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31 October 2006

### **S U M M O N S**

**MEETING:** Policy and Organisation Board  
**DATE:** 8 November 2006  
**TIME:** 6.00 p.m.  
**PLACE:** Committee Room 1, Town Hall, Gosport  
**Democratic Services contact:** Chris Wrein

*hinda Edwards*

**BOROUGH SOLICITOR**

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### **MEMBERS OF THE BOARD**

The Mayor (Councillor Mrs Cully) (ex-officio)  
Councillor Hook (Chairman)  
Councillor Burgess (Vice-Chairman)

Councillor Carter	Councillor Langdon
Councillor Chegwyn	Councillor Smith
Councillor Cully	Councillor Taylor
Councillor Gill	Councillor Wright

### **FIRE PRECAUTIONS**

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

**In the event of the fire alarm (continuous ringing) or bomb alert (intermittent ringing) sounding, please leave the room 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.**

**IMPORTANT NOTICE:**

- **The Summons, Agenda and accompanying Reports can be provided in large print, on tape, in Braille or in other languages on request**
- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

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

**AGENDA**

**PART A ITEMS**

RECOMMENDED  
MINUTE FORMAT

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

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

3. MINUTES OF THE MEETING OF THE BOARD HELD ON 13 SEPTEMBER 2006

*To approve as a correct record the Minutes of the meeting of the Policy and Organisation Board held on 13 September 2006 (copy herewith).*

4. DEPUTATIONS – STANDING ORDER 3.5

*(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Monday, 6 November 2006. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).*

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

*(NOTE: The Board is required to allow a total of 15 minutes for questions from members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Monday, 6 November 2006).*

6. BUDGET MONITOR

*To report on forecast revenue and capital expenditure compared to the revenue budget and capital programme for 2006/07 and to formally approve the use of reserves to fund the projected net overspend.*

PART II

Contact Officer:  
John Norman  
Ext 5316

Policy and Organisation Board  
8 November 2006

- |     |  |   |
|-----|--|---|
| 7.  | ADOPTION OF A GAMBLING POLICY FOR GOSPORT BOROUGH COUNCIL  | PART I  |
|     | To introduce a Gambling Policy for use by the Licensing Board in connection with applications received under the Gambling Act 2005 and to establish a fee structure for such applications based on Regulations issued by the Department of Culture, Media and Sport. | Contact Officer:<br>Tom Dagens<br>Ext. 5516             |
| 8.  | CROSS REFERENCE FROM THE CIVIC AND COMMEMORATIVE EVENTS SUB-BOARD 26 OCTOBER 2006: ROYAL HOSPITAL HASLAR FREEDOM OF THE BOROUGH  | PART II<br>Contact Officer:<br>Ken Lucking<br>Ext. 5305 |
| 9.  | FUNDING OF COMMUNITY DEVELOPMENT PROJECT – ROWNER (ACCESS POINT)   | PART II   |
|     | To request a further two years of ongoing funding for the Community Development Project in Rowner.   | Contact Officer:<br>Ian Lycett<br>Ext 5201              |
| 10. | ANY OTHER ITEMS<br>which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.   |   |

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

### **WAS HELD ON 13 SEPTEMBER 2006**

The Mayor (Councillor Mrs Cully) (ex-officio); Chairman of the Policy and Organisation Board (Councillor Hook) (P); Councillors Burgess, Carter (P), Chegwyn (P), Cully (P), Gill (P), Langdon (P), Smith (P), Taylor (P) and Wright (P) .

It was reported that, in accordance with Standing Orders, Councillor Jacobs had been nominated to replace Councillor Burgess for this meeting.

#### **13. APOLOGIES**

Apologies for inability to attend the meeting were submitted on behalf of the Mayor and Councillor Burgess.

#### **14. DECLARATIONS OF INTEREST**

Councillor Jacobs declared a personal and prejudicial interest in item 11 on the agenda, Gosport and Fareham Rugby Club.

Councillors Hook and Gill each declared a personal interest in item 13 on the agenda, Bay House School - Car Parking.

#### **15. MINUTES**

RESOLVED: That the Minutes of the Board meeting held on 28 June 2006 be approved and signed by the Chairman as a true and correct record.

#### **16. DEPUTATIONS**

In accordance with Standing Orders, deputations to the Board relating to agenda item 13 (**Bay House School, Car Parking**) were made by Mr and Mrs Theobald and Mrs Lines.

Mr and Mrs Theobald informed the Board that:

- They were aware of the parking issues in the lay-by beside Bay House School and outside Cornerways and The Last House where double parking was causing problems;
- They would like to see double yellow lines installed by the bushes which would enable easier access for Mr and Mrs Lines at The Last House and delivery and emergency access vehicles;
- In the main it was sixth formers at the school who were not parking properly resulting in several near accidents and danger to cyclists and pedestrians;

- Minimising the number of cars parking in the lay-by would make the area safer;
- They would like to see sensible parking allowed in the area and the restrictions applied that were in place in the past;

Mrs Lines suggested that double yellow lines could be painted on one or other side of the lay-by. At present it was very difficult to drive out of her property in the morning. In addition, the cyclepath was not being used properly.

Members undertook to look into the provision of an experimental Traffic Regulation Order but this would be dependent on the decision made by the Board later on in the meeting when considering the report of the Environmental Services Manager (Bay House School – Car Parking).

## PART II

### 17. BAY HOUSE SCHOOL – CAR PARKING

**Note:** Councillors Hook and Gill declared personal interests in this item but remained in the meeting room throughout its discussion.

**Note:** Councillor Edgar (Ward Councillor for Alverstoke) had requested and was granted leave to address the Board on this item.

Consideration was given to a report of the Environmental Services Manager which recommended the issue of free parking permits, up to a limit of 60, to Bay House School students and staff for use in the car park adjacent to Bay House School, known as No. 2 Battery East Car Park. The permits would be valid during Monday to Friday (excluding Bank Holidays) and during term time only.

Councillor Edgar informed the Board that Bay House Sixth Form College had expanded and it was anticipated that an increasing number of students would be driving to college as the year progressed. The lay-by would be full and students would be parking on the grass verges, which would make safe dropping off and picking up very difficult.

Residents of Gomer Lane had been complaining about this situation and had commented that the adjacent No. 2 Battery East Car Park was little used. The problem, which was also spreading out to the adjacent ward, could be solved by making the car park available for use by Bay House School.

Members took the view that the issue of a limited number of permits would be unfair to those who were unable to obtain them.

It was proposed and seconded that No. 2 Battery East Car Park be divided and part of it let to Bay House School for student/staff parking.

Policy and Organisation Board  
13 September 2006

The Chief Executive advised Members that this was an ongoing issue and that he had met recently with the Head of the school to discuss the problems. There were Health and Safety issues and concern had been expressed for the safety and well-being of residents.

Various solutions had been discussed with the school, one of which was to let the No. 2 Battery East Car Park to the school. The school had expressed interest in this solution but had concerns about the cost.

The Chief Executive advised that, should this solution be progressed, the Council was likely to be responsible for the provision of appropriate fencing and signage although the school would be prepared to do all it could to ensure students used the car park once this was provided.

Members decided that it was possible for a peppercorn rent only to be charged to the school and the course of action to take would be to negotiate with Bay House School to divide the car park and lease part of it to the school and to proceed with an experimental Traffic Regulation Order in the lay-by to restrict parking to help deal with the problems being experienced within the lay-by next to the school.

RESOLVED: That:

- a) officers negotiate terms with Bay House School to divide the No. 2 Battery East Car Park and let part of it to the school for student/staff car parking; and
- b) depending on the result of the negotiations with Bay House School, officers proceed with an experimental Traffic Regulation Order in the Gomer Lane lay-by.

**18. TREASURY MANAGEMENT ANNUAL REVIEW 2005/06 AND PRUDENTIAL INDICATORS**

Consideration was given to a report of the Borough Treasurer and Deputy Chief Executive which covered the treasury activity for 2005/06 together with a review of 2006/07 to date. The report also covered the actual Prudential Indicators for 2005/06 in accordance with the requirements of the Prudential Code.

RESOLVED: That:

- a) the Treasury Management report for 2005/06 be noted; and
- b) the 2005/06 Prudential Indicators be approved.

**19. COMMUNITY BANKING PARTNERSHIP FOR SOUTH HAMPSHIRE**

Consideration was given to a report of the Housing Services Manager which advised Members of the emerging plans for a Community Banking Partnership for South Hampshire and sought the support of the Board for taking forward the development of the partnership for the benefit of Gosport residents.

Members were advised that the Community Banking Partnership aimed to improve the quality of life and prosperity of people within the communities of South Hampshire. It sought to tackle all forms of financial exclusion where they existed, by providing access to high quality advice services, affordable credit, flexible savings and wide-ranging banking services. The Partnership would deliver through joint working between a variety of organisations which shared a common vision of achieving financial inclusion for individuals and their families in the South Hampshire region.

At this stage in the project Gosport Borough Council had not been approached to provide any financial contribution towards the Community Banking Partnership.

Members were advised that, following a successful bid for funding, Portsmouth Housing Association would be appointing a project manager. A minimum of four advisers would be working at Citizens' Advice Bureaux in South Hampshire.

RESOLVED: That the development of a Community Banking Partnership for South Hampshire be supported.

## **20. FERRY PONTOON – PREPARATION FOR REPLACEMENT FACILITY**

Consideration was given to a report of the Leisure and Cultural Services Manager which advised Members of the condition of the existing ferry pontoon, reviewed the current and future needs for a ferry service and considered a programme for a replacement pontoon facility.

Members held the view that the provision of a new pontoon would benefit the Gosport Ferry Company and it should therefore be requested to make a contribution towards the costs the Council would be incurring by providing a replacement pontoon. Members also felt that the provision of a ferry service between Gosport and Portsmouth was a considerable factor in reducing traffic congestion on the A32 road and a financial contribution should be sought from Hampshire County Council, as the highway authority, towards the costs of providing a new pontoon.

Members were advised that an approach for a financial contribution had been made to Hampshire County Council but this had met with little success. It was requested that this avenue continue to be pursued.

Members were advised that formal approval to adopt the final design for the new pontoon would be sought at a future meeting of the Board.

RESOLVED: That:

- a) preparations for the design of a replacement pontoon proceed and contributions be sought from Hampshire County Council and the Gosport Ferry Company for part of the cost; and
- b) the requirements of Standing Order 8 be waived and W S Atkins Consultant Engineers Ltd be appointed as consulting engineers for this project.



