the Act and judicial review. It also recognises that failure to give reasons for a decision may compel a person to appeal. The Borough Councils will:
- give clear and comprehensive reasons for a rejection of an application where there is a requirement in the Act to do so; and
 - wherever practicable, as best practice, give clear and comprehensive reasons for all decisions connected to its functions under the Act, regardless of whether there is a requirement under the Act to do so.
137. An appeal has to be commenced by the giving of a notice of appeal by the appellant to the local magistrates' court within a period of 21 days beginning with the day on which the appellant was notified by The Borough Councils of the decision to be appealed against.
138. Any person who wishes to pursue an appeal is strongly advised to seek independent professional legal advice from a legal advisor who specialises in the law on gambling.

THE BOROUGH COUNCIL DELEGATIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE (Gosport Borough Council) LICENSING PANEL (Fareham Borough Council)	OFFICERS
Three year licensing policy	✓		
Policy not to permit casinos	✓		
Fee Setting - when appropriate	✓		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		✓	
Application for club gaming/ club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations

			have been withdrawn
MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE (Gosport Borough Council) LICENSING PANEL (Fareham Borough Council)	OFFICERS
Cancellation of club gaming/ club machine permits		✓	
Applications for other permits			✓
Cancellation of licensed premises gaming machine permits			✓
Consideration of temporary use notice			✓
Decision to give a counter notice to a temporary use notice		✓	

Appendix A: Summary of machine provisions by premises

Premises type	Machine category						
	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks occupied by pool betting		Maximum of 4 machines categories B2 to D (except B3A machines)					
Bingo premises		Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4** No limit on category C or D machines					
Adult gaming centre		Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4** No limit on category C or D machines					
Family entertainment centre (with premises licence)		No limit on category C or D machines					
Family entertainment centre (with permit)		No limit on category D machines					
Clubs or miners' welfare institute (with permits)		Maximum of 3 machines in categories B3A or B4 to D*					
Qualifying alcohol-licensed premises		1 or 2 machines of category C or D automatic upon notification					
Qualifying alcohol-licensed premises (with gaming machine permit)		Number of category C-D machines as specified on permit					
Travelling fair		No limit on category D machines					

* It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

** Adult gaming centre and bingo premises are entitled to make available a number of Category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises. Premises in existence before 13 July 2011 are entitled to make available four (adult gaming centre premises) or eight (bingo premises) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Adult gaming centre premises and bingo premises licences granted on or after 13 July 2011 but before 1 April 2014 are entitled to a maximum of four or eight category B gaming machines or 20% of the total number of gaming machines, whichever is the greater; from 1 April 2014 these premises will be entitled to 20% of the total number of gaming machines only. But not B3A machines.

Appendix B: Summary of gaming machine categories and entitlements

Category of machine			Maximum stake (from July 2011)	Maximum prize (from July 2011)
A	No category A gaming machines are currently permitted			
B1			£2	£4,000
B2			£100 (in multiples of £10)	£500
B3A			£1	£500
B3			£2	£500
B4			£1	£250
C			£1	£70
D - non-money prize (other than a crane grab machine or a coin pusher or penny falls machine)			30p	£8
D – non-money prize (crane grab machine)			£1	£50
D -money prize (other than a coin pusher or penny falls machine)			10p	£5
D - combined money and non-money prize (other than a coin pusher or penny falls machine)			10p	£8 (of which no more than £5 may be a money prize)
D - combined money and non-money prize (coin pusher or penny falls machine)			10p	£15 (of which no more than £8 may be a money prize)

**A MEETING OF THE ECONOMIC DEVELOPMENT BOARD
WAS HELD ON 19 SEPTEMBER 2012**

Subject to Approval

The Mayor (Dickson) (ex-officio); Chairman of the Policy and Organisation Board (Councillor Hook) (P), Councillors Allen Chegwyn (P), Edgar (P), Forder (P), Geddes (P) Mrs Hook (P), Lane (P), Langdon (P), Philpott and Mrs Searle (P).

It was noted that in accordance with standing orders Councillor Hook had been nominated to replace Councillor Allen for this meeting.

PART II

20. REVIEW OF STATEMENT OF COMMUNITY INVOLVEMENT

Consideration was given to a report of the Borough Solicitor and Deputy Chief Executive, detailing the Statement of Community Involvement following a period of consultation on a draft Statement of Community Involvement.

In answer to a Member's question the Board was advised that applicants were encouraged to consult with the wider community following any alterations to pre-application proposals before the submission of a planning application.

A Member advised that they had noted that Network Rail was a statutory consultee for proposals, but that local bus companies were not.

The Board was advised that bus companies were covered under bodies which represent the interests of persons carrying out business in the Borough and had not been specifically named as they were liable to ownership changes. It was clarified that consultation with bus companies had previously taken place on the draft Core Strategy and consultation would continue to take place with such companies on the forthcoming local plan.

It was proposed and agreed that Appendix A of the report be revised to reflect the importance of travel providers in the Borough to read bodies which represent the interests of persons carrying out business including transport providers in the Borough.

RESOLVED: That

- a) the Statement of Community Involvement as set out in Appendix B of the report of the Borough Solicitor and Deputy Chief Executive be approved; and
- b) the amendment of Appendix A of the Report of the Borough Solicitor to read bodies which represent the interests of persons carrying out business including transport providers in the Borough, be approved.

21. GOSPORT TOWN TEAM & HIGH STREET INNOVATION FUND

Consideration was given to the report of the Chief Executive updating Members on the establishment of a Gosport Town Team. This included progress to date and advised Members of a grant received from the Government's High Street Innovation Fund and recommending a process for approving the allocation of this grant in partnership with the newly formed Gosport Town Team.

Members were advised that a meeting of the Town Team had taken place on Tuesday, 18th September and that the Terms of reference had been agreed. In addition, the voting representatives had been agreed to ensure fair representation.

In answer to a Member's question, the Board were advised that the £100,000 funding had been awarded to address empty units in the High Street, North Cross Street, and the shopping precinct, but that the Town Team stretched wider and was open all interested parties.

A Member requested the figures be made available of the number of total units in the High Street and surrounding area and the amount of Units that were currently vacant or under offer.

Members debated the number of properties vacant in Gosport High Street and how it compared to other High Street areas.

The Board was advised that there had been approximately 25 people at the Town Team meeting and that 7/8 of these were High Street Traders.

A Member expressed concern that only a few High Street traders had attended, the Board were advised that there had been a cross representation from traders and the public and that it was felt this was a good mix to move the High Street forward,

Members were advised that the meetings of the Town Team were intentionally held on a Tuesday to make it more convenient for market traders to attend. Members were advised that Principal Environmental Health Officer was now responsible for the management of the Market.

Members queried whether concessions could be made to allow Market traders to utilise empty units. Members recognised that the market was one of the most successful on the South Coast,

A Member advised that markets had been in decline for 20 years and that Town Centres would always struggle with vacant properties due to the large level of tax charges on them. This was contrary to large out of town units that paid less.

A Member questioned whether a similar scheme to Fareham could be operated in that a unit had been let – rent free - and a collaboration of businesses for the wedding market had moved in.

Members recognised it was difficult to attract larger branded stores because of the potential customer base and that focus should be given to independent shops. Members recognised that Gosport compared favourably to other high streets as it only had 10% of units vacant compared to a national figure of 25%.

Members recognised that it was a significant task to regenerate the High Street and that the Town Team would help staff to identify where the £100,000 award would be best used.

Members requested further information on the landlords of the vacant units.

RESOLVED: That;

1. the Board noted the report and confirmed their support for the newly established Gosport Town Team; and
2. the process for allocation of the High Street Innovation Fund grant, as detailed at Paragraphs 3.2 to 3.6 of the report of Chief Executive be approved.

22. ANY OTHER BUSINESS

The Chairman advised that he should Members of the Board wish to contact him he would not be available to answer enquiries as swiftly as normal in October.

GOSPORT BOROUGH COUNCIL

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE TO COUNCIL

DATE: 18 SEPTEMBER 2012

TITLE: ARMED FORCES COMMUNITY COVENANT

AUTHOR: ARMED FORCES COVENANT SCRUTINY WORKING GROUP

1. PURPOSE

- 1.1 A light touch scrutiny has been carried out into the background and aims of an Armed Forces Community Covenant, and whether Gosport Borough Council is meeting its commitments, and if not, what short comings need to be addressed in order to comply.

2. BACKGROUND

- 2.1 A Sub Group was formed of volunteers from the Overview and Scrutiny Committee, it comprised:
Councillor Derek Kimber (DK)
Councillor Tony Jessop (TJ)
Councillor Keith Farr (KF)
- 2.2 Prior to the first meeting on 1st August 2012 DK received a briefing from Mandy Baggaley (MB) Principle Policy Officer, on the background to Hampshire County Council (HCC) commitment to a civilian Military Covenant. MB also provided most of the background papers that the Working Group used during their scrutiny.
- 2.3 DK also received a brief from County Councillor Keith Mans (HCC Armed Forces Champion) and also from Ian Parker, Lead Officer for the HCC Community Covenant, who gave further information on the Counties aspirations for their Covenant.
- 2.4 The information pack is available on the Gosport Borough Council website.

3. MEETINGS

- 3.1 A total of 4 meetings of the sub group were held with Mrs. Carly Walters of Democratic Services, acting as the note taker and additional researcher for the group. It was agreed at the scoping meeting on 1st August 2012 that the group wished to hold discussions with Gosport Voluntary Action (GVA), Citizen's Advice Bureau (CAB) and the Services Resettlement organisations to determine both their role and involvement with service and ex-service personnel.
- 3.2 GVA were interviewed on 5th September 2012 and the HMS Sultan Resettlement Officer on 7th September 2012. CAB provided an email with further information.
- 3.3 The Working Group interviewed Gosport Borough Council's Housing Options Officer on 7th September 2012.
- 3.4 Notes from these meetings are available on the Gosport Borough Council website with some comments absorbed into the body of this report.

4. AIM OF THE SCRUTINY

- 4.1 To review the work carried out by HCC to ensure it meets the aspirations of GBC and to highlight any areas where improvements might be made.
- 4.2 To review how GBC deals with service personnel coming up to retirement and those recently retired, and whether improvements could be made in the way in which the borough gets involved with them.
- 4.3 To confirm that GBC can commit to signing an Armed Forces Community Covenant.
- 4.4 To agree timescales for implementation.

5. REQUIREMENTS FOR COVENANTS

- 5.1 Local Authorities make a voluntary pledge of mutual support between the local civilian community and its local Armed Forces Community. In Gosport's case this would be HMS Sultan specifically and all Armed Forces residents in the Borough generally. The Covenant is intended to complement at local level the Armed Forces Covenant signed by the Government and HCC. The aim of the Community Covenant is to encourage local communities to support Service Communities in their area.
- 5.2 A proposed Covenant is attached at Appendix B.
- 5.3 The Covenant signed by HCC has been supported by the 11 districts of the county but to date none of them has signed their own Covenant. The HCC Covenant whilst intended to commit to all the Armed Forces,

is biased somewhat towards the British Army and particularly 145 Brigade based in the north of the county. One of the benefits of signing the Covenant is that it allows Authorities to bid for funds from a Central Government Grant of £30m (maximum over 4 years) for schemes of benefit to resident service personal.

