



# **GOSPORT BOROUGH COUNCIL MEETING AGENDA**

**Wednesday, 9 December 2020  
6.00 pm**





Notice is hereby given that a **MEETING** of the **COUNCIL OF THE BOROUGH OF GOSPORT** will be held **VIRTUALLY** on **WEDNESDAY** the **NINTH DAY** of **DECEMBER 2020** at **6PM**, **AND ALL MEMBERS OF THE COUNCIL ARE HEREBY SUMMONED TO ATTEND TO CONSIDER AND RESOLVE THE FOLLOWING BUSINESS –**

1. To receive apologies from Members for their inability to attend the Meeting
2. To confirm the Minutes of the 7 October 2020 (Copy herewith) (Pages 1 - 4)
3. To consider any Mayor's Communications
4. To receive Deputations in accordance with Standing Order No 3.4 and to answer Public Questions pursuant to Standing Order No 3.5, such questions to be answered orally during a time not exceeding 15 minutes.

(**NOTE:** Standing Order No 3.4 requires that notice of a Deputation should be received by the Borough Solicitor **NOT LATER THAN 12 O'CLOCK NOON ON MONDAY, 7 DECEMBER 2020** and likewise Standing Order No 3.5 requires that notice of a Public Question should be received by the Borough Solicitor **NOT LATER THAN 12 O'CLOCK NOON ON MONDAY, 7 DECEMBER 2020**).

5. Questions (if any) pursuant to Standing Order No 3.3.

(**NOTE:** Members are reminded that Standing Order No 3.3 requires that Notice of Question pursuant to that Standing Order must be received by the Borough Solicitor **NOT LATER THAN 12 O'CLOCK NOON ON TUESDAY, 8 DECEMBER 2020**).

6. Notice of Motion (Pages 5 - 6)

It was reported that Councillor Burgess had given notice of the following Motion in accordance with Standing Order 3.2, as included within the agenda.

Library Operation

7. Licensing Policy Part I (Pages 7 - 28)

Report to follow

8. To receive the following Part II minutes of the Boards of the Council (Pages 29 - 44)

- Community Board: 4 November 2020
- Housing Board: 11 November 2020
- Climate Change Board: 12 November 2020
- Economic Development Board: 18 November 2020
- Policy and Organisation Board: 25 November 2020

9. Outside Body Nomination

To elect from the Council a representative to sit on the Solent Airport Consultative Committee

**DAVID WILLIAMS  
CHIEF EXECUTIVE**

**TOWN HALL  
GOSPORT**

1 December 2020

**MEMBERS ARE REQUESTED TO NOTE THAT:**

**(1) IF THE COUNCIL WISHES TO CONTINUE ITS BUSINESS BEYOND 9.30PM THEN THE MAYOR MUST MOVE SUCH A PROPOSITION IN ACCORDANCE WITH STANDING ORDER 4.11.18**

**(2) MOBILE PHONES SHOULD BE SWITCHED OFF OR SWITCHED TO SILENT FOR THE DURATION OF THE MEETING**

# Public Document Pack Agenda Item 2

## **MINUTES OF THE MEETING OF THE COUNCIL HELD ON 7 OCTOBER 2020 AT 6.00 pm**

Attendance:

The Mayor (Councillor Mrs Huggins) (in the Chair)

Councillors Mitchell, Hook, Ms Ballard, Bateman, Mrs Batty, Beavis, Burgess, Carter, Chegwyn, Mrs Cully, Earle, Foster-Reed, Mrs Furlong, Mrs Hook, Hylands, Jessop, Mrs Jones, Miss Kelly, Mrs Morgan, Philpott, Mrs Prickett, Raffaelli, Scard, Blackman, Casey, Hammond, Herridge, Hutchison, Johnston, Pepper and Westerby

### **TO RECEIVE APOLOGIES FROM MEMBERS FOR THEIR INABILITY TO ATTEND THE MEETING**

Apologies for non-attendance were received from Councillors Murphy and Farr.

### **DECLARATIONS OF INTEREST**

Councillor Burgess declared that in relation to agenda item 11 he was the Hampshire County Council representative on PATROL.

### **TO CONFIRM THE MINUTES OF MEETING OF THE COUNCIL HELD ON 29 JULY 2020 (COPY HEREWITH)**

RESOLVED: That the minutes of the meeting held on 29 July 2020 be signed as a true and correct record.

### **TO CONSIDER ANY MAYOR'S COMMUNICATIONS**

The Mayor advised that the Gosport Food Partnership had been established and had brought together several community groups.

The Mayor advised that she had supported local businesses, and supported charity events in the Borough.

The Council was advised that October was a mindful and activities would be undertaken highlighting outdoor activities and facilities.

### **TO RECEIVE DEPUTATIONS IN ACCORDANCE WITH STANDING ORDER NO 3.4 AND TO ANSWER PUBLIC QUESTIONS PURSUANT TO STANDING ORDER NO 3.5, SUCH QUESTIONS TO BE ANSWERED ORALLY DURING A TIME NOT EXCEEDING 15 MINUTES.**

There were no deputations or public questions

### **QUESTIONS (IF ANY) PURSUANT TO STANDING ORDER NO 3.3.**

There were no Members questions.

## **PART I**

### **RECOMMENDATIONS FROM COUNCIL BOARDS**

#### **FEES AND CHARGES**

Consideration was given to a report of the Policy and Organisation Board at its meeting held on the 29<sup>th</sup> September 2020.

#### **COUNCIL RESOLVED:**

The Fees and Charges referred to in the report and appendix for implementation from 1 January 2021 unless stated otherwise.

#### **ELECTORAL REVIEW BY THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND**

Consideration was given to a report of the Policy and Organisation Board at its meeting held on the 29<sup>th</sup> September 2020.

#### **COUNCIL RESOLVED:**

- a) Local Government Boundary Commission for England: Polling District Forecasting Tool for the Borough of Gosport – attached as Appendix 1;
- b) Council Size submission for the Borough of Gosport to the LGBCE – attached as Appendix 4; subject to an all party Task & Finish group consisting of the three group leaders or their deputies being set up to consider and agree the Council's proposals prior to their submission to LGBCE
- c) Gosport remains with the current electoral cycle and elects by halves;
- d) Gosport remains with the current 'alternative arrangements';
- e) authority be delegated to the Electoral Registration Officer, in consultation with the group leaders, to make further editing changes, correction and updates to the Council Size document prior to submission to the LGBCE

## **PART II MINUTES**

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

- Community Board: 9<sup>th</sup> September 2020
- Housing Board: 16<sup>th</sup> September 2020
- Climate Change Board: 17<sup>th</sup> September 2020
- Economic Development Board: 23<sup>rd</sup> September 2020
- Policy and Organisation Board: 29<sup>th</sup> September 2020

#### **GOSPORT AND TOWN CENTRE PSPO**

Consideration was given to the report of the Borough Solicitor and Monitoring Officer seeking the approval of the Council to approve the varied Gosport and Town Centre PSPO to run for a further period of three years commencing 20 October 2020.