## **21. FAIRTRADE**

Consideration was given to a report of the Chief Executive which advised Members of the Fairtrade Town Initiative and the Board was requested to consider whether Gosport should become a Fairtrade Town.

Members were advised that Fairtrade was recognised internationally and helped farmers in the developing world by providing a stable price for them to support their families and invest in their future.

Fairtrade had recently launched the “Fairtrade Towns Initiative”, a project designed to develop support for the Fairtrade mark across the world.

Members took the view that the Gosport “Coastline” and the “At Your Service” Editorial Panels should be asked to consider the promotion of Fairtrade on a regular basis.

RESOLVED: That:

- a) the Fairtrade Initiative be supported and the use of Fairtrade products amongst local businesses and other organisations be encouraged;
- b) Fairtrade coffee and tea be served at the Council’s meetings and be made available for staff to purchase at no additional cost to the Council;
- c) Gosport “Coastline” and “At Your Service” Editorial Panels be requested to consider the promotion of Fairtrade on a regular basis; and
- d) signs indicating Gosport as a Fairtrade Town be displayed in the Town Hall main reception.

## **22. TRANSFER OF LAND AT CHERQUE FARM**

Consideration was given to a report of the Borough Solicitor which sought authorisation for the acquisition from Persimmon Homes of a number of Local Areas for Play (LAPS), Local Equipped Areas for Play (LEAPS), an urban park and incidental areas forming part of the Cherque Farm development at Lee-on-the-Solent.

RESOLVED: That approval be given to the acquisition from Persimmon Homes of the Local Areas for Play, Local Equipped Areas for Play, an Urban Park and incidental areas forming part of the Cherque Farm Estate, as indicated on the plan displayed at the meeting of the Board subject to the receipt of the following commuted sums:

- a) £429,823.29 for Local Areas for Play 1-8,10-18,20 and 21; and
- b) £98,258 for the remainder of the areas.

**23. GOSPORT AND FAREHAM RUGBY CLUB**

**Note:** Councillor Jacobs declared a personal and prejudicial interest in this item, left the meeting room and did not take part in the discussion or voting thereon.

Consideration was given to a report of the Development Services Manager which sought approval to enter into a three year lease with Gosport and Fareham Rugby Club for the pavilion at Gosport Park.

RESOLVED: That the Borough Solicitor be authorised to enter into such legal documentation as is necessary to enter into a three year lease with Gosport and Fareham Rugby Club for the pavilion at Gosport Park on the terms agreed and set out in the Development Services Manager's report.

**24. NIMROD CENTRE, ROWNER**

Consideration was given to a report of the Chief Executive which advised Members of the proposed acquisition of the Nimrod Centre, Rowner and sought approval for the immediate granting of a new lease, following acquisition, to Gosport Voluntary Action.

RESOLVED: That:

- a) should Gosport Development Trust serve a pre-emption notice in respect of the Nimrod Centre, the Council accept the same and purchase the freehold of the Centre for £1; and
- b) immediately following such acquisition, a lease of the Centre , excluded from the renewal provisions of the Landlord and Tenant Act 1954, be granted to Gosport Voluntary Action on full terms to be agreed but subject to a break clause so that the lease can be terminated if the property is required for redevelopment.

The meeting commenced at 6.00 p.m. and concluded at 7.35 p.m.

**CHAIRMAN**

<b>BOARD:</b>	<b>POLICY &amp; ORGANISATION BOARD</b>
<b>DATE OF MEETING:</b>	<b>8<sup>th</sup> NOVEMBER 2006</b>
<b>TITLE:</b>	<b>BUDGET MONITOR</b>
<b>AUTHOR:</b>	<b>BOROUGH TREASURER</b>
<b>STATUS:</b>	<b>FOR DECISION</b>

## **SUMMARY OF REPORT AND RECOMMENDATIONS**

To report to P&O Board members on forecast revenue and capital expenditure compared to the revenue budget and capital programme for 2006/07 and to formally approve the use of reserves to fund the projected net overspend.

### **Recommendations**

1. To note the contents of this report
2. To approve the net additional expenditure being incurred in 2006/07 to be met by a supplementary estimate from reserves.
3. To approve the write off of £50,000 promised by Berkeley Homes as a contribution towards the running costs of the Explosion Museum in 2004/05.
4. To note that variations in projected capital expenditure and funding resources will be reported as part of the capital programme in the budget process.

## **1.0 PURPOSE OF REPORT**

- 1.1 This is the second of the four programmed Budget Monitors to be issued in 2006/07. It reflects a forecast outturn position that is based on both financial and non financial information up to the end of September 2006.

## **2.0 BACKGROUND**

- 2.1 The Approval of Accounts Report and accompanying Statement of Accounts were approved by P&O Board on 28<sup>th</sup> June. The subsequent external audit has now been completed and an unqualified audit opinion has been received. The statement has been published, within the statutory timescale, and circulated to members. It is also generally available on the Council's website.
- 2.2 The figures contained in this monitor include the revenue (£78,100) and capital (£1,247,800) budgetary carry forwards reported to P&O Board on 28<sup>th</sup> June.
- 2.3 The Budget Strategy including the Medium Term Financial Strategy was approved by P&O Board on 28<sup>th</sup> June and work is presently ongoing in preparing a draft budget.
- 2.4 This budget monitor has been compiled against this background and seeks to provide an update on the Council's budgetary position for this financial year together with some key points that will affect next year's budget and Council Tax setting.
- 2.5 Officers are continuing to seek efficiency savings and those that are cashable may be available to offset future budget requirements. The service review process will result in an assessment of all Council services.
- 2.6 The next budget monitor will be reported in January in the form of the Revised 2006/07 element of the budget book.

## **3.0 GENERAL FUND**

- 3.1 An examination of the revenue budgets for 2006/07 has revealed the variations listed in Appendix B which result in a forecast increase in net expenditure of £257,870 equivalent to 2.2% of the estimated net budget.
- 3.2 Of this total sum, £78,100 is attributable to revenue budget carry forwards from 2005/06 approved at P&O Board on 28<sup>th</sup> June. The remainder of £179,770 is set out in more detail below.
- 3.3 A budget summary for both revenue and capital is included at Appendix A. A detailed list of revenue variations is at Appendix B and capital variations at Appendix C. The main points are summarised below.
- 3.4 Revenue Variations
  - Open Market

Market income continues to be below the profile for 2006/07 and is below that achieved for the first half year in 2005/06. A sum of £50,000 has been included as an indication of the level of budget deficit for the year. An officer working party is reviewing the situation with the market operator.

- Coast Protection

Certain salary costs are recoverable as part of the grant aided capital cost of coast protection schemes but a reduction in funding coupled with government responsibility passing from Defra to the Environment Agency has led to uncertainty and scheme delays. This is also reflected in Appendix C.

- Parking

The decision by the Council to introduce two hours free parking in the town centre car parks is estimated to reduce budgeted income by £30,000 per month - £120,000 in the current year.

Income from parking fines is below that budgeted, with an estimated £12,000 shortfall.

- Concessionary Travel

The introduction of the County wide farepass scheme from 1<sup>st</sup> April has resulted in a bigger demand for farepasses than budgeted for. It was generally acknowledged by all Councils that both demand and the unit cost of farepasses (which depends on usage) would be difficult to predict accurately and the figures supplied by the Hampshire consultants were used with this in mind. This is the first year of the scheme and so there is no evidence or profile to refer to. Current indications are that an increase in the budgeted cost of the farepass of £170,160 will be offset by a reduction in the budgeted cost of tokens of £43,060 leaving a net additional cost of £127,100. A clearer picture is expected following a meeting in early November between the Hampshire authorities and the consultant.

- Homelessness

The Homelessness budget was overspent by £72,000 in 2005/06 and present indications are that this will continue into 2006/07. £50,000 has been included as a best estimate at this stage.

- Local Tax Collection – Court Costs income

In 2005/06 court costs income exceeded that expected by £75,300 and it was acknowledged in the Approval of Accounts report that this was an area where we needed to improve our estimating and was to be addressed in 2006/07. A review of this budget indicates that some £40,000 additional income will be received in this financial year.

- Vacancy Allowance

The Council's budget included a savings figure of £92,010 in respect of salary savings in 2006/07 arising from turnover and vacant posts. The salary budgets have been reviewed as an early part of the ongoing budget process and this is estimated to be exceeded by £46,590, mainly due to the delay in filling new posts approved in 2005.

- Interest Income

As indicated in the Treasury management report to P&O Board in September, the Council's net investment position is expected to continue during 2006/07 and investment income for the year will significantly exceed original estimates.

Additional net investment income of approximately £120,000 is projected for this financial year. The final outcome will depend on many factors including market conditions, capital expenditure, capital receipts and amounts attributable to the Housing Revenue Account

#### **4.0 RESERVES**

- 4.1 In accordance with Council policy, the General Fund working balance at 31<sup>st</sup> March 2006 was £821,000 (7% of the 2006/07 budget) with a further budgeted contribution of £19,000 in 2006/07 increasing this to £840,000 at 31<sup>st</sup> March 2007.
- 4.2 The Revenue Financing Reserve balance at 31<sup>st</sup> March 2006 was £708,750 with a net contribution of £12,920 budgeted for in 2006/07. Meeting the forecast variance of £257,870 (Appendix A and paragraph 3.1) from this fund will reduce the balance to £463,800 at 31<sup>st</sup> March 2007.

#### **5.0 HOUSING REVENUE ACCOUNT**

- 5.1 There are at present no forecast material variances for the Housing Revenue Account.

#### **6.0 CAPITAL PROGRAMME**

- 6.1 Appendix C sets out the latest capital programme budgets for 2006/07 (which include slippage from 2005/06) together with a forecast of programme expenditure for 2006/07. The capital programme is presently being drafted and so this revised budget forecast may

change. The appendix is annotated with brief notes against those schemes which show a variation and the main issues are summarised below.

## 6.2 Coast Protection Schemes

The figures included for the various Coast Protection schemes reflect the latest forecast figures supplied to the Environment Agency in July. The schemes have been rescheduled to future years to accord with the likely availability of government funding.

## 6.3 Allotments

Allotments fencing upgrades and security works totalling £55,100 are being funded from the capital receipt of £200,000 from the sale of land at Camden Allotments. This expenditure has been approved by C&E Board and leaves £144,900 of the original receipt.