Funding available from MOD

- 5.4 The Ministry of Defence announced in 2011 that £30 million in grant funding would be available over four years to encourage and support projects which strengthened mutual understanding between the Armed Forces and Civilian communities at a local level.
- 5.5 Grant funding is only eligible to local authorities which have a Community Covenant in place. Under Hampshire's Covenant, bids from all Hampshire authorities are submitted to the Hampshire Covenant Partnership Panel for initial review. Only those endorsed by the Panel can be submitted to the MOD Covenant Team for consideration. Without proper endorsement, the MOD, cannot issue grant funding and a decision will be delayed until proper local authorisation is verified.
- 5.6 All local bids must be reviewed and approved by members of the local Community Covenant Partnership. The Partnership can include signatories to the Pledge as well as other relevant representatives. The full Partnership or a sub-group can be appointed to review local bids for Covenant Grant funding.
- 5.7 If the MOD has any queries or concerns about a bid, it will contact the local Covenant Partnership Grant Panel to act as its liaison with the local grant applicant to clarify information or seek additional information about the bid.
- 5.8 At the very least, the Partnership Grant Panel or sub group would need to convene four times a year to coincide with the Covenant Grant bidding cycle. The Partnership would need to review any local bids for Covenant grant funding, check details, ask for any missing information and pass those that are endorsed onto the MOD for consideration.
- 5.9 The MOD publishes its quarterly deadlines for applications to be received and when the Panel meets for making grant decisions. The HCC panel usually meets four weeks prior to the submission date (see application review schedule below) to sift through all of the Hampshire bids, check details and decide which to endorse.
- 5.10 Successful project funding is usually released to the Covenant's Local Authority and the MOD may require regular financial reporting for audit purposes. The Local Covenant Partnership takes responsibility to ensure the grant is used for its stated purpose, is managed prudently and delivers value for money; a full account of expenditure is to be

maintained.

- 5.11 There is no evidence to suggest that local bids would have more success being funded if endorsed through a Borough Covenant as they would still need to meet the more rigorous grant criteria. However, the increased profile and publicity of a local Covenant may spark more partnership working ideas between local organisations, HMS Sultan, and service charities which could be turned into viable bids.
- 5.12 If a local Covenant were being planned, the timing of the launch may want to take into consideration the cycle for bids submission to avoid confusion for local groups wanting to submit an application and not knowing whether to submit locally or to HCC.
- 5.13 The deadline for submitting applications to the Hampshire Panel for the next bidding round is 2 November 2012. The Panel will convene on 20 November 2012 and endorsed bids will be forwarded to the MOD on 28 November 2012.
- 5.14 MB has asked the MOD Covenant Grants Team about transition arrangements if a Gosport Panel is not set up in time to review any Gosport bids by the November deadline and if local bids can still be submitted to the Hampshire Panel in the interim. A positive response was received from the Armed Forces Covenant Team.
- 5.15 Ongoing liaison between the Hampshire Partnership Panel and a Gosport one would also be beneficial to maximise the value of local projects and the MOD has this clear expectation.

Funding and resources required from GBC

- 5.16 It is difficult to estimate the amount of officer and Member time and resources needed to provide a separate local Covenant Partnership Grants Panel and carry out the responsibilities described for the remainder of the grant fund. There are only two funding rounds left in this current financial year, with four rounds expected for the next two financial years. There has been no announcement of further funding from the MOD.
- 5.17 Because of possible resource shortfalls within the Borough it is anticipated that the majority of bidding for Covenant funding would be conducted through HCC initially, whilst an examination of spare resource is carried out internally.

6. HAMPSHIRE COUNTY ARMED FORCES COMMUNITY COVENANT

- 6.1 At its meeting on 23rd May 2012 the HCC Partnership Board discussed many areas of mutual interest which by association GBC is committed to. These include :

- 6.2 Children's Education:
- a) Troubled Family arrangements and co-location of funds to work in this area; and
 - b) Children and Young Peoples Plan. A plan is being finalised as Service Children have been identified as vulnerable.
- 6.3 Education:
- a) School Funding. The mechanism by which funds are allocated for Service Children are being revised nationally and HCC have indicated that they are opposed to the proposals. It was noted that 153 of Hampshire's 530 schools have received children from service families. In Gosport, 31 schools teach 1158 pupils from service families out of a school population of 10,617 children.
- Although no discussions have been held with Head Teachers from schools in Gosport it appears that in general there seems to have been little problems with their integration.
- b) Reading Force- HCC continues to support this successful scheme.
- 6.4 Economy & Skills:
- a) Employment Fairs have been held and judged to have been successful. A seminar 'Preparing for Self Employment' was to be held on 11th October 2012 and invitations were passed on to local authorities as well as HCC to attend.
 - b) Enterprise Centres: A study has been carried out in North Hampshire to establish what commercial properties might be available for 'Start Up' businesses and whether any pathway exists to support Ex Service Personnel in their endeavours.
- The introduction of an "Enterprise Centre" was considered after a survey of 86 people indicated a preference to setting up their own business of which 41% said they might take advantage of this facility. The introduction of "Enterprise Centres" has also been considered by other authorities such as Southampton, Liss and Fareham. Fareham Borough Council have introduced a Enterprise Centre at premises in Hackett Way Fareham to allow local Service Personnel use of this important resettlement tool.
- 6.5 Health and Wellbeing:
- HCC are aware of some shortcomings in procedures for dealing with service personnel leaving the Armed Forces, and a health sub group is being set up to investigate how best to deal with these anomalies.
- 6.6 It is felt that a dialogue should be started between GBC (a suitable vehicle for this would be the O&S group) and the health sub group, to

confirm progress in this area. The new Clinical Commissioning Group (CCG) should be consulted as to their activities in this area.

- 6.7 Traumatic Stress Disorder:
Traumatic Stress Disorder had been discussed by HCC.
- 6.8 Veteran's Court Diversion Scheme:
A study has been funded to investigate how to divert veterans from the Criminal Justice System on arrest or at court and how to mentor veterans released from Winchester Prison. The system will involve veteran's organisations. It would be interesting to know if RBL/GVA/CAB are involved and could be a subject of later discussions.
- 6.9 Housing:
This is primarily a GBC responsibility, although the HCC partnership board discussed this as an item.
- 6.10 A clear indication of GBC commitments in the E Mail posted by Mr Steve Newton (Head of Allocations) appears on the Gosport Borough Council website.
- 6.11 Mr Newton's interview with the working group can be found at in the notes of the meeting. However it is worth noting here the general arrangement for allocation of points for anyone wishing to be considered for borough housing accommodation:
- Up to 10 points for residents in Gosport;
 - Up to 60 points for local connection;
 - Up to 50 points for residing in Gosport in the last 2 years (including those in military married quarters);
 - Up to 60 points for medical (30 points: medical and 30 points: social);
 - Up to 20 points for in adequate housing; and
 - Up to 5 points for homelessness.
- 6.12 THE ALLOCATION OF THESE POINTS ALWAYS DEPENDS UPON THE INDIVIDUAL CIRCUMSTANCES.
- 6.13 Discussions are taking place within GBC as to how the statutory requirement to Service Personnel wishing to be added to the housing list is introduced and a paper is expected to be presented to the Community Board by January 2013.
- 6.14 Service Personnel in Armed Forces accommodation have three routes for accommodation on leaving the service:
- a) purchase their own property;
 - b) apply to join the Council's housing list; or
 - c) seek private accommodation.

- 6.15 It was highlighted that by applying to join the Council's housing waiting list early gave little advantage because of the time taken to reach a position where an offer can be made. An example was quoted that 15 years ago anyone entering the housing waiting list could expect to be accommodated within 2 years, whereas now they could expect to wait 10 years before reaching the same position. This was caused primarily by the reduction in Council and housing association properties for rent in the intervening period.
- 6.16 Service Personnel are advised that often their best route to securing accommodation was down the shared ownership route. This was because having a lump sum available on discharge from the Service, they were in a good position to enter into this form of house purchase.
- 6.17 It was also highlighted that GBC housing personnel are active in giving advice at external seminars and courses to personnel leaving the service.
- 6.18 The HCC report of the meeting closes with three questions which might act as an aide –memoir for GBC Councillors:
1. How do we in civilian services go about linking with the Mental Health teams in each of the Armed Forces?
 2. How can we ensure immediately prior to discharge that every Service Person has registered with a GP?
 3. The Early discharge group has been identified as vulnerable people in the transition process, how can each of the three Services identify those people being discharged to Hampshire (and Gosport) and pass this information to HCC Adult Services?

7. SERVICE PEOPLE LIVING IN GOSPORT

- 7.1 Married Quarter Accommodation in Gosport and Fareham: In January 2012 there were 817 Service Family Accommodation (SFA) units in Gosport (of which 41 were void). Council Tax records indicate that we had 1028 properties including Barracks.
- 7.2 The Void properties are planned as part of the MOD accommodation policy.
- 7.3 In Fareham there are 491 SFA properties of which 85 are void, 60 of which are undergoing major improvements.
- 7.4 The number of service personnel living in Gosport is 2,190 (*taken from TSP 10 UK Regular Forces Distribution Across UK, Section 3 England, Table 3.8 South East MOD Personnel as of 1st January 2012*).

8. WORKING WITH VOLUNTARY ORGANISATIONS

Gosport Voluntary Action (GVA)

- 8.1 The Working Group met with GVA on 5th September 2012 (minutes of the meeting are available on the Gosport Borough Council Website).
- 8.2 The Chief Executive explained that they did not keep records of whether people they dealt with, or volunteers, were from the military. However he did note that GVA got involved with military families through their children's nurseries. The Chief Executive explained that contact with military personnel tended to be through other means i.e. international women's day and then not because they were in the military.
- 8.3 The Chief Executive thought that a way to improve their service for military personnel might be to ask if people were in the military.
- 8.4 The Chief Executive thought that an Armed Forces Access Group could be a good development from the covenant.
- 8.5 The Chief Executive advised that Gosport still used the Voluntary Sector Compact and noted that it was still very productive.
- 8.6 The Chief Executive thought that the Covenant was a good idea for Gosport as it gave focus for those involved and a target for partnership working.

Citizens Advice Bureau (CAB)

- 8.7 The Working Group received an email from CAB regarding their involvement with military personnel. CAB indicated that a brief inspection of their records shows that 68 of their clients were from Service Personnel this year. Because of their workload more detailed analysis would not be practical but they are keen to be involved in the Covenant and to sign if required.