**Council Resolved:**

The Gosport and Town Centre PSPO 2020 to control Anti-Social Behaviour (ASB), Drinking and Begging in public places within the areas shown edged black in the accompanying plans as set out at Appendix 1 of the report.

### **PETITION SCHEMES**

Consideration was given to a report of the Borough Solicitor and Monitoring Officer setting out proposed amendments to the Council's petition scheme.

**Council resolved:** That the amendments to the Council's petition scheme be approved.

### **APPOINTMENT TO PATROL AND FAREHAM, GOSPORT AND SOUTH EAST HANTS CLINICAL COMMISSIONING GROUP ENGAGEMENT COMMITTEE**

COUNCIL RESOLVED:

That Councillor Raffaelli be appointed as the Council's representative on PATROL

COUNCIL RESOLVED:

That Councillor Furlong be appointed as the Council's nominated deputy for PATROL.

COUNCIL RESOLVED:

The Councillor Mrs Hook be appointed as the Council's representative on the Fareham, Gosport and South East Hampshire Commissioning Group Engagement Committee.

The Meeting concluded at 7.09 pm

The Mayor.

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# Agenda Item 6

Motion to Council

Proposer Councillor Graham Burgess  
Seconder Councillor Jamie Hutchison

## LIBRARY MOTION

“That this Council supports the bid by the Lee Community Hub to take on responsibility for the operation of the Lee on the Solent Library and the bid by the Elson Community Library and Hub to take on the responsibility for the operation of the Elson Library, for the benefit of local residents following their anticipated closure as Libraries operated by Hampshire County Council on 31 December 2020

That this Council approves the transfers of the Library Buildings and associated land at Lee on the Solent Library and Elson Library from Hampshire County Council to this Council for nil consideration subject to all necessary documentation being agreed to facilitate this including – but not limited to - property information and schedules of condition, and legal transfer documentation (such transfers being necessary to enable the continued and future use of those Library Buildings as community Libraries and independent community hubs by community groups)

AND further delegates power to the Chief Executive to negotiate and agree with Hampshire County Council any remedial works, if required, together with all necessary documentation; and conclude the arrangements to give effect to this motion”

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# Agenda Item 7

GOSPORT BOROUGH COUNCIL

CROSS REFERENCE

TO: COUNCIL  
9 DECEMBER 2020

FROM: REGULATORY BOARD  
2 DECEMBER 2020

TITLE: LICENSING POLICY – CONSULTATION RESULTS

**Attached is a cross reference from the Regulatory Board the report is as amended from the Regulatory Board and recommended to Council for approval.**

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<b>Board/Committee:</b>	Licensing Board
<b>Date of meeting:</b>	December 2020
<b>Title:</b>	Review of the Licensing Policy – Outcomes of Consultation
<b>Author:</b>	Head of Environmental Health
<b>Status:</b>	FOR DECISION

### Purpose

This report sets out the updated Licencing Policy following a 12-week consultation, for approval and recommendation to Full Council.

### Recommendation

**That the Regulatory Board recommend to Council the approval of the Licensing Policy**

<b>1.0</b>	<b>Background</b>
<b>1.1</b>	The Licensing Act 2003 took effect on 25 November 2005 and provided a unified system of regulation for the sale of alcohol, the provision of regulated entertainment and late-night refreshment. Most significantly it transferred to the local authority, as part of these new provisions, liquor licensing, which was previously carried out by the Magistrates' Court. The Council is the licensing authority in its area for the discharge of licensing functions under the Licensing Act 2003.
<b>1.2</b>	Section 5 of the Licensing Act 2003 requires each licensing authority to publish a statement of policy in respect of its licensing functions at the beginning of each five-year period. This policy must be kept under review and such revisions must be made at such times as it considers appropriate.
<b>1.3</b>	The present five-year period ends in March 2021 and therefore a Licensing Policy for 2021 - 2026 must be determined and published.
<b>2.0</b>	<b>Report</b>
<b>2.1</b>	The Licensing Board approved a draft policy for consultation at its meeting of 2 September 2020. The statutory consultation took place until 25 November 2020. There were no responses received.
<b>2.2</b>	Owing to receiving no representations, it is not considered necessary to amend the original draft policy, so this is now shown as the final draft at Appendix A.
<b>3.0</b>	<b>Conclusion</b>

<b>3.1</b>	This Council must adopt a five-yearly reviewed Licensing Policy issued under the Licensing Act 2003 for March 2021.
<b>3.2</b>	The reviewed Licensing Policy will be presented to the meeting of Full Council on 9 December 2020.

<b>Financial Services comments:</b>	
<b>Legal Services comments:</b>	<i>Contained within the report</i>
<b>Equality and Diversity:</b>	
<b>Climate Change implications:</b>	
<b>Crime and Disorder:</b>	
<b>Service Improvement Plan implications:</b>	
<b>Corporate Plan:</b>	
<b>Risk Assessment:</b>	
<b>Background Papers:</b>	
<b>Appendices:</b>	<i>Appendix A Final Draft Licensing Policy</i>
<b>Report Author/Lead Officer:</b>	



**GOSPORT**  
Borough Council

# Licensing Act 2003

Statement of Licensing Policy

March 2021 – March 2026

## 1. Introduction

- 1.1 The Licensing Act 2003 requires licensing authorities to publish a "statement of licensing policy" every five years, which sets out how they intend to exercise their functions. The policy sets out a general approach to making licensing decisions. Each application will be considered on its own individual merits. The discretion of the licensing authority in relation to applications is only used if relevant representations are made
- 1.2 The Policy relates to all those licensing activities identified as falling within the provisions of the Act (Part 1 Section 1) namely:
- Retail sale of alcohol;
  - Supply of alcohol to club members;
  - The supply of hot food and/or drink from any premises between 11 p.m. and 5 a.m.;
  - Provision of "Regulated Entertainment" – to the public, to club members or with a view to profit. "Regulated Entertainment" is defined as:
    - A performance of a play
    - An exhibition of a film;
    - An indoor sporting event;
    - Boxing or wrestling entertainment;
    - A performance of live music;
    - Any playing of recorded music;
    - A performance of dance;
- 1.3 The Legislative Reform (Entertainment Licensing) Order 2014 and the Deregulation Act 2015 provide significant exemptions to some of the activities. These include licensed premises music exemptions.
- 1.4 The licensing authority has a duty under the Act to carry out its functions with a view to promoting the four licensing objectives, which are:
- Prevention of crime and disorder
  - Public safety
  - Prevention of public nuisance
  - Protection of children from harm



- 1.5 The Authority must also have regard to this Statement of Licensing Policy and any statutory guidance issued by the Secretary of State. That does not mean that it has to follow the policy and guidance slavishly. It can depart from it if, having properly taken it into account, it has to have good reason to do so and where it is appropriate to do so to promote one or more of the licensing objectives.
- 1.6 In promoting the licensing objectives the licensing authority has a number of key aims and purposes which should be principal aims for everyone involved in licensing work and are therefore integral to the Policy. They include:
1. Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
  2. Giving the police, licensing officers and responsible authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
  3. Recognising the important role which licensed premises play in our local communities and economy by minimizing the regulatory burden on business, encouraging innovation and supporting responsible premises;
  4. Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
  5. Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

### **Consultation**

- 1.7 In accordance with section 5 of the Act and prior to the publication of this Policy the licensing authority consulted with:
- Chief Officer of Police for the area (Hampshire Police)
  - Hampshire Fire and Rescue Authority
  - Persons/bodies representative of local holders of premises licences;
  - Persons/bodies representative of local holders of club premises certificates;
  - Persons/bodies representative of local holders of personal licences;
- 1.8 This Policy will come into effect on March 2021 and remain in force for a period of five years. During this time the policy will be subject to regular review.