## 6.4 Play Equipment

C&E Board have approved the use of various sums towards the upgrading and renewal of play equipment at several locations and these are listed and noted in Appendix C.

## 6.5 Westfield Depot – building refurbishment and conversions

The cost of alterations to the Depot – principally building refurbishment and conversion including information technology and communications facilities - currently totals £87,300 with further works (estimated at £10,400) for the provision of a disabled toilet and an integrated fire alarm system to be completed. Approximately half of the total estimated cost of £97,700 is for the provision of communications with the remainder being for work to the buildings.

# 7.0 COLLECTION OF LOCAL TAXES

7.1 The graph at Appendix D shows that Council Tax collection performance to September stands at 57.39% which, while marginally below the target for this year of 58.15%, is consistent with last years performance. The continuing focus on improving the take up of direct debits as a method of payment should improve things as the year goes on.

7.2 The graph at Appendix E shows that Non Domestic Rates collection performance to September is 71.40% which is marginally below both last year and the target for this year (71.95% and 71.63% respectively).

- 7.3 Sound collection performance, along with other factors, continues to be vital in assisting the Council's cash flow and the interest earned on balances.

## **8.0 WRITE OFFS**

- 8.1 The Approval of Accounts report to P&O Board on 28<sup>th</sup> June described the provision of £50,000 in respect of a probable write off requirement relating to the promised contribution by Berkeley Homes towards the running costs of the Explosion Museum. This sum was originally accounted for as income in 2004/05 financial year and to date remains unpaid. Correspondence with Berkeley Homes suggests that it is extremely unlikely that this will be paid and consequently this report includes a recommendation for write off.

## **9.0 RISK ASSESSMENT**

- 9.1 The Council's budgetary report for 2006/07 listed the following budget areas as having varying levels of likelihood and impact on the Council's financial position.

- Homelessness
- Housing Benefits
- Open Market Income
- Land Charges Income
- General Income
- Maintenance and Administration
- Inflation
- Insurance
- Interest Rates
- Vacancy Savings

- 9.2 These areas have been examined as part of the budget monitor exercise and where applicable are included in section 3.

- 9.3 Approximately 85% of the revenue variances identified fall within the these risk headings.

## **10.0 IMPACT ON BUDGET STRATEGY FOR 2007/08**

- 10.1 Overall, the reported variances will, in general, continue to impact adversely beyond the end of the current financial year.

- 10.2 Specific factors affecting the 2007/08 budget requirement currently include

- Concessionary Travel – the cost of the farepass and tokens



- Homelessness
- Land Charges income – the strong possibility that local authority fee levels will be ring fenced and defined by central government directive
- Parking charges – the full year effect of the two hours free parking in town centre car parks
- Capital programme – the combination of projected capital programme expenditure and reducing capital resources leading to an increased minimum revenue provision (effectively the statutory financing charge that must be met by the revenue account) - this may affect interest earning performance as well
- The possibility of a substantial one-off grant receipt related to the Local Authority Business Growth Incentive Scheme.

10.3 The budget process is taking place at the moment and all indications are that it will be difficult to produce a balanced and robust 2007/08 budget within a 5% capping limit.

## 10.0 CONCLUSION

10.1 Current indications are that there is a forecast increase in General Fund net revenue expenditure of £257,870. This includes approved carry forwards from 2005/06 of £78,100.

10.2 This increase can be met from Reserves. A specific supplementary estimate is requested for the projected shortfall.

Financial Implications:	As outlined in the report
Legal Implications:	The Council is under an obligation to carry out its functions effectively, efficiently and economically which includes regular budgetary monitoring
Service Improvement Plan Implications:	The requirement for regular budgetary monitoring and control reports to members is both professional best practice and a statutory duty of the Chief Finance Officer. Service improvements will be severely hindered without robust financial control.
Corporate Plan:	
Risk Assessment:	Section 9
Background Papers:	Budget Working Papers
Appendices / Enclosures:	Appendix A – Summary Appendix B – Revenue Variations Appendix C – Capital Programme Appendix D – Council Tax Collection Rates Appendix E – NDR Collection rates
Report Author / Lead Officer:	John Norman, Head of Accountancy 023 9254 5316



## BUDGET MONITOR - SUMMARY AT OCTOBER 2006

	ESTIMATE 2006/2007 £	FORECAST 2006/2007 £	VARIANCE * £
<b>GENERAL FUND</b>			
Community & Environment	6,316,740	6,696,700	379,960
Housing	533,640	583,640	50,000
Policy & Organisation	4,870,010	4,697,920	(172,090)
<b>Total Net Expenditure</b>	<b>11,720,390</b>	<b>11,978,260</b>	<b>257,870</b>
Transfer to GF Working Balance	19,000	19,000	0
Transfer from Building Control	(13,000)	(13,000)	0
Transfer to / (from) Revenue Financing Reserve	12,920	(244,950)	(257,870)
<b>Budget Total</b>	<b>11,739,310</b>	<b>11,739,310</b>	<b>0</b>

## HOUSING REVENUE ACCOUNT

Net Surplus	(30,000)	(30,000)	0
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	ESTIMATE 2006/2007 £ '000	FORECAST 2006/2007 £ '000	VARIANCE * £ '000
<b>CAPITAL PROGRAMME</b>			
Housing - HRA	4,500	4,500	0
Housing - GF	1,992	2,436	444
Community & Environment	1,715	2,045	330
Policy & Organisation	1,625	1,716	91
<b>Total Programme</b>	<b>9,832</b>	<b>10,697</b>	<b>865</b>

\* Note : the figures in brackets denote an underspending

	Actual 01-Apr-06 £	Estimate 31-Mar-07 £	Forecast 31-Mar-07 £
<b>GF - WORKING BALANCE</b>	(821,000)	(840,000)	(840,000)
As a % of Estimated Budget 2006/07		7.17%	7.17%
<b>GF - REVENUE FINANCING RESERVE</b>	(708,750)	(232,210)	(463,800)
Variation			(231,590)
<b>GF - BUILDING CONTROL RESERVE</b>	(69,260)	(47,560)	(56,260)
Variation			(8,700)
<b>HRA - REVENUE ACCOUNT BALANCE</b>	(990,750)	(817,000)	(1,020,750)
Variation			(203,750)

## BUDGET MONITOR - VARIATIONS IN PROJECTED GENERAL FUND EXPENDITURE AT OCT 2006

BUDGET BOOK PAGE NO		ESTIMATE 2006/2007 £	FORECAST 2006/2007 £	VARIANCE * £
<b>COMMUNITY AND ENVIRONMENT BOARD</b>				
9	Open Market Income	(250,000)	(200,000)	50,000
11	Coast Protection Administration Recharges	16,350	47,660	31,310
11	Waste Recycling Income	(65,530)	(77,580)	(12,050)
13	Abandoned / Unwanted Vehicles Income	(19,350)	(24,200)	(4,850)
17	Urban Land Management Premises - from 2005/06	142,890	165,080	22,190
19	Outdoor Sports Premises - from 2005/06	49,500	60,550	11,050
21	Tenanted Buildings Premises - from 2005/06	41,740	47,170	5,430
25	Coastal Services Premises - from 2005/06	17,030	17,860	830
27	Arts & Events Waterfront Festival - Net Expenditure	20,000	35,000	15,000
29	Highways - GBC Flower Bed & Shrubbery Mtce - from 2005/06	113,370	120,870	7,500
31	Parking Car Park Fees	(750,000)	(630,000)	120,000
	Parking Fines	(70,000)	(58,000)	12,000
33	Concessionary Travel Tokens	487,060	444,000	(43,060)
	Farepass	347,140	517,300	170,160
	Enterprise Grounds Maintenance Contract (all services)		(5,550)	(5,550)
<b><u>HOUSING BOARD</u></b>				
39	Homelessness Net Expenditure	377,230	427,230	50,000

## BUDGET MONITOR - VARIATIONS IN PROJECTED GENERAL FUND EXPENDITURE AT OCT 2006

BUDGET BOOK PAGE NO		ESTIMATE 2006/2007 £	FORECAST 2006/2007 £	VARIANCE * £
<b><u>POLICY AND ORGANISATION BOARD</u></b>				
49	Local Tax Collection Income - Court Costs	(100,000)	(140,000)	(40,000)
51	Economic Prosperity Job Creation & Other Initiatives - from 2005/06	83,690	84,690	1,000
51	Community Safety Crime & Disorder Initiatives - from 2005/06	12,200	15,300	3,100
59	Civic Events HMS Sultan Honorary Freedom Parade & Royal Hospital Haslar Freedom of the Borough (subject to approval by Civic & Commemorative Events Board on 26th October)	4,000	7,400	3,400
60	Miscellaneous Services Vacancy Allowance	(92,010)	(138,600)	(46,590)
	Business Unit carry forwards from 2005/06		27,000	27,000
60	Other Corporate Areas Interest	(110,400)	(230,400)	(120,000)
	Sub-Total			257,870
<b><u>Total General Fund forecast variance</u></b>				<b>257,870</b>

*\* Note : the figures in brackets denote an underspending compared to the latest budget*

## CAPITAL PROGRAMME 2006/2007 - VARIATIONS AT OCTOBER 2006

	ESTIMATE 2006/07 £'000	SLIPPAGE FROM 2005/06 £'000	EST INC SLIPPAGE 2006/07	FORECAST 2006/07 £'000	VARIANCE * £'000	
<b>HOUSING BOARD (HRA)</b>						
LA Tenants Disabled Persons Grant	50		50	50	0	
Improvements to Housing Stock	4,450		4,450	4,450	0	
<b>Board Total</b>	<b>4,500</b>	<b>0</b>	<b>4,500</b>	<b>4,500</b>	<b>0</b>	
<b>HOUSING BOARD (GF)</b>						
Social Housing	1,620	399	2,019	2,019	0	
Disabled Facilities	210		210	210	0	
Housing Renewal	162	45	207	207	0	
<b>Board Total</b>	<b>1,992</b>	<b>444</b>	<b>2,436</b>	<b>2,436</b>	<b>0</b>	
<b>COMMUNITY &amp; ENVIRONMENT BOARD</b>						
Aid to Voluntary Organisations	25	28	53	53	0	
Haslar Lake Sea Wall	25		25	0	(25)	# Schemes reprofiled in line with availability of government funding
Regional Coastal Monitoring	6	6	12	12	0	
Town Centre Historic Parks		15	15	15	0	
Leesland Park		6	6	6	0	
Alver Valley	362	14	376	376	0	
Rowner Cricket Pavilion		5	5	5	0	
St Vincent - Leisure Facilities	20		20	20	0	
Bastion No 1		7	7	7	0	
St Vincent Artificial Turf Pitch		18	18	18	0	
High Street Refurbishment		213	213	213	0	
Landing Stage	150		150	150	0	
Alverstoke Flood Protection	250		250	50	(200)	#
Forton Flood Protection	175		175	40	(135)	#
Solent Strategy Study	45		45	45	0	
Portsmouth Harbour (North & West) Shoreline	45		45	45	0	
L-O-S Embankment Regrade	10		10	10	0	
Pirates Cove		3	3	3	0	
Nobes Hall	4		4	4	0	
Open Space Security Measures - Cemetery		7	7	7	0	
Open Space Security Measures - Parks		12	12	12	0	
New Cemetery	20	17	37	37	0	
Cemetery - Memorial Headstone Safety	30		30	30	0	