9. ABOUT SERVICE RESETTLEMENT

- 9.1 The Armed Forces are well served by their resettlement organisations. A scrutiny of the Internet revealed several sites to which Service people are directed during their transition to civilian life.
- 9.2 A Career Transition Partnership (CTP) exists with Right Management to advise on a plethora of subjects including on line Resettlement Guides. These include:
 - Approaching the Job Market;
 - Association & Professional Bodies;
 - Benefits;
 - Charities: Army Benevolent Fund, Royal British Legion, Forces Pension Society, RAF Association, SSAFA, Veterans Agency and White Ensign Association;
 - Employment;

- Finance;
 - Health & Education: clients are directed to Local Council websites;
 - Housing: Housing Briefs are given 9 months prior to leaving if required;
 - Explanation of Council Tax;
 - Interviewing & Negotiating;
 - Manage your Career;
 - Professional Network & Social Media; and
 - Pensions.
- 9.3 Resettlement Courses and Workshops are also arranged to advise personnel on many retirement issues.
- Education Resettlement Officer of HMS Sultan**
- 9.4 The Working Group interviewed the Education Resettlement Officer (ERO) of HMS Sultan on 7th September 2012 (minutes of this meeting are available on the Gosport Borough Council website).
- 9.5 Only part of the ERO's role was resettlement. She also was responsible for advice on elective learning, learning difficulties, basic skills support and Learn Direct (E Learning).
- 9.6 The ERO explained her role in resettlement of Service Personnel who generally fell into three categories:
- a) Early leavers – those personnel who have not entered an active naval career;
 - b) Service between 4 – 6 years; and
 - c) Long term Service Personnel.
- 9.7 Each of these groups received a separate resettlement package with the most comprehensive being provided for those who had served the longest. Packages b and c received some financial allowance including an Education Learning Contribution (ELC) and all received contribution towards their costs from the resettlement organisation.
- 9.8 Service Personnel had access to many resettlement aids both online and through organisations contracted to provide this service. The ERO highlighted some of the organisations available to them:
- Career Transition Partnership (CTP);
 - Royal Naval Association;
 - White Ensign Association;
 - Royal British Legion;
 - Royal Naval Reserves;
 - Regular Forces Employment Association;
 - The Officers Association; and
 - British Forces Resettlement Association.

- 9.9 Additionally personnel leaving the service have access to several publications produced to seek skills of particular kinds, such as engineering.
- 9.10 Personnel were given a suggested timeline for resettlement planning and were encouraged to review this regularly.
- 9.11 The ERO was not aware of any information given to service personnel on local services such as Borough Councillors or medical facilities during their leaving routines, but was unsure whether naval welfare would deal with this in their remit.
- 9.12 After leaving the service, personnel continue to have available to them the services of CTP for up to 2 years and can use their ELC for up to 10 years post discharge.

10. TIMESCALE FOR SIGNING COVENANT

- 10.1 7th September: Working Group complete interviews and agree final draft of document for typing.

10th September: Document dispatch to O & S.

18th September: O & S approval of report.

3rd October: Council Approval of Report and Deed of Covenant.

11th November: Signing of the Covenant at Remembrance Parade Ann's Hill.

11. CONCLUSIONS

- 11.1 Resettlement for Service Personnel is a mature procedure that has adapted well to the changing circumstances that military persons find themselves in on conclusion of their Armed Forces career. If any criticism were to be made, it would be to highlight the lack of information given about local conditions such as the role of Local Councils and availability of local voluntary services, where it is assumed that Service Personnel will 'self-help' as required. This is an area where Gosport may be able to have an input to a service discharge routine in the future.
- 11.2 The services provided within Gosport Borough Council adequately support Military Personnel when they enquire and is thus fit for purpose in agreeing to commit to an Armed Forces Community Covenant.
- 11.3 HCC have worked hard to ensure that the Armed Forces Covenant agreed by the 11 Boroughs meets the requirement in almost all areas and has satisfactorily highlighted areas of concern where more work

needs to be done and the method by which solutions could be achieved. This is particularly the case in mental health rehabilitation where a sub group has been set up. By signing our own Covenant and being aware of our resource limitations HCC will continue to be our major partner in this exciting venture, but a locally based covenant could concentrate efforts within Gosport to focus efforts for funding and other activities.

12. RECOMMENDATION TO COUNCIL

- 12.1 Council approve the creation of a Armed Forces Community Covenant document and that the Commanding Officer of HMS Sultan for the Armed Forces, Chief Executive and the Mayor of Gosport Borough Council, Gosport Voluntary Action's Chief Executive and a representative of Gosport Citizen's Advice Bureau be asked to sign this document at a ceremony to be conducted during the Remembrance Day service at Ann's Hill on 11th November 2012.

ACKNOWLEDGEMENTS

The Overview and Scrutiny Committee would like to express their thanks to all who contributed voluntarily with this investigation including:

HMS Sultan
Gosport Voluntary Action
Citizens Advice Bureau
Hampshire County Council

Supporting Information

Financial implications:

Legal implications: None

Risk Assessment:

Background papers: Notes of Working Group minutes available on the Gosport Borough Council website.

Enclosures/Appendices: Appendix 'A': Notes of the meeting of the Overview and Scrutiny Committee – 18 September 2012

Appendix 'B': Armed Forces Community Covenant

Contact name & tel. no. Armed Forces Covenant Scrutiny Working Group
Councillor Kimber: 02392 55 2151

EXTRACT OF THE MINUTES OF THE
OVERVIEW AND SCRUTINY COMMITTEE MEETING 18 SEPTEMBER
2012

16. REPORTS TO BE RECEIVED

i) ARMED FORCES COVENANT

Consideration was given to a report by the Armed Forces Covenant Working Group which sought to advise the Committee on Armed Forces Community Covenants and seek approval for the report to be taken to the next Full Council meeting.

Councillor Kimber, as a member of the Working Group, summarised the 'light touch' scrutiny undertaken. He advised that the report was not as complete as the Working Group would have liked. He explained that they had based a proportion of their research on the reports and minutes from the Hampshire Civilian Military Partnership Board, although the Working Group was unable to publish these documents as they were not public documents. However Councillor Kimber did note that the findings from the Partnership were detailed in the Working Group's report.

Councillor Kimber advised the Committee that the Working Group had spoken to local voluntary organisations, Gosport Voluntary Action and Gosport's Citizen Advice Bureau; the Resettlement Officer for HMS Sultan; and the Housing Options Officer from Gosport Borough Council (GBC), as detailed in the report.

Councillor Kimber noted that the report was recommended for approval by Council, with the intention of Council approving the creation of an Armed Forces Community Covenant.

A Councillor asked whether there would be an opportunity to bid for extra funding. Councillor Kimber advised the Committee that the Council could seek funding straight from the Ministry of Defence (MOD). However that would require resources that GBC did not have. Therefore the Working Group suggested in its report that funding be sought through the Hampshire County Covenant, of which GBC were part of.

Councillor Farr congratulated Councillor Kimber on his work on the Armed Forces Covenant.

A Councillor questioned the statement made in annex 1, page 1/5 where it stated that resourcing bids had cost HCC more than the funding. Councillor Kimber advised the Committee that resourcing bids was expensive, hence the reports suggestion that GBC did not seek its own funding, especially as there was no guarantee that a bid would be approved by the MOD.

Councillor Kimber advised the Committee that there was only 2 years left of funding opportunities.

Following a question from a Councillor, Councillor Kimber advised the Committee that the housing points detailed in the report were the same for everyone.

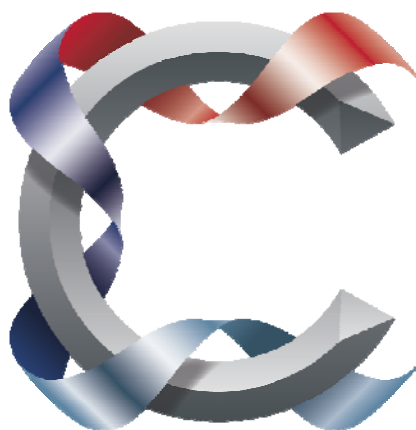
A Councillor highlighted the issue that some military personnel leave the Armed Forces with problems, including mental health issues, however the community they resettle in were not advised. This created problems for both the individual and the community. The Councillor asked whether that had been considered. Councillor Kimber advised that HCC were aware of this and had created a Mental Health Working Group to further investigate the issue. The Working Group had also highlighted it as a problem in their report.

A Councillor noted the good work being done by HCC in supporting service children.

A Councillor asked whether there was a bias towards one section of the Armed Forces over another in the bidding for funding from the MOD? Councillor Kimber replied that he had not found evidence of that, but did feel that the HCC covenant was bias towards the Army and felt that Gosport had a special relationship with the Royal Navy which should be recognised by a Gosport Armed Forces Community Covenant.

The Chairman thanked the Working Group for their hard work and informative report. The Committee agreed that the report be recommended for approval by Council.

RESOLVED: That the report be recommended for approval by Council.



Community Covenant

AN ARMED FORCES COMMUNITY COVENANT

BETWEEN

GOSPORT BOROUGH COUNCIL

REPRESENTATIVES OF THE VOLUNTARY SECTORS

AND

THE ARMED FORCES COMMUNITY IN GOSPORT

THE ARMED FORCES COMMUNITY COVENANT FOR GOSPORT

**We, the undersigned, agree to work and act together to
honour the Armed Forces Community Covenant.**

Signatories

Signed:

Name:

Position Held: Commanding Officer for HMS
Sultan

**Signed on behalf of the Armed Forces
Community in Gosport**

Signed:

Name:

Position Held: Chief Executive

**Signed on behalf of Gosport Borough
Council**

Signed:

Name:

Position Held: The Mayor

**Signed on behalf of Gosport Borough
Council**

Signed:

Name:

Position Held: Chief Executive of Gosport
Voluntary Action

**Signed on behalf of the Voluntary Sector
in Gosport**

Signed:

Name:

Position Held: Gosport's Citizen's Advice
Bureau Manager

**Signed on behalf of the Voluntary Sector
in Gosport**

SECTION 1: PARTICIPANTS

1.1 This Armed Forces Community Covenant is made between:

The serving and former members of the Armed Forces and their families working and residing in Gosport.

And

Gosport Borough Council

And

The Voluntary Sector

SECTION 2: PRINCIPLES OF THE ARMED FORCES COMMUNITY COVENANT

2.1 The Armed Forces Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community. It is intended to complement the Armed Forces Covenant, which outlines the moral obligation between the Nation, the Government and the Armed Forces, at the local level.

2.2 The purpose of this Community Covenant is to encourage support for the Armed Forces Community working and residing in Gosport and to recognise and remember the sacrifices made by members of this Armed Forces Community, particularly those who have given the most. This includes in-Service and ex-Service personnel their families and widow(er)s in Gosport.

2.3 For Gosport Borough Council and partner organisations, the Community Covenant presents an opportunity to bring their knowledge, experience and expertise to bear on the provision of help and advice to members of the Armed Forces Community. It also presents an opportunity to build upon existing good work on other initiatives such as the Welfare Pathway.

2.4 For the Armed Forces community, the Community Covenant encourages the integration of Service life into civilian life and encourages members of the Armed Forces community to help their local community.