## 2. Profile

- 2.1 Gosport Borough is located in South Hampshire on the western side of Portsmouth Harbour opposite the city of Portsmouth. The Borough is a peninsula of 2,750 hectares surrounded on three sides by The Solent and Portsmouth Harbour with almost 39 kilometres of coastline. It is predominately urban in character and contains two principal settlements, Gosport and Lee-on-the-Solent, separated by the Alver Valley.
- 2.2 The population of the Borough in 2011 was 82,600 persons. The Borough is also one of the most densely populated areas in the South East Region, with an urban density of 32.6 people per hectare. There are approximately 35,400 households.

## 3. The Impact of Alcohol on Gosport

- 3.1 Figures from Public Health England state that “whilst Gosport compares well to national and regional rates on many key indicators of alcohol-related health harms, admissions are on an upward trend. There were 1,734 admissions to hospital where alcohol was a direct cause or a contributing factor in 2018/19, a 44% increase from 2008/09. An area of concern is the increasing trend of hospital admissions where alcohol can be wholly attributed as a cause. There were 599 admissions in 2018/19, 35% increase since 2016/17 Gosport has a significantly higher rate of admissions (718 per 100,000 people) than England”

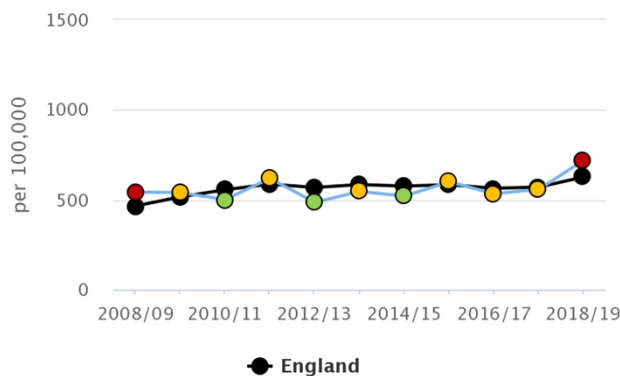


Figure 1: Admission episodes for alcohol-specific conditions for Gosport

- 3.2 Public Health England state “Gosport has the highest rate of premises licensed to sell alcohol per square kilometre in Hampshire (7.3 premises per km<sup>2</sup>), significantly more than England.

## **Licensing Process**

- 4.1 Applicants are strongly encouraged to seek advice at the earliest possible stage from the licensing authority and other responsible authorities before making an application.
- 4.2 Applicants will need to comply with the statutory requirements or risk their application being invalid.
- 4.3 The licensing authority will expect individual applicants to address the licensing objectives in their operating schedule, having regard to the type of premises (which includes a vessel i.e. ship or boat), the licensable activities to be provided, the operational procedures, the nature of the location and needs of the local community.
- 4.4 It is recommended that applicants obtain planning permission and building regulation approval along with all other necessary permissions and licences for the premises prior to an application being submitted.
- 4.5 When formulating their operating schedule applicants will be expected to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account where appropriate.
- 4.6 When determining applications, the licensing authority will have regard to any guidance issued by the Government. Account will be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for limited disturbance in a neighbourhood, the licensing authority's consideration of those representations will be balanced against the wider benefits to the community.
- 4.7 When determining applications, the only conditions which should be imposed on a premises licence or club premises licence are those that are appropriate and proportionate for the promotion of the licensing objectives. Regard will be had to any local crime prevention strategies.

## **Operating Schedules**

- 4.8 The operating schedule must form part of the completed application form for a premises licence. It should include information, which is necessary to enable a responsible authority or other person to assess whether and what steps have been taken or are proposed in order to promote the licensing objectives.

- 4.9 As and when appropriate the applicant should provide in the operating schedule such further relevant additional information/evidence where there is an apparent departure from the promotion of the licensing objectives.
- 4.10 It is strongly recommended that applicants and/or their legal advisors discuss with Council officers and representatives of responsible authorities the draft operating schedule before it is formally submitted. This will help ensure it properly addresses all relevant issues that might give rise for concern. This may avoid the necessity for a hearing if the application otherwise passes without representation.

### **Representations**

- 4.11 There is a prescribed period during which the licensing authority can receive a written representation to an application. This is usually 28 days from the date the licensing authority receives the application but varies depending on the type of application under consideration.
- 4.12 “Relevant representations” can include positive, supportive representations as well as objections.

### **Decision Making Process**

- 4.13 It will be the licensing authority’s policy to provide an efficient and cost-effective service to all parties involved in the licensing process. Except for the approval and review of this Policy, decisions on licensing matters will be taken in accordance with an approved scheme of delegation.
- 4.14 In accordance with DCMS Guidance the licensing authority has delegated licensing functions to sub-committees or in appropriate cases, to officials supporting the licensing authority as follows:

<b>Matter to be dealt with</b>	<b>Board</b>	<b>Officers</b>
Application for personal licence	If a police objection	If no objection made
Application for person licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made

<b>Matter to be dealt with</b>	<b>Board</b>	<b>Officers</b>
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc.		All cases in consultation with the Chairman
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases

<b>Matter to be dealt with</b>	<b>Board</b>	<b>Officers</b>
Determination of a police objection to a temporary event notice		All cases
Determination of application to vary premises licence at a community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

- 4.15 If no relevant representations are received then the authorisation will be issued automatically with, in the case of a premises licence or club premises certificate, such conditions attached as are mandatory or are consistent with the operating schedule accompanying the application. The licensing authority will have no conditions attached to the licence.
- 4.16 Where relevant representations are made and not withdrawn, the licensing authority must hold a hearing before the Licensing Board who will take such of the following steps as it considers appropriate for the promotion of the licensing objectives.
- 4.17 The steps are:
- grant the licence subject to the operating schedule modified to such extent as the Board considers appropriate for the promotion of the licensing objectives, and subject to the relevant mandatory conditions;
  - exclude from the scope of the licence any of the licensable activities to which the application relates;
  - to refuse to specify a person in the licence as the premises supervisor;
  - reject the application.

### **Applications for Large Events**

- 4.18 Events that the Council believe may require a co-ordinated approach to manage may be subject to a Safety Advisory Group (SAG) process. This will be at the discretion of the Council. Applicants will need to demonstrate to the members of the SAG they are supporting the licensing objectives.