## CAPITAL PROGRAMME 2006/2007 - VARIATIONS AT OCTOBER 2006

	ESTIMATE	SLIPPAGE	EST INC	FORECAST	VARIANCE *
	2006/07	FROM	SLIPPAGE	2006/07	
	£'000	2005/06	2006/07	£'000	£'000
Amenity Lighting - Contribution to HCC Scheme	5		5	5	0
Waste Recycling - Project Integra Contribution	7		7	7	0
Alverbank Seawall	70		70	0	(70) #
Lee Skate Park - Additional Equipment		14	14	14	0
Tukes Avenue Playing Field - Facility Upgrade		5	5	5	0
Privett Park - Tennis Courts, Fencing Upgrade		4	4	4	0
Privett Park - Football & Cricket, Perimeter Upgrade		1	1	1	0
Walpole Park - Basketball / Football Facility, Surfacing		8	8	8	0
Walpole Park - Basketball / Football Facility, Railings		2	2	2	0
Elson Recreation Ground - Football Pavilion, Pavings		13	13	13	0
Elson Recreation Ground, Football Fields, Footways		7	7	7	0
Nobes Avenue - Play Area, Equipment Renewal		10	10	10	0
Privett Park - Crazy Paving Area to Grass		5	5	5	0
Park Road Allotments - Fence Renewal		4	4	4	0
Ramparts Railings Upgrade	10		10	10	0
Bow Top Railings, Equipment Upgrade & Skate Park Extension -	46		46	46	0
Stokes Bay Tennis Courts Resurfacing	15		15	15	0
Walpole Park South - Green Bow Top Railings	14		14	14	0
Falkland Gardens - New Public Convenience		100	100	100	0
Brookers Field - Drainage to 4 Football Pitches	120		120	120	0
Privett Park Pavilion	200		200	200	0
Improvement Works to Solent Gardens	15		15	15	0
Stokes Bay Paddling Pool - Customer Toilet	15		15	15	0
Stokes Bay Paddling Pool - Increased Height Railings	8		8	8	0
Stokes Bay Road - Traffic Island	8		8	8	0
Allotments - Fencing Upgrades & Security Provision		8	8	55	47
Replacement Bottle Banks	15		15	15	0
Waste Performance & Efficiency Grant			0	65	65
Privett Park Play Area Equipment			0	8	8
Leesland Road Play Area Equipment			0	4	4

Camden Allotments capital receipt: C&E
13/06/05; 09/01/06; 30/10/06
C&E 06/03/06 - External Grant funding
C&E 06/03/06 - mainly funded from

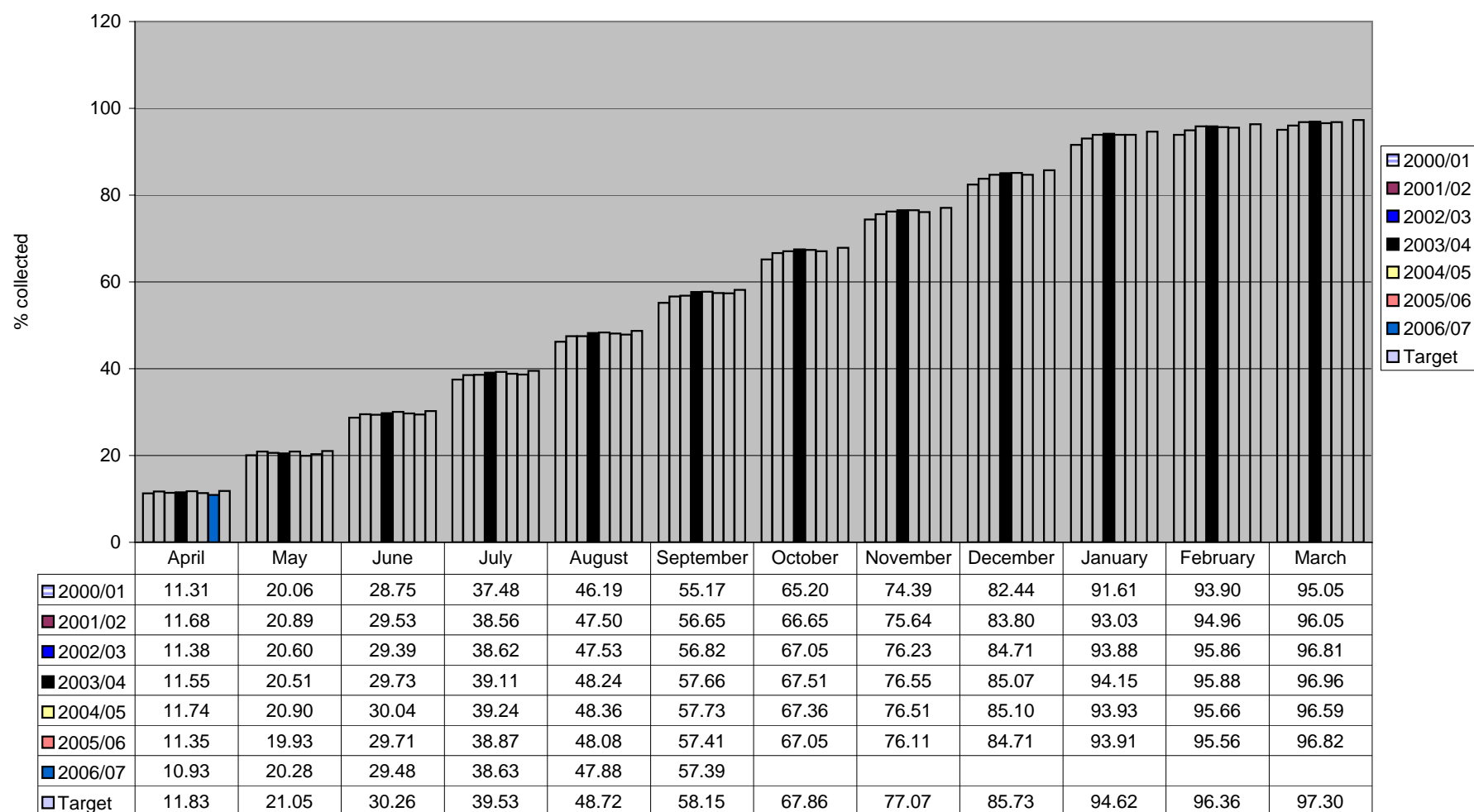
## CAPITAL PROGRAMME 2006/2007 - VARIATIONS AT OCTOBER 2006

	ESTIMATE 2006/07 £'000	SLIPPAGE FROM 2005/06 £'000	EST INC SLIPPAGE 2006/07	FORECAST 2006/07 £'000	VARIANCE * £'000	
Fairway Play Area Equipment			0	7	7	Developer Contributions
Kings Road Play Equipment			0	27	27	
Leisure Facility improvements at several locations			0	49	49	C&E 30/10/06 - mainly funded from
Forton Recreation Ground - facility upgrade			0	22	22	Developer Contributions
<b>Board Total</b>	<b>1,715</b>	<b>531</b>	<b>2,246</b>	<b>2,045</b>	<b>(201)</b>	
<b>POLICY &amp; ORGANISATION BOARD</b>						
Millenium Bridge Repairs & Lighting Improvements	10	2	12	12	0	
CCTV - General Replacement	30	14	44	44	0	
Priddys Hard - Ramparts	175	72	247	123	(124)	
Priddys Hard - Site Development	1,090		1,090	935	(155)	Scheme slippage & reprofiling
Mobile Home Park - Major Repairs	10		10	10	0	
Westfield Road Depot - alterations			0	98	98	Building conversions & refurbishment
Bus Station - Major Repairs		22	22	22	0	
IT Equipment	162	16	178	178	0	
Implementing Electronic Government		145	145	145	0	
Inprint	30		30	30	0	
Town Hall Major Repairs	118		118	118	0	
<b>Board Total</b>	<b>1,625</b>	<b>272</b>	<b>1,897</b>	<b>1,716</b>	<b>(181)</b>	
<b>TOTAL CAPITAL EXPENDITURE</b>	<b>9,832</b>	<b>1,247</b>	<b>11,079</b>	<b>10,697</b>	<b>(382)</b>	