SECTION 3: OBJECTIVES AND GENERAL INTENTIONS

Aims of the Community Covenant

3.1 The Armed Forces Community Covenant complements the principles of the Armed Forces Covenant which defines the enduring, general principles that should govern the relationship between the Nation, the Government and the Armed Forces community

3.2 It aims to encourage all parties within a community to offer support to the local Armed Forces community and make it easier for Service personnel, families and veterans to access the help and support available from the MOD, from statutory providers and from

the Charitable and Voluntary Sector. These organisations already work together in partnership at local level.

3.3 The scheme is intended to be a two-way arrangement and the Armed Forces community are encouraged to do as much as they can to support their community and promote activity which integrates the Service community into civilian life.

CONTACT PERSONNEL AND TELEPHONE NUMBERS

MOD DCDS (Pers&Trg) Covenant Team

Email address: covenant-mailbox@mod.uk
Address: DCDS (Pers) Covenant Team
Zone D, 6th Floor
Ministry of Defence
Main Building
Whitehall
London
SW1A 2HB

In-Service representative

Contact Name:
Telephone:
Address:

Gosport Borough Council

Contact Name:
Title: Chief Executive
Telephone: 023 9254 5201
Address: Gosport Borough Council, Town Hall, High Street, Gosport, PO12 1EB

Voluntary Organisations

Contact Name:
Title: Chief Executive of Gosport Voluntary Action
Telephone: 0239258 3836
Address: Gosport Voluntary Action, Martin Snape House, 96 Pavilion Way, Gosport, PO12 1FG

Contact Name:
Title: Bureau Manager
Telephone: 0239252 0112
Address: CAB, Martin Snape House, 96 Pavilion Way, Gosport, PO12 1GE

THE ARMED FORCES COVENANT

An Enduring Covenant Between

The People of the United Kingdom
Her Majesty's Government

– and –

All those who serve or have served in the Armed Forces of
the Crown

And their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

AGENDA ITEM NO. 9

Board/Committee:	COUNCIL
Date of Meeting:	3 OCTOBER 2012
Title:	REGENERATION OF ROWNER - IMPLEMENTATION OF COMPULSORY PURCHASE POWERS – UPDATE REPORT
Author:	CHIEF EXECUTIVE
Status:	FOR DECISION

Purpose

To inform Council of the progress of the regeneration scheme and the receipt of a request to proceed to make a further General Vesting Declaration.

Recommendation

That the Council:

Having noted this report and the request from the Rowner Renewal Consortium (the 'Consortium') to continue with the implementation of the Gosport Borough Council (Howe Road, Nimrod Drive, Rowner) Compulsory Purchase Order 2010 ('the CPO') resolves to:

1. Execute a general vesting declaration ('GVD') to vest legal title in the Council in respect of the properties which the Consortium wish to acquire (as set out in Appendix 1 and subject to paragraph 2.6) and to transfer these properties to First Wessex ('FW') in accordance with the terms of the CPO Agreement;
2. Serve notices to treat and notices of entry on those tenants with interest of a year or less; to secure vacant possession of the premises where the Consortium require vacant possession in accordance with the notice;
3. Serve notices of entry on those persons who have served a blight notice on the Council but have not withdrawn it.
4. In conjunction with the Consortium to take all reasonable steps to assist owners and occupiers affected by the Rowner CPO including making advance payments of compensation on receipt of requests from owners and occupiers in accordance with Section 52 of the Land Compensation Act 1973;
5. To authorise officers through the Council's external consultants to take all necessary steps to settle all compensation claims arising under the CPO;

6. To acquire by negotiation any interest included within the GVD before the vesting date and to appoint First Wessex as the Council's agent to manage such properties

1 Background

- 1.1 Following the confirmation of the CPO by the Secretary of State the Council resolved at its meeting on 3 October 2011 to make a GVD in respect of part of the land included in the CPO.
- 1.2 The GVD was made on 13th October 2011 and legal interest in the land vested in the Council on 25th November 2011. The Council transferred its interest in the land to First Wessex on 24th January in accordance with the CPO Agreement.
- 1.3 FW continued to negotiate acquisitions and so the number of properties which were compulsory acquired was only 12 of which 4 were owner occupied. All residents had been rehoused by the vesting date.

2 Report

- 2.1 Members will have seen the extent of the regeneration scheme on site. Extensive works of demolition has been completed including demolition of 264 dwellings. New housing comprising 127 houses and flats have been built and residents began moving into the properties in February 2011. Howe Road has been realigned and the new junction at HMS Sultan has been constructed. Construction of the new Tesco's store and other retail units is well under way and it is anticipated that the store will be open in the spring of 2013.
- 2.2 Under the terms of an agreement (the CPO Agreement) entered into by the Council and other members of the Consortium on 8 November 2007, it was agreed that if and when the CPO was confirmed, the Consortium could request the Council to exercise its powers contained in the CPO to acquire the order land.
- 2.3 First Wessex, on behalf of the Consortium, have given notice to the Council (Appendix 1) that they wish the Council to further exercise its powers under the compulsory purchase order to acquire the land and interests set out in the notice and transfer the land to First Wessex. This includes 26 flats, 9 are owner occupied, and of the remaining 17 properties 6 are tenanted. The terms of the CPO agreement provide for the land to be sold to First Wessex for £1 but for Taylor Wimpey to meet the costs of the compensation payable to the landowners and occupiers. The Council will then be indemnified in respect of the

costs incurred in meeting the compensation payments up to the CPO costs cap.

- 2.4 First Wessex will continue to negotiate and purchase properties until the GVD is made. After this date and before the vesting date the Council will be able to acquire properties by agreement. However these properties will not be transferred to First Wessex until after the vesting and it is therefore again proposed to appoint First Wessex to manage these properties as they already manage the rest of the properties in the regeneration area. Owners of 3 properties have served a blight notice which the Council has accepted. A blight notice is normally served to require an acquiring authority (i.e. the Council) to commit itself to proceeding with the compulsory purchase of the property. It is hoped that once the Council agree to proceed with the GVD which will actually acquire the land, the owners of the 3 properties will choose to withdraw the blight notices and allow their property to be included in the GVD. If the blight notices are not withdrawn, they will be excluded from the GVD as they are subject to a different statutory process. However they have been included in Appendix 1 for completeness.
- 2.5 Information leaflets have been circulated to persons affected and First Wessex have a presence at the Community Centre to provide information as required. As compensation will not be agreed with many owners and occupiers before possession is required the Council previously agreed to make advance payment of compensation to the owner and occupier upon receipt of a request from them to do so and it is proposed to do this in respect of this second GVD. The Council can pay 90% of its estimate of the compensation payable by way of an advance payment.
- 2.6 Following the Councils decision, notices will be served on the owners and occupiers affected to acquire the land. Where any of the interests in Appendix 1 have been acquired by First Wessex before the date of the GVD, which is likely to be mid October 2012 then they may be excluded from it. It is likely that vacant possession will be obtained at the end of November 2012.
- 2.7 Once vacant possession has been obtained and the land transferred to First Wessex, work will commence on the preparation for demolition which cannot start until the telecommunication aerials are decommissioned and the service provided transferred to the new tower block currently under construction and due for completion next July.

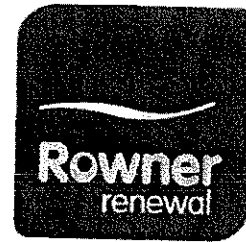
3 RISK ASSESSMENT

- 3.1 The Council agreed a CPO costs cap of just over £15million (Council 8 March 2010). The number of interests included within the earlier and this GVD is significantly less than those used to calculate this

costs cap.

- 3.2 The Consortium is to provide a sum of money on account to enable advance payments to be made.

Financial Services comments:	Costs incurred are likely to be well within the agreed cost cap so no financial cost to this Council is anticipated.
Legal Services comments:	Contained in the report
Service Improvement Plan implications:	
Corporate Plan:	
Risk Assessment:	See Section 3 above
Background papers:	Reports to Council 3/10/07;8/03/10;14/07/10;3/10/11
Appendices/Enclosures:	
Appendix 1	Letter from First Wessex dated 17 August 2012
Report author/ Lead Officer:	Linda Edwards



Ian Lycett
Chief Executive
Gosport Borough Council
Town Hall
Gosport
PO12 1EB

Nimrod Community Centre
Nimrod Drive
Gosport PO13 8BE
Rowner Renewal Enquiry Line
08450 343317
www.rownerrenewal.com

Date: 17th August 2012
Ask For: Hazel Warwick
Direct Dial: 023 9289 6760
Email: hazel.warwick@firstwessex.org

Dear Ian

CPO Agreement – Rowner Partnership

We refer to the CPO Agreement between Gosport Borough Council (the Council) and the members of the Rowner Development Consortium (RDC) dated 8th November 2007 and in particular Schedule 2, paragraph 3.3 of that Agreement

Following the confirmation of the CPO on 28th July 2011 and the CPO becoming operative by way of the relevant notices being published on the 12th August 2011 and the first GVD dated 13th October 2011 the RDC request that the Council proceed to secure the vesting of the Interests as shown on the attached plans and schedule in GBC by means of a second GVD procedure and/or possession by means of the Notice to Treat/Notice of Entry or other statutory power all as set out in the CPO Agreement and particularly said paragraph 3.3 of Schedule 2. There will remain a small number of interests in commercial units and roads that may need a further GVD if the agreements we have are not honoured and depending on the detailed planning requirements for the final phase

This request is made with due regard to the overall timetable for the Development

The RDC continues to be committed to this unique community regeneration project and in addition to the achieved milestones outlined in our letters dated 3rd February 2010 and 5 September 2011 have now successfully

- Continued the construction of the first phase of the development (120 properties have been completed to date)
- Demolished the first part of Rowner Village to facilitate the construction of the second phase
- Commenced construction on the second phase of the development
- Had plans prepared and held a public consultation re phase three of the development
- Vacant possession of the third phase of the development has been achieved with last resident moving out by the last weekend of June 2012
- Continued to undertake a programme of voluntary purchases

A partnership of
First Wessex
Homes & Communities Agency
Gosport Borough Council
Hampshire County Council
and Taylor Wimpey UK Ltd

[illegible]

However, although we will continue to rent and purchase properties voluntarily, we believe that in order to continue to deliver this much needed regeneration project, it is now appropriate to proceed to the final stage of the Compulsory Purchase process.

We trust that the above information together with the programming and financial analysis that you receive regularly from the RDC is sufficient for you to commence the GVC and associated processes as requested.