- 4.19 An Event Management Plan needs to be submitted at least 6 months prior to the event to allow for the SAG process to be undertaken before any required licensing process.

### **Shops Selling Alcohol (Off Licences)**

- 4.20 In 2013 the British Beer and Pub Association estimated that twice as much alcohol is bought in off-licensed premises as from pubs or other licensed premises. This was after years of seeing a steady increase in the amount of alcohol sold in off licences. Pre-loading with alcohol before a night out is much more frequent. This change in habit has the potential to negatively impact on the licensing objectives with on-licensed premises most at risk of the consequences. There are additional increased potential risks such as easier access to alcohol by children (given that consumption is not monitored / regulated), theft, increased street drinking and an increase in crime and disorder.
- 4.21 To address theft and access by children to alcohol the layout of premises, CCTV, where alcohol will be displayed and what steps will be undertaken to support the licensing objectives will be considered.

### **Temporary Event Notices (TENS)**

- 4.22 The Licensing Act 2003 enables certain organised events for fewer than 500 people to take place following notification to the licensing authority, the Police and Environmental Health.
- 4.23 Guidance on giving Notice can be found in the Home Office Fact Sheet. [www.gov.uk/government/publications/temporary-events-notices-factsheet](http://www.gov.uk/government/publications/temporary-events-notices-factsheet).
- 4.24 Although the statutory legal minimum time required for the notification of a temporary event to the licensing authority, Police and Environmental Health is ten working days, or five working days for a late temporary event, it is essential that proper consideration of the proposed event is given. Statutory guidance allows the licensing authority to publicise its preferred timescale for notification.
- 4.25 Late temporary event notices must be received with five clear working days' notice. For the avoidance of doubt, applications submitted electronically, via .GOV.UK must be received by 23:59 on the Sunday for events occurring the following weekend. i.e. If an event is taking place on Saturday 7 March, the application must be received by 23:59 on Sunday 1 March.

- 4.26 The licensing authority will encourage bona fide community events. Giving TENs for existing licensed premises will not be encouraged where the proposal is simply to regularly extend the existing hours of operation. 4.27. The licensing authority expects those who have given notice of a temporary event to have identified any particular issues having regard to their type of premises and/or activities, and to have in place written policies for addressing issues such as drunkenness, crime/disorder and drugs on their premises and for ensuring staff are trained on these policies.

## **5. Management of Premises**

### **Designated Premises Supervisor**

- 5.1 Any premises where alcohol is sold under a premises licence must have a designated premises supervisor (DPS). The DPS will be named in the premises licence, a summary of which must be displayed on the premises. A DPS must be a personal licence holder. Every sale of alcohol must be made or authorised by a person who holds a personal licence (or must be made or authorised by the management committee in the case of community premises).
- 5.2 The Licensing Act 2003 does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder always remain responsible for the premises .
- 5.3 The licensing authority will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis. The Authority expects that this will be in excess of 50% of a seven-day week.
- 5.4 The premises licence holder will be expected to ensure that the DPS has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.
- 5.5 Within all licensed premises, whether or not alcohol is to be sold, the licensing authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained/instructed persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises licence.

### **Door Supervisors**



- 5.6 The premises licence holder and DPS should ensure that their premises do not increase the fear of crime as well as actual crime in their locality. To this end they should ensure, so far as is possible, that customers do not cause nuisance or disorder outside the premises and that measures to ensure the safety of customers and prevention of nuisance are in place. Door supervisors have an important role in managing customers, not only on the doors but also in the immediate area of premises.

### **Dispersal Policies**

- 5.7 The licensing authority accepts that licensed premises can have a diffuse impact. People can cause disturbance when returning to residential areas from later-opening premises elsewhere and people who use off-licences may locate to a remote spot to drink. These problems may not be within the direct control of any particular licensed premises. However, premises licence holders are generally expected to take measures to encourage people to leave their premises quietly and considerately. The Licensing Authority would encourage premises to adopt a dispersal policy where appropriate.

### **Risk Assessment**

- 5.8 The licensing authority will expect that appropriate and satisfactory general and technical risk assessments, management procedures and documentation have been made available to the relevant responsible authorities and to the licensing authority, that demonstrate that the public will be safe within and in the vicinity of the premises.
- 5.9 At the time of drafting this policy the country was being affected by the COVID Pandemic. Any applications that are made whilst Coronavirus is still an issue will need to be accompanied by a COVID Risk Assessment. Any Licences or permissions granted whilst there are still national or local restrictions on activities, do not take precedent over those restrictions.
- 5.10 As a minimum the following matters must be taken into consideration:
- Whether the premises already have a licence which specifies the maximum number of people that can be present and, whether a risk assessment has been undertaken as to the maximum number of people who can be present in various parts of the premises, so that they can be operated safely and can be evacuated safely in the event of an emergency.

- Whether there are procedures in place to record and limit the number of people on the premises with opportunities for “pass outs” and readmission.
- Whether patrons can arrive at and depart from the premises safely.
- Whether there may be overcrowding in particular parts of the premises;
- Whether music and dance venues and performance venues will use equipment or special effects that may affect public safety (e.g. moving equipment, vehicles, pyrotechnics, strobe lights, smoke machines).
- Whether there are defined responsibilities and procedures for medical and other emergencies and for calling the emergency services.
- COVID measures needed to ensure the activities are Covid Safe.

### **Promoters**

- 5.11 The premises licence holder, DPS and personal licence holders remain responsible for activities taking place on premises when promotions take place. In addition, the licensing authority will expect premises licence holders to have in place written agreements to ensure that when hiring out venues to promoters, the responsibility for the management of the premises is clear. The Promoter and its employees or agents shall comply in all respects with all conditions, requirements and regulations of the local authority, licensing authority, police authority and fire authority and have regard to good practice for licensed premises.

### **Takeaway Premises (Late Night Refreshment Houses)**

- 5.12 The Licensing Authority considers that it will normally be inappropriate to grant a premises licence permitting the sale of alcohol at premises which are principally used for selling hot food for consumption off the premises (“takeaway” premises).
- 5.13 It is recognised that takeaway premises open late at night can be associated with disorder as persons under the influence of alcohol having left, or in some cases being ejected from, late night venues congregate there. Applicants are recommended to have clear written policies for dealing with disorder and nuisance.
- 5.14 Operators of takeaway premises (including mobile units) must have suitable arrangements in place for the containment and disposal of their waste in accordance with the Environmental Protection Act 1990 and subsidiary regulations. Operators of premises where food or drink is provided in disposable containers for consumption

elsewhere than on the premises are expected to consider the potential for litter near their premises and take steps to actively reduce the amount of litter generated from their premises. Applicants are also asked to consider the type of packaging container, whether it is always necessary and whether it can be sourced from sustainable materials.

- 5.15 Where the Licensing Authority considers it appropriate, it may impose conditions on a premises licence to require the operator of premises serving customers with hot food or drink to provide litter bins in the vicinity of the premises in order to prevent the accumulation of litter from its customers. It may require the proprietor to service those litter bins as part of their own waste management arrangements.