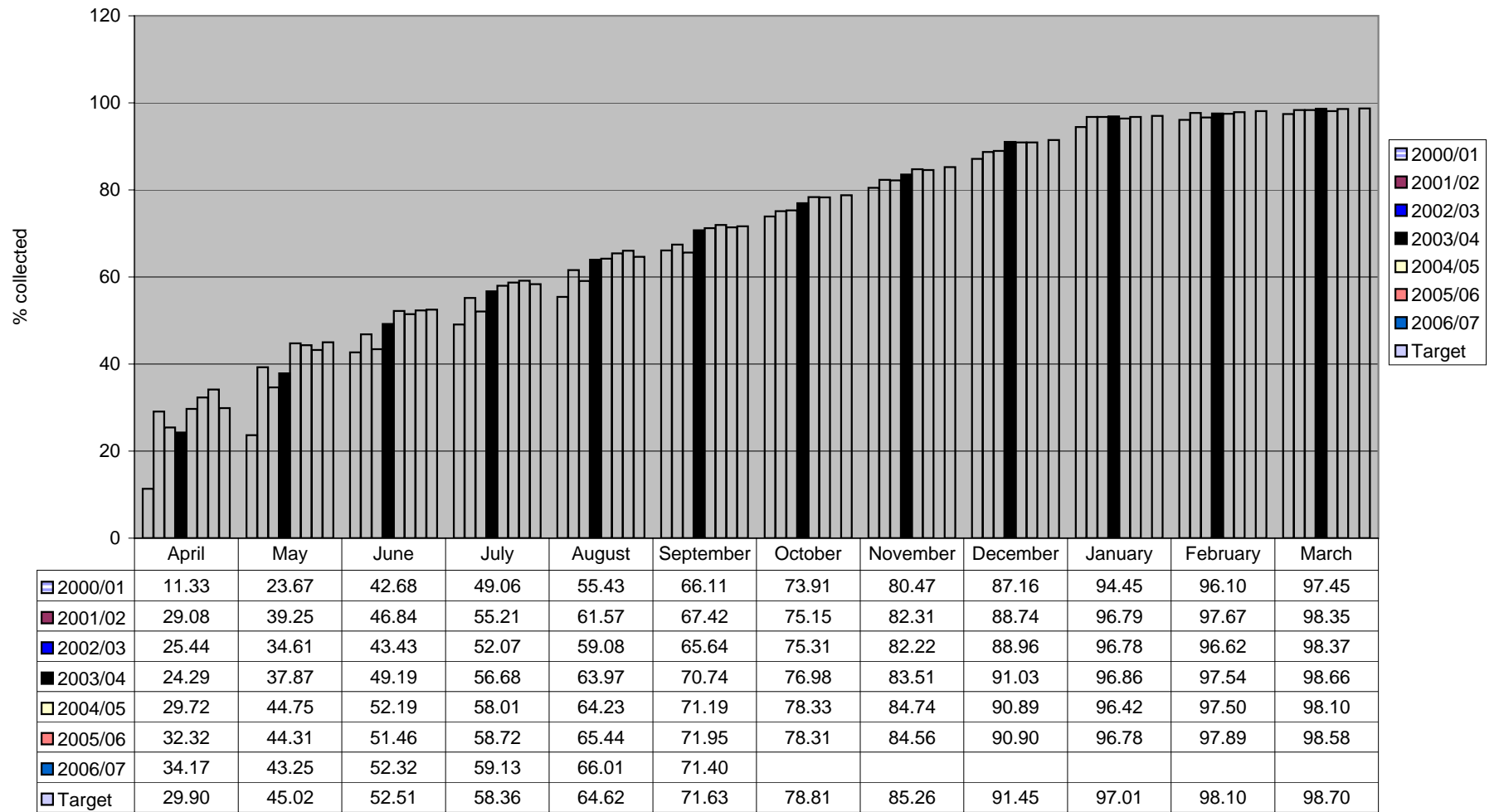
\* Note : the figures in brackets denote an underspending compared to the revised budget



## COUNCIL TAX COLLECTION RATES



NDR COLLECTION RATES



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**Agenda item no. 7**

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<b>Board/Committee:</b>	Policy & Organisation
<b>Date of meeting:</b>	9 November 2006
<b>Title:</b>	Adoption of a Gambling Policy for Gosport Borough Council
<b>Author:</b>	Head of Environmental Health
<b>Status:</b>	For recommendation to the Full Council

**Purpose**

To introduce a Gambling Policy for use by the Licensing Board in connection with applications received under the Gambling Act 2005 and to establish a fee structure for such applications based on Regulations issued by the Department of Culture, Media and Sport.

**Recommendation**

That the Gambling Policy which forms part of this report be recommended to the Full Council for adoption. The Environmental Services Manager in consultation with the Chairman of P&O Board be given delegated authority to adopt the most appropriate suitable fee structure for licences issued under the Gambling Act 2005 having regard to the DCMS Regulations.

**1. Background**

The Gambling Act 2005 introduces significant changes in the regulation of the Gambling Industry. Whilst 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.

Premises licences will cover the following activities:

- Casinos
- Betting offices and race tracks
- Bingo clubs
- Adult gaming centres
- Family entertainment centres

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

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 policy.

Applicants for premises licences and permits must also have regard to the Gambling Policy when making their applications.

The policy 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.

It is only these objectives, stated in the Act that may be addressed by the gambling policy.

Licensing of premises under the Act does not come into force until September 2007. However in order to facilitate applications made in advance of this date local authorities are required to have adopted a Gambling Policy by 31 January 2007. Applications for premises licences may be considered from 30 April 2007.

The Act provides for fees, to be set by the licensing authority for licences and permits, the fee structure must be adopted by Full Council.

## **2. Report**

In accordance with the requirements of the Gambling Act 2005 a Gambling Policy has been prepared for adoption by the Council. The statement has been prepared in accordance with guidance provided by the Gambling Commission and the Local Authorities Coordinating Body on Regulatory Services (LACORS).

The statement has been subject to a mandatory period of public consultation and has been considered by this Council's Licensing Forum and the statutory consultees.

"Statement of Principals", Gosport Borough Council's Gambling Policy is attached as Appendix 1.

The Gambling Policy may be subject to further amendment as guidance from the Gambling Commission is still outstanding on some matters. Where such amendments are necessary they will be identified to the Board at their meeting.

The Act provides for Licensing Authorities to set the fees for licensing activities relating to the Gambling Act 2005. The fees will be within bands set by the Department of Culture Media and Sport (DCMS) by regulation. At the time of preparing this report the DCMS has yet to publish these bands. It is therefore suggested that this Council adopts the highest banding permitted under the regulations once they are received.

### **3. Risk Assessment**

The Council is required by statute to prepare a Gambling Policy under the Gambling Act 2005. In the absence of such a statement it would be impossible to consider applications for Premises Licences made the Act.

### **4. Conclusion**

This Council must have adopted a Gambling Policy relating to the provision of Premises Licences issued under the Gambling Act 2005 by 2 January 2007.

The policy must be adopted by a meeting of the Full Council.

A Gambling Policy has been prepared for adoption in compliance with guidance issued by the Gambling Commission and LACORS.

The policy has been subject to the necessary consultations prior to the final draft being prepared.

A fee structure for premises licences must be adopted by the Full Council. Fees should reflect the appropriate banding permitted under regulations issued by DCMS.

<b>Financial Services comments:</b>	There will be cost implications in maintaining a scheme of premises registrations. These costs must be met from fees which should provide a neutral cost centre.
<b>Legal Services comments:</b>	The Council must have a policy in order to comply with the requirements of the Act in relations to the granting of premises licences or permits. Procedures adopted by the Council in similar matters have been deemed to meet the requirements of the Human Rights Act 1998.
<b>Service Improvement Plan implications:</b>	Adoption of a Gambling Policy for the Borough is part of the Departmental Service Improvement Plan.
<b>Corporate Plan</b>	Not applicable.
<b>Risk Assessment</b>	This is covered in the body of the report.
<b>Background papers:</b>	None.
Appendices/Enclosures:	Appendix 1 - "Statement of Principles" Gosport Borough Council's Gambling Policy.
Report author/Lead Officer:	T Dagens Principal Environmental Health Officer Tel: 023 9254 5516 dageth01@gosport.gov.uk



## GAMBLING ACT 2005

## STATEMENT OF PRINCIPLES

This Statement of Principles will remain in force from  
31 January 2007 until 31 January 2010

# GOSPORT BOROUGH COUNCIL

## DRAFT STATEMENT OF GAMBLING POLICY

### GAMBLING ACT 2005

(Published September 2006 - Version C)

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## **STATEMENT OF GAMBLING POLICY**

This Statement has been drafted at a time when a number of Regulations, Operating/Personal conditions, Codes of Practice and Guidance are not yet published. The impact of these documents upon the content of this Policy will need to be addressed at a later stage, bearing in mind resource implications for the Council. All references to the Gambling Commission's Guidance for local authorities refer to the Guidance published on 28<sup>th</sup> April 2006.

### **PART A**

#### **1. The Licensing Objectives**

In exercising most of their functions under the Gambling Act 2005, Licensing Authorities must have regard to the licensing objectives as set out in section 1 of the Act. 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;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

This Licensing Authority is aware that, as required by Section 153 of The Gambling Act 2005, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy.

#### **2. Introduction**

Gosport Borough Council is situated in the County of Hampshire. The Council area has a population of 76,415 (2001 Census) making it one of the smallest but most densely populated council areas in the County. It is also one of the smallest, covering 25.29 square kilometres / 9.76 square miles. The Council area is mainly urban serving the communities as shown in the map set out in Annex A.

Licensing Authorities are required by the Gambling Act 2005 to publish a statement of the principles which

they proposed to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and consultation carried out over any proposed any amendments. The revised statement must be then be published.

Gosport Borough Council consulted widely upon this statement before finalising and publishing it. A list of those persons consulted is provided below. It should be noted that unsolicited comments were received from other persons but are not all listed.

The Gambling Act requires that Licensing Authorities consult :

- the Chief Officer of Police;
- one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
- 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 Gambling Act 2005.

Gosport Borough Council consulted the following organisations:

- Hampshire Constabulary
- Social Services
- Representatives of persons currently carrying on gambling businesses in Gosport
- Representatives of local businesses
- Representatives of local residents
- Gosport Licensing Forum
- Departments (including Responsible Authorities) within the Council with an interest in the licensing of gambling.
- Hampshire Social Services
- Local bodies representing consumers, the disabled, children's charities, promotion of tourism and neighboring Licensing Authorities.
- Gambling Commission
- HM Revenue & Customs

Consultation on this policy took place between 10 July 2006 and 2 October 2006 and the Council followed the Revised Code of Practice (April 2004) and the Cabinet Office Guidance on consultations by the Public Sector.

The full list of comments made and the consideration by the Council of those comments is available by request to:

Name: The Senior Licensing Officer

Address: Gosport Borough Council, Environmental Health Services, Town Hall, High Street, Gosport PO12

1EB E-mail: [ehs@gosport.gov.uk](mailto:ehs@gosport.gov.uk)

This policy was approved at a meeting of the Full Council on 29<sup>th</sup> November 2006 and was published via the Council's website at: [www.gosport.gov.uk](http://www.gosport.gov.uk) on 1<sup>st</sup> January 2007. Copies were placed in public libraries in the area as well as being available in the Town Hall.