Yours sincerely

For and on behalf of the Rowner Development Consortium

First Wessex Homes and Communities Agency Taylor Wimpey

Rowner Village Properties and other Interests September 2012

Flats

3	Lawrence Walk	Nimrod Drive	Gosport
13	Lawrence Walk	Nimrod Drive	Gosport
17	Lawrence Walk	Nimrod Drive	Gosport
20	Lawrence Walk	Nimrod Drive	Gosport
24	Lawrence Walk	Nimrod Drive	Gosport
31	Lawrence Walk	Nimrod Drive	Gosport
42	Lawrence Walk	Nimrod Drive	Gosport
45	Lawrence Walk	Nimrod Drive	Gosport
46	Lawrence Walk	Nimrod Drive	Gosport
54	Lawrence Walk	Nimrod Drive	Gosport
63	Lawrence Walk	Nimrod Drive	Gosport
72	Lawrence Walk	Nimrod Drive	Gosport
76	Lawrence Walk	Nimrod Drive	Gosport
81	Lawrence Walk	Nimrod Drive	Gosport
82	Lawrence Walk	Nimrod Drive	Gosport
83	Lawrence Walk	Nimrod Drive	Gosport
89	Lawrence Walk	Nimrod Drive	Gosport
90	Lawrence Walk	Nimrod Drive	Gosport
95	Lawrence Walk	Nimrod Drive	Gosport
19	Hilary Court	Nimrod Drive	Gosport
23	Hilary Court	Nimrod Drive	Gosport
30	Hilary Court	Nimrod Drive	Gosport
33	Hilary Court	Nimrod Drive	Gosport
36	Hilary Court	Nimrod Drive	Gosport
38	Hilary Court	Nimrod Drive	Gosport
40	Hilary Court	Nimrod Drive	Gosport

Commercial Units

13	Hilary Court	Paper Shop
----	--------------	------------

Livingstone Garage Court

G56	Associated with	63 Lawrence Court
G54	Private owner	
G51	Associated with	20 Lawrence Court
G41	Associated with	3 Lawrence Court

Hilary Garage Court

G66	Associated with	40 Hilary Court
G67	Associated with	40 Hilary Court

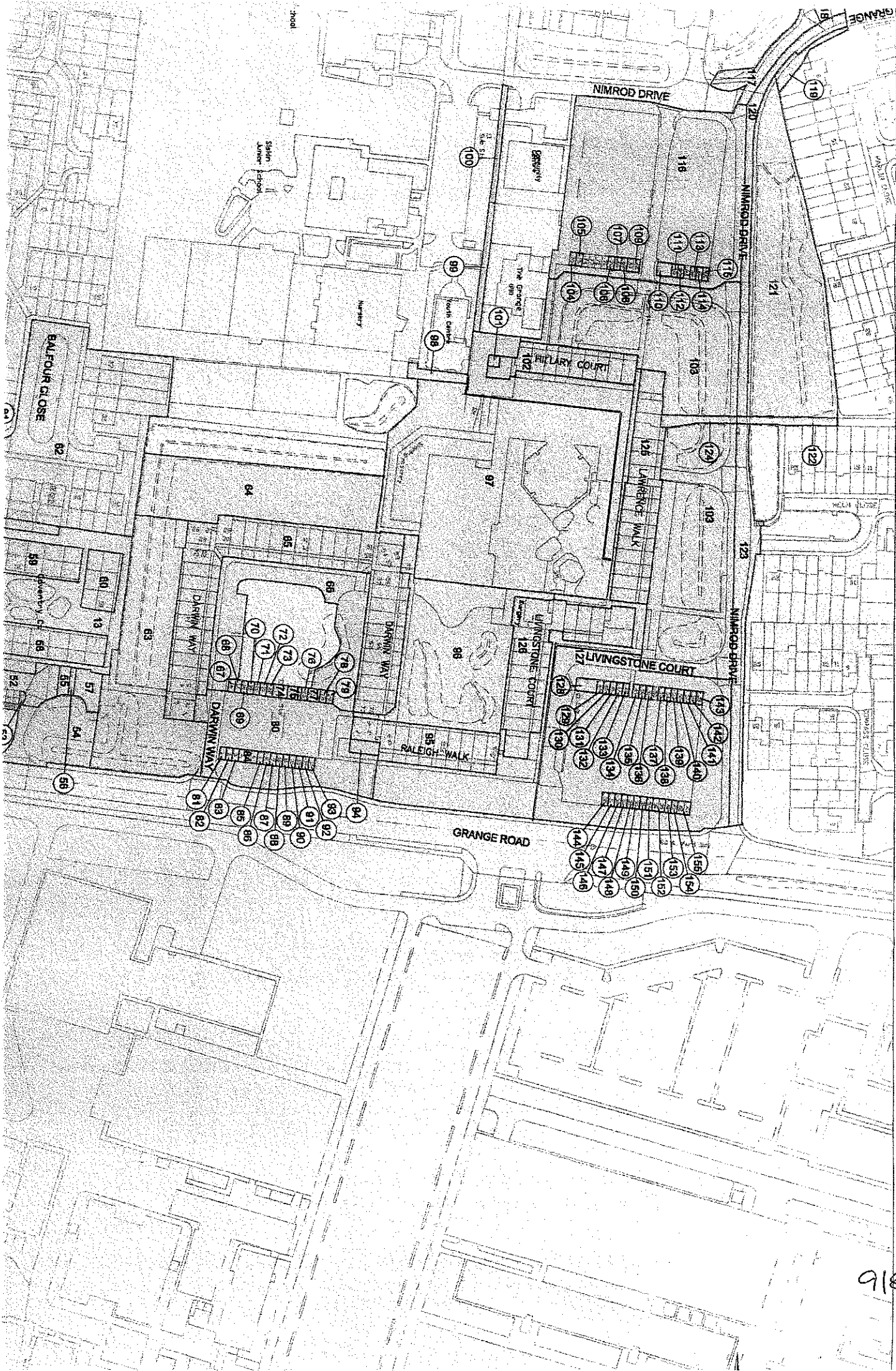
Other Interests within the village

Freehold 1 Hilary Court

G47	Livingstone Ct owned by FW free use by Surestart Ltd
G32	Livingstone Ct owned by FW free use by Scouts

Road & Footpath Interests (CPO ref numbers)

99	Footpath behind The Grange PH - HCC/unknown?	
100	Footpath behind Nimrod Centre	Rowner Community Trust



GOSPORT BOROUGH COUNCIL

BOARD:	COUNCIL
DATE OF MEETING:	03 OCTOBER 2012
TITLE:	FEES AND CHARGES
AUTHOR:	BOROUGH TREASURER
STATUS:	FOR APPROVAL

Purpose

To consider and approve the amended fees & charges contained in this report and appendices.

Recommendation

That the Council:

1. Approve the amended fees & charges scheduled in the report and appendices for implementation from 1 January 2013 unless stated otherwise.
2. Authorise officers to undertake any statutory or contractual processes in order to implement the Council's decision.
3. The Scheme of delegation to officers be amended as set out in paragraph 2.4 and 2.5 of the report.

1.0 Background

- 1.1 Policy & Organisation Board received a report on Budget Strategy 2012/13 at the meeting on 26 September 2012.
- 1.2 Generally, fees and charges have not been increased since April 2011 and in many cases since September 2010.
- 1.3 Fees and charges are an important source of revenue that are largely within the Council's control and reduce the burden falling on the general fund and council tax payers.
- 1.4 As part of the budget process for 2013/14, and against the backdrop of the Budget Strategy report and earlier Medium Term Financial Strategy, a fees and charges review has been undertaken which is the subject of this report.

2.0 Report

- 2.1 The proposed fees and charges are set out in the appendices to this report.
- 2.2 Generally the new charges are to be implemented on 1 January 2013 or as stated in the appendix.
- 2.3 In practice this will mean that existing bookings for pitches etc will be honoured at current prices so implementation will be gradual for charges of this nature.
- 2.4 The operation of the car parks have been reviewed and it is proposed to make a number of changes which are summarised below;
- Hardway Slipway Car Park will become a long stay car park , charging hours 8am-7pm and therefore will be subject to the same charges and regulations as other long stay car parks (excluding the Bus Station Car Park). This enables long stay car park permits and seafront car park permits to be used in the car park;
 - Mumby Road Lorry Park will remain a long stay car park but will be subject to a maximum waiting period of 72 hours ;
 - Bay House School Permits to also allow the School to issue these to visitors to the school;
 - Where garages have been demolished and new car parking areas created the general regulations of the order is to be applied. A list of these areas is included at Appendix 2;
 - Provisions to allow Standard Charge or Excess Charge notices to be served by first class post;
 - Provisions to clarify that where the period for payment ends on a non working day the time period is extended to the next working day;
 - Provisions to close a parking place or part thereof on 24 hours notice save in the case of an emergency. The decision to close a parking place is to be delegated to the Community and Customer Services Manager;
 - Charges in the 2 hour short stay car parks will be 30p for 1 hour and 60p for 2 hours
 - Provision to allow the Council to issue other parking devices and apparatus.
- 2.5 In April this year the Building Control Partnership implemented in Fareham Councils area only charging for its Postal Naming and Numbering. It is proposed to now implement these charges in Gosport's area. It is proposed that the Building Control Manager has delegated authority to waive charges as set out in Appendix 1.
- 2.6 A number of Council's in Hampshire already charge for the provision of pre-application planning advice and it is now proposed that the Council introduces charges for this discretionary service from 1 January 2013. The Council will continue to provide general advice free of charge on

whether planning permission is needed, permitted development related matters and associated procedures and timescales. They will also continue to provide free of charge pre-application advice on householder development, that is development which relates to the extension, improvement or alteration of an existing residential dwelling, works that require planning permission only by virtue of an Article 4 Direction of the Town and Country Planning (General Permitted Development) Order 1995 (normally permitted development), community uses that are non-profit making, proposals made by local councils and works to trees.

3.0 Risk Assessment

- 3.1 There is a risk to future service provision and the delivery of capital programme projects if the Council does not maximise income where possible by reviewing its fees and charges.
- 3.2 Increasing fees & charges will inevitably deter some users and the net income figures shown in paragraph 4.1 take account of this.

4.0 Conclusion

- 4.1 It is anticipated that the measures will produce additional net income of approximately £90,000 in 2013/14. This will help the Council's budgetary position both by protecting essential services and improve the affordability of the Council's capital programme in the longer term

Financial Implications	As set out in the report
Legal Implications	The Council has power to charge for the services set out in this report.
Service Improvement Plan	N/A
Corporate Plan:	N/A
Risk Assessment:	Section 4 of the report
Background papers:	N/A
Appendix 1 Appendix 2	Draft Fees and Charges booklet List of Car Parking Areas to be subject to the general regulations of the Car Park Order
Lead Officer	Julian Bowcher

FEES AND CHARGES

2013/14

Fees and Charges are effective from 1 January 2013 unless otherwise stated

ALPHABETICAL INDEX

	Page
Abandoned / Unwanted Vehicles	8
Allotments	2
Building Regulations Applications	20
Car Parks	9/10
Casual Lettings of Land	1
Cemetery	5/6
Control of Stray Dogs	7
Day Huts	2
Developer Contributions	19
Environmental Health Services	18
Exhibition Trailer	24
Food Premises Register	18
Housing	24
Improvement Loans	24
Land Charges	23
Licences and Registrations	11-16
Market	16
Planning Pre-Applications	21/22
Postal Naming & Numbering	20
Public Conveniences	2
Publications	23
Refuse Collections	7
Rodent and Pest Control	17
Sports	4
Stokes Bay Caravan Park	23
Street Trading Consent	16
Wildgrounds Nature Reserve	3

VAT FOREWORD

- 1 All charges in 2013/14 include VAT where applicable. The VAT Code is per the list below.
- S – Standard rate
 - O – Non business
 - E – Exempt
 - Z – Zero rated
- The Standard Rated VAT charge changed from the 1st January 2011 to a rate of 20.0%.