### **External Areas**

- 5.16 The introduction of the requirement for smoke free public places under the Health Act 2006 has led to an increase in the number of people outside licensed premises. The provision of tables and chairs outside premises can enhance the attractiveness of a venue, but regard should be had to the need to ensure that the use of such areas will not cause nuisance to the occupiers of other premises in the vicinity. In particular, those with authorisations are expected to manage persons smoking in the vicinity of premises so they do not impede access to the premises and do not cause disturbance. In addition, they are expected to provide secure ash trays or wall mounted cigarette bins for patrons so as to minimise litter.
- 5.17 Licensees should also be aware of the possibility of breakages of drinking glasses and glass bottles in outside areas. Consideration should therefore be given to the use of toughened or “plastic” drinking vessels and other management controls to avoid or lessen the likelihood of broken glass in these areas.
- 5.18 The licensing authority has a number of concerns with respect to the development of external areas to licensed premises, and will consider imposing conditions to improve the management of the outside area or prohibiting or restricting the use of these areas in order to promote the public nuisance objective.

### **Vehicles**

- 5.19 Under the Act, alcohol may not be sold on or from a moving vehicle and therefore any application for such will be refused. However, applications for Premises Licences will be considered for the sale of alcohol from parked or stationary vehicles relating solely to the place where the vehicle is parked, and the sale of alcohol will take place.

## **6. Cumulative Impact/Special Saturation Policy**

- 6.1 The licensing authority will not take the “need” for an establishment into account when considering an application, as this is a matter for the market. The licensing authority however recognises that the cumulative impact of the number, type and density of licensed premises in a given area, may lead to serious problems of nuisance and disorder in the vicinity of the premises.
- 6.2 If representations are received from a responsible authority or other persons suggesting that an area has become saturated with licensed premises, such degree of concentration making it a focal point for large groups of people to gather in surrounding areas, possibly away from the premises themselves, the licensing authority will consider on an evidential basis if this impact has an adverse effect on the promotion of the licensing objectives in addition to that created by the individual premises.
- 6.3 In these circumstances, the licensing authority will assess whether the imposition of conditions can address these problems or if the adoption of a special policy of refusing applications for new Premises Licences or Club Premises Certificates is needed because the area is saturated with licensed premises and that granting of any more would undermine at least one of the licensing objectives.
- 6.4 When considering whether to adopt a special saturation policy the Licensing Authority will consider a range of issues including the following:
- Evidence of identification of concern about crime and disorder or public nuisance;
  - Where it can be demonstrated that nuisance and/or disorder is arising as a result of customers from licensed premises, identifying the area from which problems are arising and the boundaries of that area;
  - Following consultation and subject to that consultation, inclusion of a special policy about future Premises Licence or Club Premises Certificate applications from that area; and
  - Publication of the special policy.
- 6.5 If a special policy is adopted it creates a rebuttable presumption that licence and certificate applications or material variations will normally be refused if relevant representations are received. Accordingly applicants will need to address the special policy issues in their operating schedules in seeking to rebut the presumption. Applicants would need to demonstrate that the operation of the premises involved would not add to the cumulative impact already being experienced.

- 6.6 If implemented, the licensing authority would regularly review any special saturation policies to see whether they have had the intended effect and are still required.
- 6.7 The licensing authority will not normally use special saturation policies solely;
- As grounds for removing a licence when representations are received about problems with existing licensed premises, or;
  - To refuse modifications to a licence, except where the modifications are directly relevant to the policy, for example where the application is for a significant increase in the capacity limits.
- 6.8 The licensing authority also recognises that, within this policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application having regard to the licensing objectives.
- 6.9 The licensing authority, having regard to the evidence currently available, considers that at present there is no particular part of the district where a cumulative impact exists, leading to an adverse impact upon the fulfilment of the licensing objectives. However, the cumulative impact of licensed premises will be kept under review.
- 6.10 Other mechanisms, both within and outside the licensing regime that are available for controlling cumulative effect are:
- Planning controls;
  - Positive measures to create a safe and clean environment in partnership with local businesses, transport operators and other Local Authority services;
  - Application of the powers of the Council to designate parts of the area as places where alcohol may not be consumed publicly;
  - Police enforcement of the normal law concerning disorder and anti-social behaviour, including the issue of fixed penalty notices;
  - The prosecution of any holder of a Personal Licence or member of staff at such premises who is selling alcohol to people who are drunk;
  - The confiscation of alcohol from adults and children in designated areas;
  - Application of Police powers to close for up to 24 hours, any licensed premises or temporary event on the grounds of disorder, the likelihood of disorder, or excessive noise emanating from the premises; and
  - Application of Police powers, other Responsible Authorities, local residents or businesses to seek a formal review of a licence/certificate.

## **7. Children**

- 7.1 A child is anyone under the age of 18 years unless otherwise stated.
- 7.2 This statement of licensing policy does not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm.
- 7.3 When considering applications for premises licences, the licensing authority will take into account the history of a particular premises and the nature of the activities proposed to be provided when considering any options appropriate to prevent harm to children. The relevant matters include premises:
- where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
  - with a known association with drug taking or dealing;
  - where there is a strong element of gambling on the premises;
  - where entertainment of an adult or sexual nature is commonly provided;
  - where the supply of alcohol is the exclusive or primary purpose of the service at the premises.
  - in these circumstances, conditions may be attached to any licence to:
    - limit the hours when children may be present;
    - restrict the age of persons on premises;
    - exclude children from all or part of the premises when certain activities may take place;
    - require an adult to accompany a child;
    - set out a requirement for the presence of adult staff according to a set adult/child ratio where children are attending regulated entertainment;
    - exclude people under 18 from the premises when any licensable activities are taking place.
- 7.4 Where no licensing restriction is considered necessary, however, it is at the discretion of the premises licence holder or club to decide whether or not to admit children; however the licensing authority strongly supports the use of Challenge 25 policies, the recording of all refusals and training on all age restricted activity.
- 7.5 Where premises give film exhibitions, licensees must ensure that children are prevented from viewing age-restricted films classified according to the British Board of Film Classification.

- 7.6 Except as in 7.2 above the authority will not impose conditions restricting the admission of children to any premises believing this should remain a matter of discretion of the licence holder. The licensing authority encourages family friendly policies. It will take strong measures to protect children where any licence holder is convicted of serving alcohol to children, where premises have or acquire a known association with drug taking or dealing, where gambling takes place on the premises or where entertainment of an adult or sexual nature is commonly provided. In such circumstances while it may sometimes be necessary to impose a complete ban on the admission of children this would be rarely imposed, it would be more likely to require conditions as referred to above.
- 7.7 Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then conditions will be imposed requiring the presence of an appropriate number of adult staff to ensure public safety and their protection from harm including control of access and egress and consideration may be given to include conditions concerning child/adult ratios
- 7.8 The licensing authority recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools. Access by children to all types of premises will not be limited in any way unless it is considered appropriate to do so in order to protect them from harm
- 7.9 In the case of premises which are used for film exhibitions conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in a specific case where there are very good local reasons a certificate given to the film by the licensing authority itself.
- 7.10 Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual licensee or club.
- 7.11 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment.
- 7.12 The Act details a number of offences designed to protect children in licensed premises and the licensing authority will work closely with the police and other appropriate agencies to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.