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

### **3. Declaration**

In producing the final policy statement, this Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and any responses from those consulted on the statement.

### **4. Responsible Authorities – Special provision for protection of children and other vulnerable persons.**

The Licensing Authority is 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 Licensing Authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Hampshire County Council Social Services for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 (see Annex E) are available via the Council's website at: [www.gosport.gov.uk](http://www.gosport.gov.uk)

## **5. Interested parties**

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities; or
- c) represents persons who satisfy paragraph (a) or (b)"

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This Authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.14 and 8.15.

It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

The Gambling Commission has recommended that the Licensing Authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations (Gambling Commission Guidance for local authorities 8.17). This Authority will not, however, generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005, i.e. who lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

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. 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. If individuals wish to approach Councillors to ask them to represent their views then care should be taken to ensure that the Councillors are not members of the Licensing Committee dealing with the licence application. If there are any doubts the Council's Head of Democratic Services will advise.

Admissible and relevant representations should be made in writing to the Head of Environmental Health, Environmental Services, Town Hall, High Street, Gosport Hampshire PO12 1EB

## **6. Exchange of Information**

Licensing Authorities are required to include in their statements the principles to be applied by the authority 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 respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this Licensing Authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information so long as this does not contravene the Data Protection Act 1998 or any other relevant legislation. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter as it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available. Discussions with the Gambling Commission and LACORS (Local Authorities Coordinators of Regulatory Services) as regards information exchange between the Commission and local authorities are, at the time of writing, at an early stage.

## **7. Enforcement**

Licensing Authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the Authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This Licensing Authority's principles are that it will be guided by the Gambling Commission's Guidance for local authorities who will endeavour to be:

- Proportionate: regulators should only intervene when necessary; remedies should be appropriate to the risk posed and costs identified and minimised;
- Accountable: regulators must be able to justify decisions and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem and minimise side effects.

As per the Gambling Commission's Guidance for local authorities, this Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

This Licensing Authority will also, as recommended by the Gambling Commission's Guidance for local authorities, adopt a risk-based inspection programme. This programme will be in compliance with the Gambling Commission's risk criteria, regulations governing mandatory/default conditions and the Codes of Practice.

The main enforcement and compliance role for this Licensing Authority in terms of the Gambling Act 2005 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 operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission (see Annex C).

This Licensing Authority will take due account of the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

Bearing in mind the principle of transparency, this Licensing Authority's enforcement/compliance protocols/written agreements will be available upon request to The Head of Environmental Health, Environmental Services, Town Hall, High Street, Gosport Hampshire PO12 1EB

E-mail: [ehs@gosport.gov.uk](mailto:ehs@gosport.gov.uk)

## **8. Licensing Authority functions**

Licensing Authorities are required under the Act to:

- 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) for the use of two or fewer gaming machines;
- issue licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- 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.

It should be noted that Licensing Authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

The levels of delegated Licensing Authority decision making permitted under Sections 154 and 155 are set out in Annex B.

The Gambling Commission has recommended that Licensing Authorities include a list of licensable activities in their policy statements. The activities licensed by the Licensing Authority are:

- casino premises;
- bingo premises;
- betting premises, including tracks;
- adult gaming centres; and
- family entertainment centres.

Except in the case of tracks (where the occupier of the track who gets the premises licence may not be the person who actually offers the gambling) premises licences may only be issued to people with a relevant gambling operating licence: for example, to obtain a bingo premises licence the applicant must hold a bingo operating licence. Premises licences are transferable to someone else holding a valid operating licence. The Act provides that Licensing Authorities may attach conditions to premises licences.

In addition to licences, there are other forms of authorisation that a Licensing Authority may grant, for example, authorisations for the temporary use of premises, occasional use notices and five different sorts of permit for unlicensed family entertainment centres, prize gaming, gaming machines on alcohol-licensed premises and club gaming and club gaming machines, respectively.

## **PART B**

### **PREMISES LICENCES**



## 1. General Principles

Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing Authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

This Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the Authority's statement of licensing policy.

The Gambling Commission's Guidance for local authorities states that "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below – page 16) and also that unmet demand is not a criterion for a licensing authority.

**Definition of "premises"** - Premises is defined in the Act as "any place". Different premises licences cannot apply in respect of a single premise at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

This Licensing Authority takes particular note of the Gambling Commission's Guidance for local authorities which states that Licensing Authorities:

- should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware that 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 and that people do not 'drift' into a gambling area;
- should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that Authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act.

An overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

It should also be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that reference to "the premises" are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. This Authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to the extent that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensure that the Authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

***Location*** - This Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

***Duplication with other regulatory regimes*** - This Licensing Authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This Authority will not consider whether a licence application is likely to be awarded planning permission or building regulation approval, in its consideration of it. It will, however, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

***Licensing objectives*** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

**Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** - This Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. However, the

Gambling Commission's Guidance does envisage that Licensing Authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this Authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be appropriate such as the provision of door supervisors. This Licensing Authority is aware of the distinction between disorder and nuisance and 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.

**Ensuring that gambling is conducted in a fair and open way** - This Licensing Authority has noted that the Gambling Commission has stated that it would generally not expect 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 below - page 18.

**Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This Licensing Authority has noted the Gambling Commission's Guidance for local authorities which states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at, or are particularly attractive to children). This Licensing Authority will therefore consider, as suggested in the Gambling Commission's Guidance, 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.

This Licensing Authority will take note of the Codes of Practice which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos.

As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This Licensing Authority will consider this licensing objective on a case by case basis.

**Conditions** - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures which this Licensing Authority 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. This Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

This Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children, and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This Authority will also ensure that where category C (see Annex 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.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

This Licensing Authority is aware that tracks may be subject to one or more premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Licensing Authority will consider the impact upon the third licensing objective 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.

It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

***Door Supervisors*** - The Gambling Commission advises in its Guidance for local authorities that Licensing Authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the door supervisors at casinos or bingo premises need not be licensed by the Security Industry Authority (SIA). This Licensing Authority therefore has specific requirements for door supervisors working at casinos or bingo premises to have completed a training course in door supervision techniques. This is in recognition of the nature of the work in terms of searching individuals, dealing with potentially aggressive persons, etc.

For premises other than casinos and bingo premises, operators and the Licensing Authority may decide that supervision of entrances/machines is appropriate on a case by case basis and whether these supervisors need to be SIA licensed or not. It will not be automatically assumed that they need to be so licensed.

## **2. Adult Gaming Centres**

This Licensing Authority 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.

This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives, however appropriate measure/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 organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

### **3. Licensed Family Entertainment Centres:**

This Licensing Authority 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.

This licensing Authority 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 organisations such as GamCare.
- measures/training for staff on how to deal with suspected truant school children on the premises

This list is neither mandatory, nor exhaustive and is merely indicative of example measures.

This Licensing Authority will, as per the Gambling Commission's guidance, 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 (see Annex C) should be delineated. This Licensing Authority will also make itself aware of any mandatory or default conditions on these premises licences when they have been published.

If the operator of a family entertainment centre wants to make category C machines available in addition to category D machines, the operator will need to apply for an operating licence from the Commission and a premises licence from the licensing authority (see Schedule 10 of the Act sets out the application process and regulatory regime for FEC gaming machine permits).

### **4. Casinos**

*No Casinos Resolution* - This Licensing Authority has not passed a 'no casino' resolution under Section 166

of the Gambling Act 2005 but is aware that it has the power to do so. Should this Licensing Authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

*Casinos and Competitive Bidding* - This Licensing Authority is aware that where it's 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 Licensing Authority will run a 'competition' under Schedule 9 of the Gambling Act 2005 in line with any regulations / codes of practice issued under the Gambling Act 2005.

*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 this Licensing Authority when it is made available.

*Betting Machines* - This Licensing Authority 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.

## 5. Bingo premises

This Licensing Authority notes that the Gambling Commission's Guidance states:

(Section 18.4) – "It is important 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 Licensing Authorities should 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.

This Licensing Authority is also aware that the Gambling Commission is going to issue further guidance about the particular issues that Authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered once it is made available.

## 6. Betting premises

*Betting Machines* - This Licensing Authority will, in accordance with 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.

## 7. Tracks

This Licensing Authority is 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. In accordance with the Gambling Commission's Guidance, this licensing Authority 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.

This Authority 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.

This Licensing Authority 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 organisations such as GamCare.

This list is neither mandatory, nor exhaustive and is merely indicative of example measures.

*Gaming Machines* - Further guidance from the Gambling Commission is awaited 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. This Licensing Authority notes the Commission's Guidance that Authorities need to 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.

*Betting Machines* - This Licensing Authority will, in accordance with the Gambling Commission's Guidance, take into account the size of the premises 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. It 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.

*Condition on Rules Being Displayed* - The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office." This Authority will adopt this guidance.

*Applications and Plans* - This Licensing Authority awaits regulations setting out any specific requirements for applications for premises licences but is in accordance with the Gambling Commission's suggestion that "To ensure that Licensing Authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include 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." and that "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."

This Licensing Authority also notes that, in the 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.

## **8. Travelling Fairs**

It will fall to this Licensing Authority 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 Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been 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. This Licensing Authority will work with its neighbouring Authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **9. Provisional Statements**

This Licensing Authority notes the Guidance for the Gambling Commission which states that "It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence" and that "Requiring the building to be complete ensures that the authority could, if necessary, inspect it fully".

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can 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. In addition, the Authority 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 is in the Authority's opinion reflect a change in the operator's circumstances.

This Authority has noted the Gambling Commission's Guidance at (Section 7.48) "The licensing authority should not take into account irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal".

## **10. Reviews:**

Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Licensing Authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below.

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the Authority's statement of licensing policy.

The Licensing Authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate. Consideration as to whether the request is frivolous or vexatious will not necessarily cause this Authority to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

## PART C

### Permits / Temporary & Occasional Use Notice

#### 1. Unlicensed Family Entertainment Centre Gaming Machine Permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the Licensing Authority 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).

The Gambling Act 2005 states that a Licensing Authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it 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. The Gambling Commission's Guidance for local authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits. In particular they may want to set out the matters that they will take into account in determining the suitability of the applicant. Given that the premises will particularly appeal to children and young persons, in considering what to take into account in the application process and what information to request from the applicant, licensing authorities will want to give weight to child protection issues. Gambling Commission's Guidance at (Section 24.6)"

Guidance also states: "An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC and if the chief officer of police has been consulted on

the application....Licensing Authorities might wish to consider asking applications to 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". (24.7)

It should be noted that a Licensing Authority cannot attach conditions to this type of permit.