- 2 All charges are effective from 1st January 2013 unless otherwise stated

VAT. LICENCES TO OCCUPY LAND; LETTING OF SPORTS FACILITIES

Exemption from VAT may be applicable under the following circumstances:

A Single lets

Each single let is for a continuous period of over 24 hours to the same person, the person to whom they are let having exclusive control of the facilities throughout the let.

OR

B Series of Lets

All of the following criteria must be satisfied before exemption can apply:

The series consists of 10 or more individual sessions of the same sport or activity, each session being in the same place, and the interval between each session is at least a day and not more than 14 days

The series is to be paid for as a whole, and there is clear evidence of this, whether or not the right to use the facility for any specific session is actually exercised, a formal agreement, exchange of letters, or an invoice issued in advance requiring payment for the sessions specified on the invoice would be sufficient evidence.

Refund for the non-availability of the facility by the Council would not invalidate this condition but provision for a refund in other circumstances would; and the facilities are let out to a school, club, association or organisation representing affiliated clubs or constituent associations; and the person to whom the facilities are let has exclusive use of them during the sessions.

It is not necessary to book the same pitch to qualify for exemption, provided it is within the same recreation ground. Any further bookings in addition to those specified in the formal agreement will be standard-rated and subject to VAT.

VAT on Organised School Visits

The letting of facilities to a local education authority school falls within these rules of exemption and is not outside the scope of VAT under the provisions of the Local Authorities (Goods and Services) Act 1970

CASUAL LETTINGS OF LAND

Fee VAT
£

USE OF COUNCIL LAND

Commercial Fairs etc	Per day (see note 1)	See Below	E
Overnight Parking	Setting up	See Below	E
Charitable Organisation Functions	(see note 2)	See Below	E
Caravan and Camping	Per Caravan per night	8 80	S
	Per Tent per night	5 00	S
Trailer (with Boat)	Per day	4 20	S

Notes

1. Price includes water, fencing and reinstatement.
2. No charge for Charitable Organisations except, where appropriate, for costs incurred by the Council
3. Other relevant sites by negotiation with the Head of Economic Prosperity, Tourism and Culture
4. Charges for casual lettings of land are generally exempt from VAT unless a specific option to tax has been exercised on the land in question. In the latter case, where the letting is for charitable purposes vat would not apply.
5. Organisers should have insurance cover where appropriate.
6. Parking charges are by negotiation with the Head of Economic Prosperity, Tourism and Culture

For events up to 2,500 persons - per day

Charitable events organised by Registered Charities	110 00
Non-commercial and Community events	220 00
Commercial Events	550 00

For events above 2500 persons - per day

Charitable events organised by Registered Charities	220 00
Non-commercial and Community events	440 00
Commercial Events	1,100 00

Re-instatement Fees for non-charitable events

A deposit equivalent to the daily hiring fee, refundable after any works and land reinstatement costs incurred by the Council have been deducted. Directly related to the number of days for which the land is hired.

Fees for Charitable and Gosport based Community Events

These may be waived subject to receiving Board approval.

On 26th November 2008 - Full Council agreed:-

Stokes Bay area to be divided into 3 sections, The Arena, land to the east of Military Road and land to the west of The Arena behind the Sailing Club and each section to be charged separately at 100% of the fee set at all times.

<u>PUBLIC CONVENIENCES</u>		Fee £	VAT
Radar Key	For disabled public conveniences	5.00	0

<u>ALLOTMENTS</u>		Jan-Dec'13 Fee £	Jan-Dec'14 Fee £	VAT
Cost per Rod	Inclusive of water	4.10	5.00	0

<u>DAY HUTS</u>		Fee £	VAT
<u>DAY HUTS</u>			
Annual Charge	Residents	780.00	S
	Other Concessions (Over 60's & under 18's)	590.00	S
	Disabled	495.00	S
Weekly Charge	Disabled Residents only	17.00	S
One hut is available for weekly hire at Stokes Bay.			
<u>DAY HUT SITES</u>			
Annual Charge	Residents	270.00	S
	Other Concessions (Over 60's & under 18's)	185.00	S
	Disabled	150.00	S

WILDGROUNDS NATURE RESERVE**Fee VAT
£****PERMIT ACCESS**

Day Ticket	Adult	1 60	S
	Concessions (Disabled, Over 60's & under 18's)	1 30	S
Monthly Permit *	Adult	4 30	S
	Concessions (Disabled, Over 60's & under 18's)	2 80	S
* 150 permits per month March to October			
300 permits per month July to August			
School Parties	Non-Gosport	26 00	E
	Gosport	No Charge	
Guided Walks Weekly (May - July)	Adult	3 40	E
	Concessions (Disabled, Over 60's & under 18's)	2 10	E
	Family - 2 Adults & up to 3 children	8 20	E
	Groups & Organisations (Groups up to 20 people)	28 00	E

Notes

1. Children under the age of 5 are admitted free

<u>SPORTS</u>		Concession	Fee	VAT
		£	£	
<u>BOWLS</u>				
Per player per hour	Adult	3.20	4.00	S
Bowls and Slip Hire			3.00	S
<u>CRICKET</u>				
Privett No 1	Adult	44.00	68.00	S
	Weekdays after 6 pm	33.00	52.00	S
Other Sites	Adult	37.50	58.00	S
	Weekdays after 6 pm	27.50	45.00	S
Synthetic Wicket (Gosport Park)	Adult	28.50	46.00	S
	Weekdays after 6 pm	22.00	33.00	S
<u>FOOTBALL</u>				
Privett Park	Gosport Clubs	75.00	120.00	S
	Outside Users	110.00	175.00	S
	Use of Floodlights	40.00	62.00	S
All Other Sites		33.00	52.00	S
Sites without shower facilities		27.50	42.00	S
Sites without changing facilities		20.00	31.00	S
Training Pitch / Dressing Rooms			20.00	S
Net Pins			0.65	S
<u>MINI SOCCER</u>				
Per match			16.00	S
Half day per pitch			34.00	S
<u>RUGBY</u>				
Gosport Park	Adult	33.00	52.00	S
Dressing Rooms (separate use)			21.00	S
Refreshment Rooms (separate use)			11.00	S
<u>Notes</u>				
1. The above hire charges include use of dressing rooms where these are available.				
2. Double Banked football hire will be 150% of the normal hire charge				
3. VAT exemption for Seasonal Hires complying with Customs & Excise conditions.				
4. Concessionary rates apply for the disabled, over 60's and under 18's				
5. Charges for tournaments to be by negotiation with the Community & Customer Services Manager.				

CEMETERY**Fee VAT
£****ANN'S HILL CEMETERY**

Fees, payments and sums fixed and settled in accordance with the provisions of the Local Government Act 1972

EXCLUSIVE RIGHTS OF BURIAL IN EARTHEN GRAVES - GOSPORT RESIDENT **

Provision of new grave (Post 01/04/1992) - obligatory	432.00	O
Interment into Existing Site (Pre 01/04/1992) - obligatory	80.00	O
Provision of a Cremated Remains Plot (Post 01/04/1992) - obligatory	80.00	O
Provision of Grave for child	No Charge	

INTERMENTS

The fees for interment include the digging of the grave to a depth sufficient for two interments and re-turfing after burial.

For the Interment

(i) of the body of a still born child, or of a child whose age at the time of death did not exceed 12 years	No Charge	
(ii) of the body of a person whose age at the time of death exceeded 12 years	470.00	O

For any interment in a walled grave or vault	At Cost	O
--	---------	---

Interment - Cremated Remains

(subject to depth not exceeding 3' otherwise normal interment charge will apply, no charge for a child)	144.00	O
---	--------	---

CEMETERY (CONTINUED)**Fee VAT
£****MONUMENTS, GRAVESTONES, TABLETS AND MONUMENTAL INSCRIPTIONS**

For the right to erect or place on a grave or vault a headstone not exceeding 3ft in height by 3ft in width by 1ft in depth or 2ft 6in x 2ft x 1ft

Adult	130.00	O
Child	No Charge	

For the right to erect or place on a grave or vault in respect of which the exclusive right of burial has been granted - kerbstones or flatstones

(a) enclosing a space not exceeding 7ft by 3ft	145.00	O
(b) enclosing a space not exceeding 7ft by 6ft	290.00	O
(c) tablets not exceeding 350mm x 450mm x 25mm	37.00	O

The fees indicated in this section include the first inscription.

For each inscription after the first a fee is payable 25.00 S

Annual Maintenance

Trimming Grass	54.00	O
Planting and Trimming Grass	70.00	O
Planting (Spring and Summer only)	60.00	O

Miscellaneous Items

Search in Burial Register (per burial entry)	7.50	O
Certificate of Burial	15.00	O
Use of Chapel	65.00	O
Exhumations	At Cost	S

Notes

** The fees indicated above include the Deed of Grant and all the expenses thereof

CONTROL OF STRAY DOGS

		Fee £	VAT
Statutory charge	per dog	25.00	O
Kennelling fees	up to 7 days	100.00	O
Microchipping of dogs	per dog	10.00	S
	each additional dog at the same address	5.00	S
Dog Bags	per packet of 50	2.00	S

Notes

1. Statutory charge is as per the 'Environmental Protection (Stray Dog) Regulations 1992' and is payable before the dog is released.
2. Additional fees may be charged for costs incurred by the Council including legal fees incurred due to non-payment.

REFUSE COLLECTIONS

		Fee £	VAT
Special Collections			
Collection, loading and disposal (per hour)		**	
** To be negotiated by the Council with the contractor (plus administration costs)			
Domestic Clinical Waste Collection	Provide and disposal of yellow bags	No charge	
Provide 'Sharps' and disposal	4 litre capacity	No charge	
	7 litre capacity	No charge	
Removal of Bulk Refuse	1 Item	23.50	O
	2 Items	37.00	O
	3 to 5 Items	55.00	O
	Over 5 items	By Arrangement	O
	Residents receiving benefit	50% of above	O
Garden Refuse	per green sack	1.60	O
	per green sack - OAP	1.20	O

ABANDONED / UNWANTED VEHICLES**Fee VAT
£**

Removal of Unwanted Vehicles	75 00	S
Removal of Commercial Vehicles	At Cost	S
Removal of Caravans and Trailers	140 00	S
Storage of Unwanted Vehicle - per day	20 00	S
Statutory Charges for Abandoned Vehicles - Example		
Removal of Abandoned Vehicle (Table 1 Regulation 4 - 2 2)	150 00	O
Storage of Abandoned Vehicle - per day (Table 2 Regulation 5 - 2 2)	20 00	O

Fee type: Statutory - Removal, Storage & Disposal of Vehicle (Prescribed Sums & Charges) Regulations 2008 as amended.

A full schedule of charges for each different vehicle type can be found at the Office of Public Sector Information Website www.opsi.gov.uk.