## **8. Enforcement**

- 8.1 It is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the approved operating schedule, the specific requirements of the 2003 Act and any licence conditions imposed. The licensing authority, in partnership with the responsible authorities, will make arrangements to monitor premises.
- 8.2 The licensing authority will work closely with the police, trading Standards and the other responsible authorities, liaising on a regular basis to establish enforcement protocols and concordats to ensure an efficient deployment of resources engaged in enforcing licensing law and inspecting licensed premises, in order to ensure that resources are targeted at problem and high-risk premises.
- 8.3 The Act details a number of offences designed to protect children in licensed premises and the licensing authority will work closely with the police, Trading Standards and other appropriate agencies to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol and tobacco products to children.
- 8.4 The premises licence holder is responsible to ensure the four licensing objectives are upheld:
- Prevention of crime and disorder
  - Public Safety
  - Prevention of public nuisance
  - Protection of children from harm
- 8.5 Where there is evidence to suggest the licensing objectives are being undermined, enforcement action will be taken in accordance with the principles of better regulation and the Regulator's Compliance Code. The aim is to have well run premises operating in our borough. Problems at premises will be identified by the relevant authorities and the licence holder will have responsibility to resolve the problem. Failure to address or respond to problems or isolated serious failures will normally result in a review application.



# Agenda Item 8

## A MEETING OF THE COMMUNITY BOARD WAS HELD ON 4 NOVEMBER 2020

Councillor Hook

Councillors Beavis, Blackman, Burgess, Carter, Casey, Earle, Mrs Furlong, Hammond, Hutchison, Miss Kelly, Mrs Morgan, Pepper, Raffaelli and Westerby

### PART II

#### 52. ANY OTHER ITEMS

There were none.

#### 53. EXCLUSION OF THE PUBLIC

RESOLVED: That in relation to the following item the public should be excluded from the meeting, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the cases, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the report.

#### 54. GROUNDS MAINTENANCE MACHINERY TENDER

Consideration was given to a report by Head of Streetscene seeking approval by the Board that the report setting out the evaluation of tenders received for the Councils requirements for Ground Maintenance Machinery for the Streetscene Direct Services Organisation (DSO) be recommended to the Policy & Organisation Board.

RESOLVED: That the Board recommends the report is taken to the Policy and Organisation Board.

**CHAIRMAN**

Concluded at 6.35 pm

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## **A MEETING OF THE HOUSING BOARD WAS HELD ON 11 NOVEMBER 2020**

Councillors Mrs Batty, Beavis, Burgess, Mrs Cully, Foster-Reed, Hammond, Hook (Substituting for Scard), Mrs Hook (Substituting for Murphy), Hutchison, Mrs Jones, Mitchell, Mrs Morgan, Pepper and Westerby

### **PART II**

#### **11. EXTENSION TO THE NOVUS CONTRACT**

Consideration was given to a report by the Head of Housing requesting that the Board approve a 12 month extension to the existing External Painting and Communal Area Redecoration Contract between the Council and Novus Property Solutions.

Members were reassured that the work was currently monitored, and issues and complaints are dealt with through the normal processes.

Members were complimentary about the standard of work in the Sheltered Schemes.

Members were advised that because most of the work currently being undertaken was external, it had been able to continue following risks assessments.

Members were keen to ensure that residents understood who was carrying out which works to ensure that any complaints were correctly assigned to either Kier or Novus.

Members felt that an extension to the contract would reassure the workers, in these unsure times, that they had employment as least until September 2022.

**RESOLVED:** That the Board approves a 12 month extension to the existing External Painting and Communal Area Redecoration (Including Associated Repair Works) Contract between the Council and Novus Property Solutions Limited from 1<sup>st</sup> October 2021 to 30<sup>th</sup> September 2022 and delegates authority to the Head of Housing and Borough Solicitor to finalise all the necessary documentation

#### **12. AMENDMENT TO THE ALLOCATION SCHEME**

Consideration was given to a report by the Head of Housing requesting the Housing Board approve amendments to the Allocation Scheme.

Members wished to congratulate the Housing Manager on the thoroughness of the report and how it had given very clear guidance to the Allocation Scheme.

**RESOLVED:** That the Board:

- i) Approves deletion of subsection 15.5 of the Allocation Scheme
- ii) Approves amendment to the Allocation Scheme and Banding Scheme relating to Exceptional Circumstances.

**13. ANY OTHER ITEMS**

There were none

**CHAIRMAN**

Concluded at 6.15 pm

**A MEETING OF THE CLIMATE CHANGE BOARD  
WAS HELD ON 12 NOVEMBER 2020**

Councillors Bateman (Substituting for Carter), Mrs Batty, Blackman, Casey, Chegwyn, Mrs Cully, Earle, Mrs Hook, Hylands, Jessop, Johnston, Mitchell, Mrs Morgan, Pepper and Raffaelli

PART II

**14. PROGRESS ON CLIMATE CHANGE MOTION**

Consideration was given to a report by the Head of Corporate Policy and Community Safety setting out the progress that has been achieved against the Climate Change Motion.

RESOLVED: That the Board noted this progress report.

**15. COMMUNITY ENGAGEMENT FRAMEWORK**

Consideration was given to a report by the Head of Corporate Policy & Community Safety setting out the proposals for the Council's Climate Change Community Engagement Framework.

Members were advised that a report would be produced to be brought to Board regarding the Climate Change Coalition.

Members wished to recognise the good work that had already progressed and wanted to ensure that the public and stakeholders continue to be engaged.

Members were concerned about the scale of costs these motions may incur.

Members voiced caution that Gosport Borough Council should concentrate and focus on what could practically be delivered commensurate with the size and capability of the Borough.

Members wished to see a very open consultation with the public offering them every opportunity to submit their views and comments, within a specified timescale in particular involving young people through virtual platforms.

Officers advised that when the opportunity arises to implement a Citizens Assembly a report would be brought back to Board with costings for consideration. In the meantime it would be reflected in the framework.

Officers wished to reassure Members that once consultation mechanisms were developed there would be more detail provided regarding methodology, which would be Covid compliant.

## **16. ANY OTHER ITEMS**

A Member hi-lighted the need for the Climate Change Board to consider the implications and reactions to every action they take. The example of water coolers being replaced by bottles that would be filled from the tap at a time when water needs conserving was sited.

The Chairman thanked the members for the comments and feedback regarding training needs, and would try to provide a package of training to suit all requirements within the limited budget.