Statement of Principles : This Licensing Authority 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 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. This Licensing Authority will also expect, as per Gambling Commission Guidance, 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.

## **2. (Alcohol) Licensed Premises Gaming Machine Permits - (Schedule 13 paragraph 4(1))**

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. The premises merely need to notify the Licensing Authority. The Authority 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 Licensing Authority 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.

If a premises wishes to have more than 2 machines then it needs to apply for a permit and the Licensing Authority 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.*" This Licensing Authority considers 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 harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Authority 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 of help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets/helpline numbers for organisations e.g. GamCare and Gamblers Anonymous.

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.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

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.

### **3. Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3))**

The Gambling Act 2005 states that a Licensing Authority may "prepare a statement of principles that they propose to apply in exercising their functions under this Schedule" which "may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit".

This Licensing Authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant 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.

In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but that the Licensing Authority 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.

#### **4. Club Gaming and Club Machines Permits**

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 forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). (see Annex C)

Gambling Commission Guidance states: "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. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

The Commission Guidance also notes that "licensing authorities" 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."

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the 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."

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## **5. Temporary Use Notices**

There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is that "The meaning of "premises" in part 8 of the Act is discussed in Part 7 of this guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises...This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."

## **6. Occasional Use Notices**

The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This Licensing Authority will, however, consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## **Part D – Other Information**

### **Rights of appeal and judicial review**

The Licensing Authority is 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 Licensing Authority 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.

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 Licensing Authority of the decision to be appealed against.

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.

#### **Other matters**

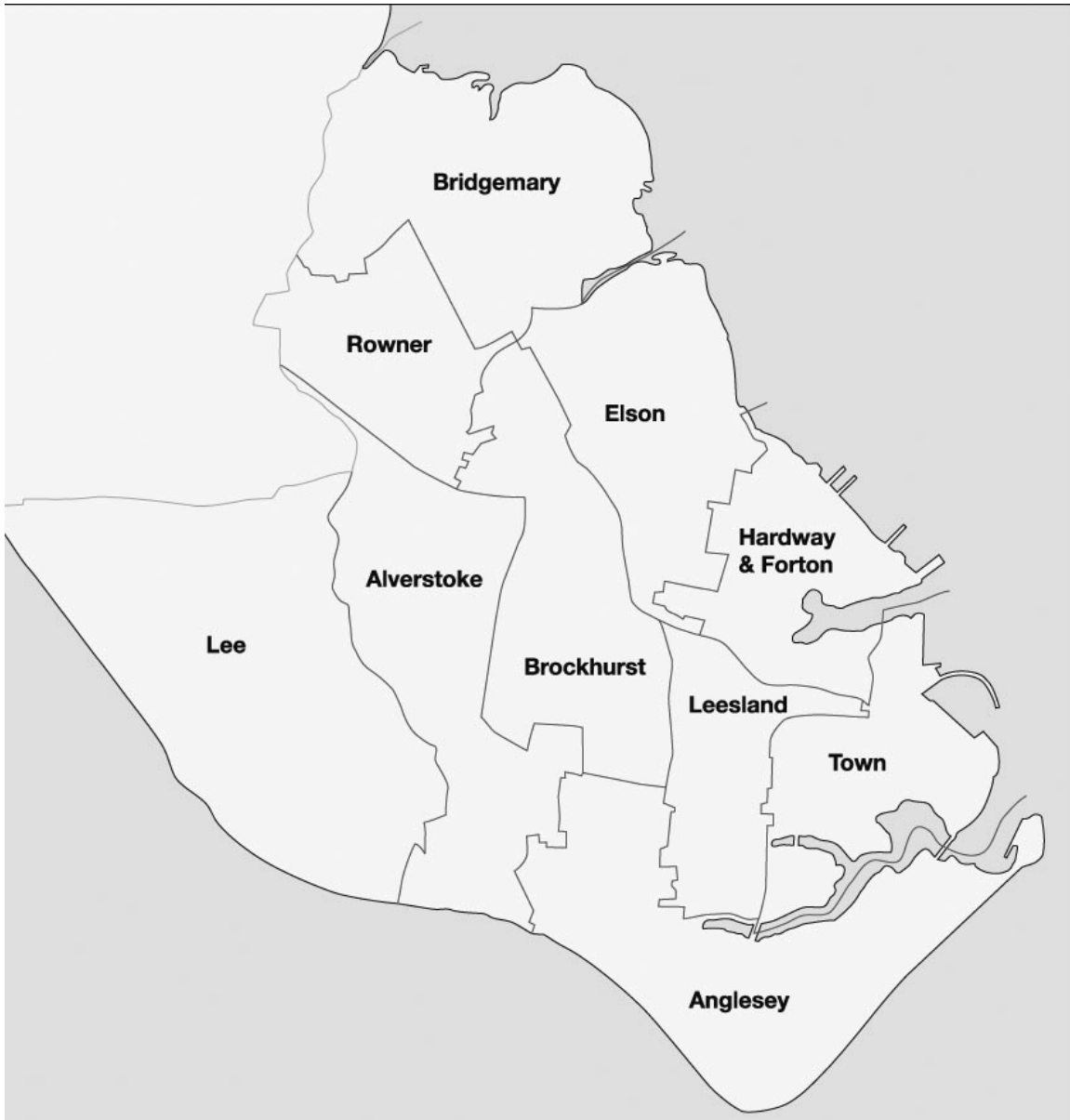
In order to ensure that applicants and persons who make representations have the necessary information to be able to do so, the information below will be available on the Council's web site at [www.gosport.gov.uk](http://www.gosport.gov.uk) or by contacting the Licensing Section at Gosport Borough Council:

- Register of premises licences issued by The Licensing Authority
- Fees
- Guidance on how to make an application
- List of responsible authorities and contact details
- Application forms, where appropriate
- Making representations
- Applying for a review of a licence



ANNEX A

Map of the district of Gosport Borough Council



## ANNEX B

**TABLE OF DELEGATIONS OF LICENSING FUNCTIONS**

<b>MATTER TO BE DEALT WITH</b>	<b>FULL COUNCIL</b>	<b>SUB-COMMITTEE</b>	<b>OFFICERS</b>
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate			X
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		X	
Application for club gaming/ club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X

<b>MATTER TO BE DEALT WITH</b>	<b>FULL COUNCIL</b>	<b>SUB-COMMITTEE</b>	<b>OFFICERS</b>
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

## ANNEX C

## Categories of Gaming Machines

The below table sets the current proposals for the different categories of gaming machines along with the maximum stakes and prizes that apply to each category of machine. These could be subject to change and will be updated in due course.

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£2	£4000
B2	£100	£500
B3	£1	£500
B4	£1	£250
C	50p	£25
D	10p or 30p when non-monetary prize	£5 cash or £8 non-monetary prize

**ANNEX D**

**GLOSSARY**

**Ancillary amusement**

A term used in connection with travelling fairs where the provision of any number of category D machines may be made available for use.

**Adult Gaming Centre**

Provides that the holder of an adult gaming centre premises licence may make available for use up to four category B machines; any number of category C machines; and any number of category D machines. In regulations, the Secretary of State will specify that the category B machines should be restricted to sub-category B3 and B4 machines.

**Betting machines**

Means a machine designed or adapted for use to bet on future real events.

**Family entertainment centre – FEC (with Commission operating licence)**

Provides that the holder of a family entertainment centre premises licence may make available for use any number of category C machines; and any number of category D machines.

**Family entertainment centre – FEC (with gaming machine permit)**

Provides that the holder of a family entertainment centre gaming machine permit may make available for use any number of category D machines. As with the position on licences, there is no power for the licensing authority to set a limit on the number of machines under the permit.

**LACORS**

Local Authorities Coordinators of Regulatory Services.

**Occasional Use Notice**

Provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Licensing Authorities and track operators and occupiers should note that the processes set out in the Act for applying for an occasional use notices are different to those for temporary use notices.

### **Temporary use notices**

These allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice would include hotels, conference centres, and sporting venues.

### **SIA**

The Security Industry Authority

### **Organisations offering support to Vulnerable Persons -**

#### **GamCare**

This organization addresses gambling problem issues in the United Kingdom.  
[www.gamcare.org.uk](http://www.gamcare.org.uk)

#### **Gamblers Anonymous**

Fellowship of men and women who have joined together to do something about their own gambling problem.

[www.gamblersanonymous.org.uk](http://www.gamblersanonymous.org.uk)

**ANNEX E**

**Responsible Authorities**

For the purpose of Section 157 of the Gambling Act 2005 the following are responsible authorities in relation to premises.

a) The Licensing Authority

The Head of Environmental Health, Environmental Services,  
Town Hall, High Street, Gosport Hampshire PO12 1EB  
Tel: 023 9254 5505.  
Email: [ehs@gosport.gov.uk](mailto:ehs@gosport.gov.uk)

b) Gambling Commission

The Gambling Commission  
Victoria Square House, Victoria Square, Birmingham B2 4BP  
Tel: 0121 230 6500  
[info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

c) Police

Chief Officer of Police, Central OCU Headquarters, Fareham Police Station, Quay Street,  
Fareham, PO16 0NA.  
Tel: 0845 045 4545  
Email: [central.licensing@hampshire.pnn.police.uk](mailto:central.licensing@hampshire.pnn.police.uk)

d) Fire

Chief Fire Officer, Hampshire Fire and Rescue Service, Technical Fire Safety Group (East),  
Copnor Fire Station, Copnor Road, Portsmouth, Hampshire PO3 5AE  
Tel: 023 926 64656  
Email: [tfs.admineast@hantsfire.gov.uk](mailto:tfs.admineast@hantsfire.gov.uk)

e) Local Planning Authority

Head of Development Control Town Hall, High Street, Gosport,  
Hampshire, PO12 1EB

Tel: 023 925 45483

Email: [planning@gosport.gov.uk](mailto:planning@gosport.gov.uk)

f) Local Agency for Environmental Health

Head of Environmental Health, Environmental Services, Town Hall, High Street, Gosport,  
Hampshire, PO12 1EB