CAR PARKS**Fee VAT
£****PAY AND DISPLAY CHARGES**

Mumby Road (Bus Station)

Per hour

0.80 O

Over 5 hours (per day)

5.00 O

Trailers and Parking Permits (other than Medical Permits) are not allowed

Motor Vehicles:

Long Stay (Town Centre, Lee-on-Solent, Stokes Bay, Hardway Slipway)

Per hour

0.70 O

Over 5 hours (per day)

4.00 O

Two Hour Car Parks (Town Centre and Lee-on-Solent)

First hour

0.30 O

Up to 2 hours

0.60 O

Trailers and Parking Permits (other than Medical Permits) are not allowed

Three Hour Car Park (Lee-on-Solent)

Per hour

Marine Parade No 1 & 2

0.60 O

Trailers (where permitted) - same charge as motor vehicle

Coaches - per hour

Only permitted in prescribed car parks

3.60 O

Motorcycles

Free

Commercial Vehicles (over 3.5 tonnes GVW) parked in Mumby Road Lorry Park

Free

Parking Charge Notices

Payment within 7 days

45.00 O

Payment after 7 days

65.00 O

CAR PARKS (CONTINUED)Fee VAT
£**PERMITS**

General Public

Annual Permit	400.00	O
6 Month Permit	210.00	O
3 Month Permit	110.00	O
1 Month Permit	40.00	O

Gosport & Lee Town Centre Residents Permits

60.00 O

Available only to residents living in specific areas of the town centres and for use in the specified long stay car parks only

Medical (Local Surgeries)

10.00 O

Seafront

60.00 O

Bay House School - No. 2 Battery East (term time only)

1,200.00 O

Notes

1 All drivers of vehicles with a trailer will be responsible for the payment of the trailer charge.

<u>LICENCES AND REGISTRATIONS</u>		Fee	VAT
		£	
Sex Establishment			
	New	6,625 00	0
	Renewal	3,494.00	0
	Transfer	3,494.00	0
Motor Salvage Operator			
	New	78 00	0
	Renewal	78 00	0
	Certified Copy	13 50	0
Tattooing, Acupuncture, Ear/Body Piercing, Electrolysis			
	Premises	75 00	0
	Person	64 50	0
Riding Establishments per Horse (+ vet fees)		122 00	0
Pet Shop		122 00	0
Animal Boarding Establishment		122 00	0
Dangerous Wild Animals		122 00	0
Dog Breeding Establishments		122 00	0
Street Collections		No Charge	
House to House Collections		No Charge	
Caravan Site Licence		No Charge	
Zoo Licence		On Request	
Scrap Metal Dealer Registration		No Charge	
Tables and Chairs			
	New	275 00	0
	Renewal	165.00	0

PRIVATE HIRE DRIVERS / HACKNEY CARRIAGE DRIVERS TEST**Fee VAT
£**

Hackney Carriage Geography Test		20.00	0
Private Hire	Operator	251.00	0
	Vehicle	251.00	0
	Driver	89.00	0
	Driver - 3 Year Licence	220.00	0
Hackney Carriage	Vehicle	251.00	0
	Driver	89.00	0
	Driver - 3 Year Licence	220.00	0
Private Hire & Hackney Carriage driver (both licences)		122.00	0
Private Hire & Hackney Driver - 3 Year Licence		310.00	0
Driver and Vehicle Licensing Agency check (annual licence holders to coincide with triennial criminal record check) *		5.75	0
Hackney Carriage/Private Hire Driver's 2nd Licence		33.00	0
Criminal record check - paid to GBC *		44.00	0
Issue of a replacement Hackney Carriage or Private Hire :			
	Driver's Photo Badge	16.00	0
	Vehicle Windscreen Badge	21.00	0
	Vehicle External Plate	21.00	0

Notes

* Amount charged by the external agency to the Council, and may be subject to revision during the year.

LICENSING ACT 2003 AND GAMBLING ACT 2005 PUBLIC REGISTERS

Fee VAT
£

Single Entry copy of a Premises Licence	5.00	O
Single Copy of an Application Form for a Premises Licence	13.00	O
Single Premises Category (eg Takeaways)	62.00	O
Whole Register of each single Act, e.g. Licensing Act 2003	202.00	O

LICENSING ACT 2003 (STATUTORY FEES)

VAT

MAIN FEE LEVELS

BAND

Non domestic rateable value

Premises licences

New application & variation

Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D & E only)

Annual charge

Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D & E only)

Club premises certificates

New application and variations

Annual Charge

A £	B £	C £	D £	E £	
0 to 4,300	4,301 to 33,000	33,001 to 87,000	87,001 to 125,000	125,001 plus	
100.00	190.00	315.00	450.00	635.00	O
N/A	N/A	N/A	x2 (£900)	x 3 (£1,905)	O
70.00	180.00	295.00	320.00	350.00	O
N/A	N/A	N/A	x2 (£640)	x3 (£1050)	O
100.00	190.00	315.00	450.00	635.00	O
70.00	180.00	295.00	320.00	350.00	O

There are additional fees for premises licence applications, and the annual fee for exceptionally large scale events (5,000+), unless certain conditions apply Consult the Licensing department

OTHER STATUTORY LICENSING FEES**Fee VAT
£**

Application for the grant or renewal of a personal licence	37 00	O
Temporary event notice	21.00	O
Replacement of stolen, lost, etc licence or summary	10 50	O
Application for a provisional statement where premises being built etc	315 00	O
Notification of change of name or address	10 50	O
Application to vary licence to specify individual as premises supervisor	23 00	O
Application for transfer of premises licence	23 00	O
Interim authority notice following death etc. of licence holder	23 00	O
Replacement of stolen, lost, etc, certificate or summary	10 50	O
Notification of change of name or alteration of rules of club	10.50	O
Change of relevant registered address of club	10.50	O
Replacement of stolen, lost, etc, Temporary Event Notice	10.50	O
Replacement of stolen, lost, etc, Personal Licence	10.50	O
Notification change of name or address	10 50	O
Right of freeholder to be notified of licensing matters	21 00	O
Minor Variations	89 00	O

GAMBLING ACT 2005 (STATUTORY FEES)**VAT****PREMISES LICENCES**

	New Application £	Annual Fee £	Variation £	Transfer £	Re-Instatement £	
Existing Casinos	N/A	N/A	2,000.00	1,350.00	1,350.00	O
New Small Casino	8,000.00	5,000.00	4,000.00	1,800.00	1,800.00	O
New Large Casino	10,000.00	10,000.00	5,000.00	2,150.00	2,150.00	O
Regional Casino	15,000.00	15,000.00	7,500.00	6,500.00	6,500.00	O
Bingo Club	3,500.00	1,000.00	1,750.00	1,200.00	1,200.00	O
Betting Premises (excluding tracks)	3,000.00	600.00	1,500.00	1,200.00	1,200.00	O
Tracks	2,500.00	1,000.00	1,250.00	950.00	950.00	O
Family Entertainment	2,000.00	750.00	1,000.00	950.00	950.00	O
Adult Gaming Centres	2,000.00	1,000.00	1,000.00	1,200.00	120.00	O

	Application for Provisional Statement £	Licence Application (provisional Statement holders) £	Copy Licence £	Notification of Change £	
Existing Casinos	N/A	N/A	25.00	50.00	O
New Small Casino	8,000.00	3,000.00	25.00	50.00	O
New Large Casino	10,000.00	5,000.00	25.00	50.00	O
Regional Casino	15,000.00	8,000.00	25.00	50.00	O
Bingo Club	3,500.00	1,200.00	25.00	50.00	O
Betting Premises (excluding tracks)	3,000.00	1,200.00	25.00	50.00	O
Tracks	2,500.00	950.00	25.00	50.00	O
Family Entertainment Centres	2,000.00	950.00	25.00	50.00	O
Adult Gaming Centres	2,000.00	1,200.00	25.00	50.00	O

PERMITS

	Application Fee £	Annual Fee £	Renewal Fee £	Transitional Application Fee £	
Family Entertainment Centre Gaming Machine	300.00	N/A	300.00	100.00	O
Prize Gaming	300.00	N/A	300.00	100.00	O
Alcohol Licenced Premises - Notification of 2 or less machines	50.00	N/A	N/A	N/A	O
Alcohol Licenced Premises - Notification of more than 2 machines	150.00	50.00	N/A	100.00	O
Club Gaming Permit	200.00	50.00	200.00	100.00	O
Club Gaming Machine Permit	200.00	50.00	200.00	100.00	O
Club Fast-Track for Gaming Permit or Gaming Machine Permit	100.00	50.00	100.00	100.00	O
Small Society Lottery Registration	40.00	20.00	N/A	N/A	O

GAMBLING ACT 2005 (STATUTORY FEES) (CONTINUED)
VAT
MISCELLANEOUS PERMIT FEES

	Change of Name £	Copy of Permit £	Variation £	Transfer £	
Family Entertainment Centre Permits	25.00	15.00	N/A	N/A	O
Prize Gaming Permits	25.00	15.00	N/A	N/A	O
Alcohol Licenced Premises - Notification of 2 or less machines	N/A	N/A	N/A	N/A	O
Alcohol Licenced Premises - Notification of more than 2 machines	25.00	15.00	100.00	25.00	O
Club Gaming Permit	N/A	15.00	100.00	N/A	O
Club Gaming Machine Permit	N/A	15.00	100.00	N/A	O
Small Society Lottery Registration	N/A	N/A	N/A	N/A	O

MARKETS

			Fee £	Fee £	VAT
		Frontage	Regular	Casual	
Gosport Market Tuesday	Up to	15 ft pitch	22.50	30.00	E
		20 ft pitch	30.00	40.00	E
		25 ft pitch	37.50	45.00	E
		30 ft pitch	45.00	55.00	E
		40 ft pitch	60.00	70.00	E
Gosport Market Saturday	Up to	10 ft pitch	27.50	35.00	E
		15 ft pitch	41.50	49.00	E
		20 ft pitch	55.00	65.00	E
		30 ft pitch	75.00	90.00	E
		40 ft pitch	90.00	110.00	E
Annual Consent	7 Days/week	Food Stalls		1,056.00	O
		Non-Food Stalls		754.00	O
	Up to 3 Days/week	Food Stalls		530.00	O
		Non-Food Stalls		380.00	O
	1 Day/week	Food Stalls		312.00	O
		Non-Food Stalls		276.00	O
Six Month Consent		Food Stalls		551.00	O
		Non-Food Stalls		385.00	O
Daily Consent	Per foot			2.50	O
	Minimum charge is for 15 feet				
Speciality Markets	Per foot			1.00	O
	Minimum 10 foot pitch				
(inc Craft, Food & Drink, Farmer's Markets, Christmas Markets if not Tuesday or Saturday. Tuesday or Saturday as per Gosport market)					

RODENT AND PEST CONTROL**Concession**

£

Fee VAT

£

DOMESTIC PREMISES

Fleas, Carpet Beetles and Carpet Moths			
1, 2 or 3-bedroomed property	48 00	64 00	S
4-bedroomed property	52 50	70 00	S
5-bedroomed property	60 00	80 00	S
over 5 bedrooms	Quote on request		S
Bedbugs All Properties	81 75	109 00	S
All Other Insects (including wasps)	48 00	64 00	S