**CHAIRMAN**

Concluded at 6.22 pm

**A MEETING OF THE ECONOMIC DEVELOPMENT BOARD  
WAS HELD ON 18 NOVEMBER 2020**

The Mayor Councillor Mrs Huggins, Ms Ballard, Bateman, Beavis, Casey, Mrs Cully, Mrs Furlong, Hutchison, Jessop, Johnston, Mrs Jones, Miss Kelly, Mitchell, Philpott, Mrs Prickett and Scard

**27. DRAFT ECONOMIC DEVELOPMENT STRATEGY**

Consideration was given to a report of the Economic Development and Regeneration Manager requesting the Economic Development (ED) Board consider the outcome of the consultation for the 2021-31 Draft Economic Development Strategy and the supporting Draft Evidence Base and gives its approval to produce final versions for publication.

Members thanked the Economic Development team for their efforts in producing the consultation and the detailed analysis of the responses.

The link to "Gosport's Story" place-making work, to other Gosport strategies including the Local Plan and SPD's was welcome as was the link to recognising and addressing the skills gap in Gosport, and the support for businesses. The Board acknowledged that this was recognised in the recommendation through the use of a taskforce and strategic boards.

Members expressed disappointment at the low number of responses received to the consultation. It was clarified that where possible information could potentially be attained about the respondents, but that would need to in line with GDPR requirements as the consultation was run by Mickledore who hold all the data.

Members questioned whether a longer consultation period would have offered more response.

The Board was advised that the advertisement of the consultation period had been widely, with two press releases and three different approaches on social media across many channels. Direct contact was made to businesses via email contacts. Whilst it was acknowledged that there was a low response, the quality of the responses was good.

The Board was advised that it was felt that extending the consultation period would not necessarily have increased the response numbers significantly, and that it was felt the low numbers were as a result of Economic Development being a specialist area.

It was clarified that the Taskforce was led by the Member of Parliament and not the Borough Council and comprised senior Civil Servants from organisations such as DIO, MOJ and the Solent Local Enterprise Partnership. One Public Estate were also attendees and the Council had access to the discussions, but did not lead on it.

The Board was advised that in relation to the taskforce or a strategic board, increasingly when the government made funding available there was an necessity for a strategic group, led by a private sector chairperson, playing the lead role in determining and leading the bid.

This Board would include a combination of business leads, elected members, residents and community organisations. It was acknowledged that there was need for such a group in Gosport and that strategic priorities or projects needed to be established for future bid opportunities. It was recognised that the turnaround for such funding bids was increasingly short and that consideration needed to be given to projects that are 'oven-ready' for such funding opportunities.

The Board was advised that discussions had begun with the Arts Council for England to discuss cultural progression for the Borough and it was hoped this would help to increase the levels of cultural development in the Borough moving forward.

The importance of cultural opportunities to businesses was recognised and it played an important part in decision making and relocating of families to meet the needs of businesses potentially thinking of moving into the Borough.

Members recognised that the consultation acknowledged the generation of employment opportunities and stimulating investment in Gosport as being key priorities.

Members welcomed the proposal to develop a Tourism Development Strategy early in 2021 to enhance tourism opportunities in the Borough and also welcomed that the Strategy could evolve and become a working document.

**RESOLVED:**

- i) that the ED Board note the outcome of the consultation on the 2021-31 Draft Economic Development Strategy and the Draft Evidence Base as recorded in the Consultation Report and accompanying Strategy Review Document
- ii) that the ED Board agree to a final version of the Strategy being produced for publication in January 2021

**28. INTERIM LOCAL DEVELOPMENT SCHEME FOR THE GOSPORT BOROUGH  
LOCAL PLAN 2036**

Consideration was given to a report of the Head of Planning Policy requesting the Board give consideration to the Interim Local Development Scheme for the Gosport Borough Local Plan.

Members thanked officers for the work undertaken.

In answer to a Member's question the Board was advised that Government changes in policy often caused delays in the timescale and created slippage and that the Government's consultation on the White Paper was likely to cause uncertainties on how to proceed.

The Board was advised that in relation to the evidence phase of the work, most of the big land use evidence strategic housing land availability assessment and the employment land availability assessment and the retail and town centre use, been completed. The Board was also advised that the open space monitoring report was nearly complete and that the environmental assessment work was now beginning.



The Board was also advised that the biggest issue currently faced was the moving on some of sites, MOD sites in particular as there was a reliance on the organisation's progress to ensure collaborative working. Meetings were occurring to address this.

The Board was advised because the consultation was Regulation 18 if the Council did not have all of the information required it was possible to set out options rather than the full plan which would allow for less firming on the plan if necessary.

Members welcomed that the SPDs and Conservation areas would remain valid and not be reviewed until the next Local Plan had been adopted.

In answer to a Member's question, the Board was advised that in relation to the removal of the duty of cooperation, the statement of common ground was due to be removed from the planning system if the white paper proceeded to an act. The Board was advised that the Council was currently working as such that the statement of common ground did need to be worked towards and that it formed part of the duty to cooperate.

The Board was advised with regard to the current local plan, that the basis of the duty to cooperate was the work undertaken with PUSH and the special position statement and that at the examination in public with the inspector, the inspector had held the work in good regard. It was felt this would form the basis of any duty to cooperate this time. The Board was advised that the work with PUSH was of value and provided evidence on employment, housing and strategic development opportunity areas.

The Board was advised that there was also the bilateral statement of common grounds that may wish to be considered with neighbours such as Fareham and that it was expected that Fareham Borough Council would approach Gosport Borough Council with a view to undertaking a statement of common ground as they proceed with their local plan. The document was yet to be received but would require approval from a Board of the Council.

No details were available of any possible replacement scheme.

Members recognised that there was the potential for a change in algorithm on housing numbers.

The Board were advised that the Fareham Local Plan was currently at Regulation 19 stage and out for consultation and would be presented to the Regulatory Board in December.

RESOLVED: That the Board approves the Interim Local Development Scheme November 2020 (as set out in Appendix A).

## **29. INFRASTRUCTURE FUNDING STATEMENT**

Consideration was given to a report of the Planning Policy Manager seeking approval for the introduction of a monitoring fee for Section 106 agreements as allowed by the CIL Regulations 2019 and as detailed in Section 4 of the IFS.

**Councillor Johnston declared a personal interest in the item, but remained online.**

Economic Development Board  
18 November 2020

The Board was advised that this was a new requirement that authorities were required to do and that it had to be published by the 31<sup>st</sup> December 2020 and it was parallel to spreadsheets that would be published detailing developer contributions.

The Board was advised to make the document useful to members of the public and companies, the Council had gone beyond requirements of the regulations.

Members welcomed the clarity that the additional information provided.

Members also agreed that there was value to Monitoring Fee as a result of the work involved.

RESOLVED: That

- Approves the Infrastructure Funding Statement 2020 contained within Appendix A of this report and any necessary minor amendments be delegated to the Planning Policy Manager.
- Approves the introduction of a Section 106 monitoring fee as set out in Section 4 of the IFS.

**30. ANY OTHER ITEMS**

There were none.