Tel: 023 925 45506

Email: [ehs@gosport.gov.uk](mailto:ehs@gosport.gov.uk)

g) Matters Relating to the Protection of Children

The Team Manager, Hampshire County Council Social Services,  
133 Stoke Road, Gosport, PO12 1SD

Tel: 0845 600 45555

Email: [SSFG0201@hants.gov.uk](mailto:SSFG0201@hants.gov.uk)

h) HM Revenue and Customs

21 India Street, Glasgow Scotland G2 4PZ

Tel: 0141 555 3629



**GOSPORT BOROUGH COUNCIL**

**REFERENCE**

**TO: POLICY AND ORGANISATION BOARD  
8 NOVEMBER 2006**

**FROM: CIVIC AND COMMEMORATIVE EVENTS SUB- BOARD  
26 OCTOBER 2006**

**TITLE: ROYAL HOSPITAL HASLAR – FREEDOM OF THE BOROUGH**

**AUTHOR: CORPORATE SERVICES MANAGER**

**Attached is a copy of the report that was considered by the Civic and Commemorative Events Sub- Board on the 26 October 2006 (Appendix 'B'), together with the Minute extract and Board Resolution (Appendix 'A').**

**RECOMMENDATION:** That the Policy and Organisation Board be requested to:

- a) refer the extension of the Freedom Rights granted to the Royal Hospital Haslar to include the Ministry of Defence Hospital Unit (Portsmouth) to an Extraordinary Council meeting to be held at 5.30 p.m. on 29 November 2006; and
- b) approve a ceremony being held on 28 March 2007 in Timespace to hand over the scroll of honour to the Ministry of Defence Hospital Unit (Portsmouth) to be followed by a parade along the High Street.

## **APPENDIX 'A'**

### **EXTRACT FROM THE MINUTES OF THE CIVIC AND COMMEMORATIVE EVENTS SUB-BOARD HELD ON 26 OCTOBER 2006**

The Mayor (Councillor Mrs Cully)(ex-officio); Chairman of the Policy and Organisation Board (Councillor Hook)(ex-officio); Councillors Allen (P), Carr (P), Carter (P), Cully (P), Dickson (P), Edgar (P), Farr (P), Gill

It was reported that, in accordance with standing orders, Councillor Mrs Salter had been nominated to attend this meeting in place of Councillor Gill.

#### **Minute 20 ROYAL HOSPITAL HASLAR: FREEDOM OF THE BOROUGH**

Consideration was given to a report of the Corporate Services Manager, which set out proposals for the extension of the Freedom Rights granted to the Royal Hospital Haslar on 11 March 1998 to include the Ministry of Defence Hospital Unit (Portsmouth).

RESOLVED: That the Policy and Organisation Board be requested to:

- a) refer the extension of the Freedom Rights granted to the Royal Hospital Haslar to include the Ministry of Defence Hospital Unit (Portsmouth) to an Extraordinary Council meeting to be held at 5.30 p.m. on 29 November 2006; and
- b) approve a ceremony being held on 28 March 2007 in Timespace to hand over the scroll of honour to the Ministry of Defence Hospital Unit (Portsmouth) to be followed by a parade along the High Street.

## APPENDIX B

<b>Board/Committee:</b>	CIVIC AND COMMEMORATIVE BOARD
<b>Date of meeting:</b>	26 OCTOBER 2006
<b>Title:</b>	ROYAL HOSPITAL HASLAR – FREEDOM OF THE BOROUGH
<b>Author:</b>	CORPORATE SERVICES MANAGER
<b>Status:</b>	FOR RECOMMENDATION TO POLICY AND ORGANISATION BOARD

### **Purpose**

To set out proposals for the extension of the Freedom Rights granted to the Royal Hospital Haslar on 11 March 1998 to include Ministry of Defence Hospital Unit (MDHU) (Portsmouth).

### **Recommendation**

The Sub-Board is recommended to –

- (a) request the Policy and Organisation Board to refer the extension of the Freedom Rights granted to the Royal Hospital Haslar to include the Ministry of Defence Hospital Unit (MDHU) (Portsmouth) to an Extraordinary Council meeting to be held at 5.30pm on 29 November 2006; and
- (b) approve a Ceremony being held on 28 March 2007 in Timespace to hand over the scroll of honour to the MDHU (Portsmouth) to be followed by a Parade along the High Street.

### **1. Background**

- 1.1 The Borough Council granted the Freedom of the Borough to the Royal Naval Medical Service on 11 September 1970. The Royal Hospital Haslar was granted Freedom Rights on 11 March 1998.
- 1.2 The granting of the Freedom to the Royal Hospital Haslar on 11 March 1998 enabled the Army and RAF to form part of any future Freedom Parade and would reflect the tri-service make-up of the hospital and the important roles those Services played in the life of the Borough.
- 1.3 The Royal Hospital Haslar has now been subsumed by the Ministry of Defence Hospital Unit that now incorporates Fort Blockhouse.

### **2. Proposal for the Ceremony**

- 2.1 It is proposed that a Ceremony be held on 28 March 2007 in Timespace to hand over the scroll of honour depicting the re-alignment of the Royal Hospital Haslar freedom to include MDHU (Portsmouth).

- 2.2 The Freedom Rights would then be exercised by the Royal Hospital Haslar and MDHU (Portsmouth) by a Parade along the High Street.

### **3. Risk Assessment**

- 3.1 A full risk assessment will be carried out in advance of the event.

### **4. Financial Implications**

It is estimated the event will cost in the region of £2150, broken down as follows:

- Barriers - £500
- Band - £500
- PA system - £100
- First Aid cover - £50
- Reception £1000

There is no provision in 2006/07 budget for this expenditure.

### **5. Conclusion**

- 5.1 Arrangements need to be made for the granting of the Freedom of the Borough to MDHU and the award of a scroll on 28 March 2007.

<b>Financial Services comments:</b>	There is no provision in the 2006/07 budget for this expenditure.
<b>Legal Services comments:</b>	The Council is able to realign such honours in relation to Service Units and it is suggested that the procedure for such realignment follows that for the award of the Freedom of the Borough.
<b>Service Improvement Plan implications:</b>	The Event will be included in the Corporate Services SIP.
<b>Corporate Plan</b>	The Event will contribute generally towards the achievement of the Council's mission and values.
<b>Risk Assessment</b>	A full risk assessment will be carried out in advance of the event.
<b>Background papers:</b>	None.
<b>Appendices/Enclosures:</b>	None.
<b>Report author/Lead Officer:</b>	Ken Lucking, Corporate Services Manager, Ext. 5305.

## Agenda No. 9

<b>Report to:</b>	P & O BOARD
<b>Date of meeting:</b>	8 NOVEMBER 2006
<b>Title:</b>	FUNDING OF COMMUNITY DEVELOPMENT PROJECT - ROWNER (ACCESS POINT)
<b>Author:</b>	CHIEF EXECUTIVE
<b>Status:</b>	FOR DECISION

### **Purpose**

To request a further two years of ongoing funding for the Community Development Project in Rowner.

### **Recommendation**

That subject to budgetary provision being made the Council provides £15,000 per annum for 2007/08 and 2008/09 to support the Community Development Project – Rowner.

### **1.0 Background**

- 1.1 In August 2000 central government approved a submission under Single Regeneration Budget (SRB) Round 6, entitled “Connecting Communities: The Wecock and Rowner Compact”. This was a joint submission, targeting the areas of Rowner in Gosport and Wecock Farm in Havant, designed to enable local residents to contribute to the economic prosperity and well being of their communities, through identification and participation in a range of initiatives. The bid supported a proposed programme lasting seven years and provided £2.5million of SRB funding towards a total package of £7.4million. The SRB6 funding for the Connecting Communities commenced on 14<sup>th</sup> December 2000.
- 1.2 The Rowner Community Project was introduced as part of the SRB6 project to help encourage local people to become involved in the community and to support residents in overcoming barriers to education, training and employment.
- 1.3 The project commenced in 2002 with the appointment of a development worker for Rowner. Initially the funding for the project was met by the SRB 6 programme with a small contribution from Portsmouth Housing Association.

- 1.4 The Community Development Project in Rowner is based at Rowner Access Point which has become the focal point of community activity in the area. There are currently two posts in Rowner – Community Development Worker and Administrative Support. These posts are managed via Gosport Voluntary Action.
- 1.5 The project was, as mentioned previously, originally funded by the SRB6 programme. However, in 2005/06 and 2006/07 the SRB6 contribution to the project was reduced. This Board agreed to provide match funding of £10,000 for each year. Similar contributions were also made by Hampshire County Council and Portsmouth Housing Association.

## **2.0 Current Position**

- 2.1 The Community Development Project at Rowner Access Point has been an enormous success. It has been instrumental in many initiatives that have helped to create such a successful community within the Rowner area. The carnival is an excellent example of the work undertaken by this project.
- 2.2 The SRB6 funding runs out on the 31 March 2007 and Gosport Voluntary Action are currently endeavouring to obtain sufficient funding to extend the project for a further two years.
- 2.3 Gosport Voluntary Action have requested partners to the project to consider making financial contributions of £15,000 for 2007/08 and for 2008/09.

## **3.0 Risk Assessment**

- 3.1 There are no risks to the Council directly. Funding would be made available annually to the project. The project will cease to operate if sufficient funding is not successfully obtained.

## **4.0 Conclusion**

- 4.1 The Community Development project at Rowner in the Access Point is valued by the local community and continues to offer support, advice and assistance to residents who are often in great need.
- 4.2 This Council continues to press very hard for a comprehensive redevelopment of Rowner. If the project does come to fruition in the next two years it will be crucial to retain the focus of the community and to ensure that the community spirit currently within Rowner is not lost. The Access Point would play a crucial role in this.
- 4.3 Should a regeneration of the area prove impossible or be delayed considerably, it could be argued that the need for the project would be even greater.

<b>Financial implications:</b>	A sum of £15,000 will be included in the draft 2007/8 and 2008/9 Budgets
<b>Legal implications:</b>	The Council has power to make grants to promote the economic, environmental or social well-being of its area or part of an area
<b>Service Improvement Plan implications:</b>	Nil
<b>Corporate Plan</b>	The regeneration of Rowner is a strategic priority for the Council
<b>Risk Assessment</b>	See Para 3.0
<b>Background papers:</b>	Nil
<b>Appendices/Enclosures:</b>	None
<b>Report author/Lead Officer:</b>	Ian Lycett