Concessions:

Household in receipt of Disability Allowance, Pension Credit, Income Support,
Disability or Attendance Allowance or Jobseeker's Allowance or State Retirement
Pension (or equivalent benefit) 75% of full charge
NB - officers must be shown documentary evidence of entitlement by at least one member of household

Rodent control treatment & advice	No Charge	
Missed appointment fee (applies when customer is not present for a prearranged appointment but does not cancel in advance).	11 50	O

PEST CONTROL: COMMERCIAL PREMISES

Rodents and insects for up to the first 15 minutes	70 00	S
Charge for each additional 15 minutes or part thereof	15 00	S

Notes

1. Charges include cost of materials and all rates quoted include VAT
2. Charges are subject to payment being made to the pest control officer prior to treatment.
3. If paying by cheque, cheque card number required.
4. That no responsibility can be accepted for any loss or damage, however caused, through treatment being carried out.
5. Invoices are not as a general rule issued, but when issued there is a 15% administrative charge in addition to the above charges.
6. Contracts available on request

OTHER ENVIRONMENTAL HEALTH SERVICES**Fee VAT
£****Food Premises Register**

Single Entry	2.00	S
Single Premises category, e.g. butchers	48.00	S
Whole Register	207.00	S
Export Certificate Fee	43.00	S

Courses

Level 2 Award in Health and Safety in the Workplace	50.00	E
Level 2 Award in Food Safety in Catering	50.00	E
Health and Safety Training (short training sessions)	17.00	E
In-house/on-site Level 2 Award in H&S in the Workplace	425.00	E
In-house/on-site Level 2 Award in Food Safety in Catering	425.00	E

LAPC/IPPC Register enquiries (authorised industrial processes) 37.00 O

Contaminated Land - Solicitor's and Commercial enquiries 74.00 O

Immigration Service Assessment of Premises Condition 75.00 S

House in Multiple Occupation Licence

5 persons	730.00	O
6-10 persons	910.00	O
11-15 persons	1,095.00	O
16-20 persons	1,275.00	O
Over 20 persons	1,460.00	O

DEVELOPER CONTRIBUTIONSFee VAT
£**Outdoor Playing Space Commuted Payments - per dwelling**

Dwelling Size

1 Bedroom	1,279 00	O
2 Bedroom	1,721 00	O
3+ Bedroom	2,457 00	O

Elderly Open Space Commuted Payments - per dwelling

Dwelling Size

1 Bedroom	245 00	O
2 Bedroom	330 00	O
3+ Bedroom	471 00	O

Transport Contributions

Dwelling Size - per dwelling

1 Bedroom	1,980 00	O
2 Bedroom	3,745 00	O
3+ Bedroom	5,457 00	O

Employment - per 100 sq m of floor area

B1 Business	4,301 00	O
B2 General Industry	1,725 00	O
B8 Warehousing	2,162 00	O

ANTI SOCIAL BEHAVIOUR ACT 2003Fee VAT
£

High Hedges Application

600 00 O

BUILDING REGULATIONS APPLICATIONS

Gosport Building Control, operating in partnership with Fareham Building Control under the name 'Building Control Partnership' have prepared a scheme of charges in accordance with The Building (Local Authority Charges) Regulations 2010

For full details of charges applicable for the Building Regulations control functions please contact the Building Control Partnership on 01329 824823

POSTAL NAMING AND NUMBERING

	Jan-Dec'13 Fee £	VAT
New Development of 1 - 5 plots	200.00	0
New Development/phases of 5-20 plots	200.00 + £10.00 per property	0
New Development/phases of 21-100 plots	400.00 + £5.00 per property	0
New Development/phases of 100+ plots	950.00 + £5.00 per property	0
Naming of new block of flats/building	200.00 + £10.00 per property	0
New postal address for an individual property	100.00	0
Change to new addresses due to the development changing after the schedule has been issued	15.00 per property	0
Research archive for address history	100.00	0
Renaming an existing Street	200.00 + £5.00 per property	0

Notes

1. At the discretion of the Building Control Manager, the Council, may not require a charge to be paid for the renaming/renumbering of roads where there has been a historical problem with existing road naming/numbering scheme

PLANNING PRE-APPLICATIONS**Fee VAT
£****General Advice**

General enquiries and general pre-application advice and advice on permitted development related matters and associated procedures and timescales

Free

Permitted Development Enquiry

All submissions for informal opinion on requirement for planning permission

Free

Pre-Application Submissions - advice on the likelihood of planning permission being granted prior to the submission of a planning application

Minor residential:	1 - 3 dwellings	120.00	S
	4 + dwellings	240.00	S
Major residential:	10 - 49 dwellings	600.00	S
	50 - 100 dwellings	960.00	S
Minor industrial/commercial:	under 1000 sq m	96.00	S
Major industrial/commercial:	1000 - 5000 sq m	600.00	S
	5000 + sq m	960.00	S
Others: e.g. Change of Use of property or land/Adverts/Telecommunication Masts		120.00	S

Other Major/very large scale/mixed proposals:

Fee will be hourly rate x no. of hours of officers dealing with the matter S

Householder Development (development which relates to the extension, improvement or alteration of an existing residential dwelling):

Free

If the proposal relates to works that require planning permission only by virtue of an Article 4 Direction of the Town and Country Planning (General Permitted Development) Order 1995

Free

Community uses which are non-profit making
Proposals made by Local Councils
Works to trees

Free

Free

Free

Notes:

1. Where a fee is payable and the proposal affects a Listed Building or its setting or is located within a Conservation Area an additional charge will apply.
2. Where a consultee charges the Borough Council for advice provided this will be payable by the applicant in addition to the pre-application fee payable.
3. Proposals for large and/or mixed use development or where no floorspace or dwellings specified, fee will be calculated by reference to hourly rate x no. of hours of officers dealing with the matter

PLANNING PRE-APPLICATIONS (CONTINUED)

**Fee VAT
£**

4 A response on minor and other applications will constitute one written response and/or one meeting (max 2 hrs). A response on a major application will constitute one written response and/or 3 meetings (6 hrs max in total). Any follow up written responses or meetings required based on the same proposal or an amendment to it will be calculated by reference to the hourly rate x no. of hours of officers dealing with the matter and this will be payable before the advice is provided. All new submissions will require a new fee.

5. Each pre-application request can only relate to one site and only one proposal will be accepted for each site. If you would like us to give advice on more than one layout or proposal for the same site then a separate request will need to be made for each scheme along with a further fee for each proposal

6 There will be no reduction in fee where the application would be exempt from a fee because it had previously been withdrawn, refused or approved.

7. The fee is payable on submission, before the Council undertakes any work on the proposal or provides any advice

8. The choice of who is the appropriate officer to deal with a particular case will be at the discretion of Gosport Borough Council.

9 Hourly Rate - £60.00

Other Charges

Section 106 - Planning Officer costs in negotiating agreement

Section 106 - Compliance Checks where applicants/prospective purchaser seeks confirmation that the terms of a legal agreement have been

Fee will be calculated with reference to complexity of individual agreements and time required to deal with request **S**

LAND CHARGES**Fee VAT**
£

Per search	Submitted through NLIS	118.00	O
	Not submitted through NLIS	140.00	O
	E-Mail Searches	118.00	O

Part 2 optional questions	7.00	O
Additional enquiries	7.00	O

Personal Searches	70.00	O
-------------------	-------	---

Notes

1. The above are currently the maximum charges that will be collected. In accordance with the relevant Regulations, the charges are based on cost recovery and will be reviewed throughout the year. They may therefore increase or decrease as time spent on them and search volumes fluctuate. There may also be requests for separate components that make up the search, which will mean the full charge will not be recovered in all cases.

2. The Land Charges budget could be affected next year by customers choosing to access search replies under The Environmental Information Regulations (i.e. for free or for a much reduced fee).

PUBLICATIONS**Fee VAT**
£

Statement of Accounts	20.00	O
Budget Book	20.00	O

STOKES BAY CARAVAN PARK**Fee VAT**
£

All Caravans - weekly rent (exclusive of rates and water charges) - 48 weeks	Statutory increase will be applied	O
--	--	---

IMPROVEMENT LOANS

Council Costs - Improvement loans - 1.50% of amount advanced

EXHIBITION TRAILER

	Fee £	VAT
Hire of exhibition trailer (daily rate, excludes towing & additional labour)		
Other GBC Business Unit: single day	Free	
Other local authority: single day	130.00	S
2+ days	Negotiable	S

HOUSING

	Fee £	VAT
Copy of highlighted plans, dwelling account enquiries, prospective private purchaser enquiries (Solicitor, mortgage lender and/or owner occupier of former Council property)	40.00	O
Prior/Retrospective permissions for alterations (Solicitor, and/or owner occupier of former Council property)	25.00	O
Notice of Sublet of leasehold property (Solicitor, and/or owner occupier of former Council property)	15.00	O
Registration of Notice of Transfer Assignment underlease Notice of Charge (charges as stated in lease)	£5/£25	O
Rent Account/debt reference (Mortgage provider/Loan companies)	25.00	O
Replacement dwelling keys to communal entrances (residents of the block of flats only – no third parties)	7.50	S

GARAGES

		Fee £	VAT
Existing garages	Per week	7.88	O #
New garages	Per week	9.46	O #

above charges are for Council tenants - if garage is let to private client then vat is chargeable

Notes

Charges to be reviewed as part of the Council budget

**PARKING PLACES TO BE SUBJECT TO THE GENERAL REGULATIONS OF THE
CAR PARK ORDER**

1. Nobes Close known as Nobes Close Car Park
2. Adjacent to 59 Rowner Close, known as Rowner Close Car Park
3. Rear of the northern part of Laphorn Close, known as Laphorn Close Car Park
4. Rear of Stoners Close, access to which is between 34/36 Tukes Avenue, known as Stoners Close Car Park
5. Fisher Road, to the rear of 73-79 Nobes Avenue, known as Fisher Road Car Park
6. Eastern end of Shamrock Close, known as Shamrock Close Car Park
7. North-western corner of Wheeler Close and to the rear of 1-7 Rogers Close, known collectively as Wheeler Close Car Park
8. Rear of 4a-16 Prideaux-Brune Avenue, known as Prideaux-Brune Avenue No 1 Car Park
9. Rear of 35-43 Prideaux-Brune Avenue, and to which access is afforded between 41/43 Prideaux Brune Avenue, known as Prideaux-Brune Avenue No 2 Car Park
10. Rear of 4-12 Austerberry Way, known as Austerberry Way Car Park.
11. North-western corner of Wavell Road to the rear of 10-18 Wavell Road, known as Wavell Road Car Park
12. Rear of 2-4 Norman Road, known as Norman Road Car Park
13. Adjacent to 26 Nyria Way, known as Nyria Way Car Park
14. Adjacent to 29-35 Elmore Close, known as Elmore Close Car Park