**CHAIRMAN**

Concluded at 7.01 pm

**A MEETING OF THE POLICY AND ORGANISATION BOARD  
WAS HELD ON 25 NOVEMBER 2020**

Councillors Mrs Huggins (Substituting for Murphy), Ms Ballard, Bateman, Burgess, Chegwyn, Mrs Cully, Herridge, Hook, Mrs Hook, Hylands, Jessop, Philpott, Mrs Prickett and Raffaelli

PART II

**32. CITIZEN'S ADVICE PRESENTATION**

A presentation was given by the CO and CEO of Citizen's Advice Gosport.

**33. LOCAL GOVERNMENT AND POLICE & CRIME COMMISSIONER ELECTIONS**

Consideration was given to a report of the Returning Officer and the Electoral Registration Officer advising the Board of the steps being taken in preparation for the 'triple' elections being held on Thursday, 06 May 2021 in the current Covid-19 pandemic.

Members were advised that the date in paragraph 2.6.1 needed to be amended to the 8<sup>th</sup> May.

In answer to a Member's question, the Board was advised that consideration was being given to the nomination process and returning officers and political parties had been written to with an update by the Electoral Commission. It was anticipated that political parties would produce their own guidance for candidates to consider when obtaining signatures for nomination papers.

The Board was advised that under the Representation of the people act the Returning Officer already had power to make changes to polling station in emergency situations before an election. Members expressed concern that any late changes may not be advised to the electorate, however it was felt Council staff would do their best to ensure electors were notified at the earliest opportunity.

In answer to a Member's question, the Board was advised that with regard to the campaign material in relation to elections, there was information available online, but there would not be any television advertising as it was felt it was too soon to use such an approach and these would begin in March and April.

The Board were advised that once the Register of Electors had been published on 01 December 2020 the social media campaign and information about the elections would be used through the Council's platforms.

The Board was advised that with regard to staffing, the current covid safe workplace requirements meant there would be a need for more sessions for issuing and opening postal votes, and that a timetable/slot for each Electoral Ward would be published to help reduce the total number present in the Postal Vote venue. In addition, as this will be a triple election, there would be three different counts, requiring additional staff roles.

The Board was advised that the extensions requested to emergency provision were only to cover the covid pandemic and once that period was over, the delegated powers would expire.

Members welcomed that consideration was being given to potential issues in advance of the election.

**RESOLVED:**

1. That the Board note the changes necessary to ensure a safe and efficient run Poll during the Covid-19 pandemic;
2. That the Board note that more changes and amendments may be required to the current planning and procedures based on national, regional or local restrictions placed on the Returning Officer, his appointed staff, electors, candidates, agents and observers; and that
3. That authority be delegated to the Returning Officer to make changes to the Polling Places required for use in these and future Polls whilst the Coronavirus (Covid-19) pandemic response is in effect.

**34. RIPA POLICY - CROSS REFERENCE FROM THE STANDARDS AND GOVERNANCE COMMITTEE**

Consideration was given to a cross reference report from the Standards and Governance Committee recommended the approval of the RIPA policy.

In answer to a Member's question, the Board was advised that the principle reason for review was a change in the authorised officers.

The Board were advised that RIPA had been used once in 3 years.

**RESOLVED:** That the Policy and Organisation Board approve the Regulation of Investigatory Powers Act (RIPA) Policy 2020 subject to the minor amendments identified.

**35. RISK POLICY - CROSS REFERENCE FROM THE STANDARDS AND GOVERNANCE COMMITTEE**

Consideration was given to a cross reference report from the Standards and Governance Committee recommending the Policy and Organisation Board approve the Risk Policy. In answer a Members question the Board was advised that a balanced approach was taken, and that risk could be considered as an opportunity and encourage officers to see it that way.

**RESOLVED:** That that Policy and Organisation Board approve the Risk Policy

**36. ANNUAL GOVERNANCE STATEMENT 2019/20**

Consideration was given to a report of the Chief Internal Auditor requesting consideration be given to the Annual Governance Statement 2019/20.

The Board was advised that the Committee agreed the Statement in July and was required to be signed before the accounts were agreed. The only changes made were detailed at the end of the report as Governance Issues 1, 4 and 5 had now been completed.

RESOLVED: That the Policy and Organisation Board approve the Annual Governance Statement 2019/20, following the approval from the Standards and Governance Committee on July 9<sup>th</sup> 2020.

### **37. ERNST & YOUNG 2019-2020 AUDIT RESULTS REPORT**

Consideration was given to a report of the External Auditor summarises the findings to date from the 2019-20 external audit, which was substantially complete.

The Board was advised that there were updates as those procedures marked work in progress were now completed, particularly regarding property valuation work.

Work had been heavily impacted by Covid-19 as the audit had to be conducted remotely, and it impacted the issues that needed reviewing to ensure the Council's accounting was considering the additional measures that needed to be undertaken as a result of the virus. Additional information would be requested over how Covid would impact Council finances this and the next financial years.

It was particularly noted that the work on property values had been impacted as there had been a potential for a change as a result of Covid. The work on it was now substantially completed.

The External Auditors thanked the Council's finance team for the work they had undertaken at this difficult time.

The remaining concluding procedures were also now substantially complete and the management representation letter would be signed after the meeting.

The risk report highlighted the risks identified in the audit plan and the audit plan update which was submitted in light of Covid-19 were detailed to the Board but were now completed and no indications of fraud were highlighted.

The Board were advised that specialists had considered the investment property valuations and that necessary adjustments had been made. In addition, land and buildings had been considered and the work on these was now substantially complete, with adjustments made where discrepancies were identified.

The Board was advised that the deadlines for the signing off the accounts for the Council would be met and would undertaken after approval of the Audit Results and Statement of Accounts, The deadline had been amended as a result of the Covid-19 pandemic and that

the fees played were significantly less than previously paid and in line with the Redmond review. Any delays were reflected across all Councils as a result of Covid.

RESOLVED: That the Board review and note to the conclusions to date set out in the Audit Results Report.

### **38. APPROVAL OF THE 2019-2020 STATEMENT OF ACCOUNTS**

Consideration was given to a report of the Borough Treasurer summarises the outturn position for the 2019/20 financial year and recommends the approval of the Statement of Accounts for 2019/20.

The Head of Finance advised the Board of the context of the report.

RESOLVED:

It is recommended that:

- i) The Board note the outturn position summarised in the report and the Narrative Report contained in the Statement of Accounts (Appendix A)
- ii) The Board approves the Statement of Accounts for 2019/20 at Appendix A
- iii) The Board approve the Letter of Representation at Appendix B
- iv) The Board delegate to the Borough Treasurer in consultation with the Chairman of the Policy & Organisation Board the decision to agree any final changes to the financial statement arising from the completion of the audit.

### **39. ANY OTHER ITEMS**

There were none.

### **40. EXCLUSION OF THE PUBLIC**

RESOLVED: That in relation to the following items the public be excluded from the meeting, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during these items there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the cases, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the report.

### **41. GROUNDS MAINTENANCE MACHINERY TENDER**

Policy and Organisation Board  
25 November 2020

Consideration was given to a cross reference report from their Community Board recommending approval of the recommendation of the award of contracts as listed.

**CHAIRMAN**

Concluded at 7.47 pm

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