

Record of Decision by Executive

Monday, 7 March 2016

Portfolio	Executive Leader
Subject:	Review of Licensing Policy
Report of:	Head of Environmental Health
Strategy/Policy:	Corporate Strategy
Corporate Objectives:	A Safe and Healthy Place to Live and Work

Purpose:

This report sets out the Statement of Licensing Policy (Licensing Policy) that details the Council's approach to promoting the four licensing objectives when making decisions under the Licensing Act 2003.

The Council has an existing Licensing Policy which during this review has been simplified, without there being any substantive policy changes. It sets out the standards and criteria for applications received according to the Licensing Act 2003 and how those applications will be determined and the licensing objectives promoted.

Options Considered:

The comments of the Scrutiny Board were taken into account in determining this item.

As recommendation.

Decision:

RESOLVED that the Executive notes the updated Licensing Policy, as detailed in Appendix A, and refers to Council for approval of adoption.

Reason:

Section 5 of the Licensing Act 2003 ("the Act") requires the licensing authority to prepare and publish a Statement of Licensing Policy every five years. This outlines the general approach of the licensing authority when making licensing decisions under the Act and can be reviewed and revised by the authority at any time.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 7 March 2016

FAREHAM

BOROUGH COUNCIL

2015/16
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1766

Record of Decision by Executive

Monday, 7 March 2016

Portfolio	Leisure and Community
Subject:	Play and Recreational Improvement Programme
Report of:	Director of Operations
Strategy/Policy:	Leisure Strategy
Corporate Objectives:	Leisure for Health and For Fun

Purpose:

To agree improvement works and a refurbishment programme for the Council's outdoor play and recreational equipment.

The Council has 63 items of outdoor play and recreational equipment located across the Borough that are provided predominantly for young people aged 13 and over.

A strategic review of all play and recreational equipment has been undertaken to determine what works needed to be completed to help bring all items of equipment up to a good standard and to establish a programme of works required.

Appended to the report is a proposed programme of works which can be funded from the Section 106 Developer Contributions collected for the maintenance of play and recreational facilities.

The review findings and a draft programme were presented to the January meeting of the Leisure and Community Policy Development Review Panel and members endorsed the programme without any amendment.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive approves:

- (a) the proposed programme of works as detailed in Appendix A; and
- (b) a budget of up to £50,000 to enable the works to be carried out to ensure the items of equipment are brought up to standard, funded from Section 106

contributions for the maintenance of play and recreational facilities.

Reason:

To facilitate the improvement of the Borough's outdoor play and recreational equipment in order to maintain a good standard of play provision and to ensure the equipment remains safe, attractive and accessible to young people.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 7 March 2016

FAREHAM
BOROUGH COUNCIL

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Decision No.
1767

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Monday, 7 March 2016

Portfolio Public Protection
Subject: **Dog Fouling Public Space Protection Order**
Report of: Director of Operations
Strategy/Policy: Protecting and enhancing the environment
Corporate Objectives:

Purpose:

Following consultation this report seeks Executive approval to make a Public Space Protection Order (PSPO), relating to dog fouling, in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014.

The Executive authorised the commencement of necessary consultation on a Public Space Protection Order (PSPO) relating to dog fouling in the Borough at its meeting on 2nd November 2015. This consultation has now finished. It is therefore proposed that if the order is authorised, that a campaign be undertaken to raise awareness of the issue and encourage residents to report dog fouling.

Fareham Borough Council currently relies upon a byelaw to prosecute people who do not clear up after their dog has fouled. Prosecution is however intended to be "last resort" enforcement measure, is expensive and not always in the public interest. Authorised officers were previously able to issue Fixed Penalty Notices (FPNs) for this offence under the Dogs (Fouling of Land) Act 1996. The Act has now been repealed, along with the ability to introduce Dog Control Orders, and this means FPNs can no longer be issued without a Public Spaces Protection Order (PSPO) being in place.

The Council consulted with residents on the proposed PSPO and the majority expressed their support. A number of dog fouling hot spots were also identified by respondents. This information will help to target both enforcement resources and the 'take the oops out of poops' anti dog fouling promotional material. The Executive approved a budget of £2,780 for the awareness campaign.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive:

- (a) authorises the making of the proposed Public Spaces Protection Order (Fareham Borough Council) 2016; and
- (b) delegates authority to the Head of Parking and Enforcement to carry out all necessary publicity required by virtue of the Anti-Social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations.

Reason:

To enable enforcement of dog fouling by way of a Fixed Penalty Notice throughout the Borough.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 7 March 2016

FAREHAM
BOROUGH COUNCIL

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Decision No.
1768

Record of Decision by Executive

Monday, 7 March 2016

Portfolio	Policy & Resources
Subject:	Grant of Rights to Undertake work on Council Land
Report of:	Director of Finance & Resources
Strategy/Policy:	
Corporate Objectives:	

Purpose:

This report will outline Rights requested to undertake works on Council land.

Last year the owner of Hope Lodge, 84 Fareham Park Road asked for confirmation that the rights they enjoyed over the Council's bridleway at Fareham Park Road did not only relate to the property Hope Lodge but any development undertaken within the curtilage of the property. The Council advised that the rights enjoyed over the bridleway did in fact extend to any development undertaken within the curtilage of the property.

The Solicitor for Mildren Homes who have contracted to purchase the site of Hope Lodge to construct 7 detached houses which had received outline planning consent has requested the following. Their client require to undertake works on the bridleway in Council ownership to construct on part thereof the access road, which has also received outline planning consent to serve the 7 houses. If these rights could not be obtained the planning permission for the access road and 7 houses cannot be implemented.

Following advice from the Southampton and Fareham Legal Services Partnership the solicitor was advised of the following.

The owners of Hope Lodge have no current right or entitlement to do any works to the bridleway and would need the Council's consent to carry out the works requested to comply with the planning permission granted. Hampshire County Council Countryside Service has no objection to the Council as owners of the bridleway entering into negotiations with Mildren Homes for the works they require to undertake to a section of the bridleway. This is subject to the works proposed being agreed by HCC Countryside Service.

If approval to the works can be agreed this will be subject of a payment to the Council to reflect that without such agreement the development of the access road and 7 houses could not proceed.

Following negotiations to decide the payment required for the above rights the terms agreed are set out in the confidential Appendix A for the approval of the Executive.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive approves the terms agreed for the rights to construct an access road over part of the Council's bridleway at Fareham Park Road as set out in the confidential Appendix A.

Reason:

To obtain the approval to the terms agreed to grant the rights to construct an access road over part of the Council's bridleway at Fareham Park Road.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 7 March 2016

Record of Decision by Executive
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Portfolio	Streetscene
Subject:	Award of Contract - Corporate Surfacing Repairs and Civil Engineering Works
Report of:	Director of Operations
Strategy/Policy:	
Corporate Objectives:	A Safe and Healthy Place to Live and Work

Purpose:

This report considers the Tenders received for Repairs, Re-surfacing and Civil Engineering Works at various locations throughout the Borough and recommends an award of Contract for the Works.

Following a condition survey at various locations within the Borough a programme of repairs and re-surfacing works have been identified to maintain the assets to an acceptable standard. New requirements have been identified to provide additional car parking at Park Lane Tennis Courts.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive:

- (a) accepts the tender submitted by the Contractor ranked 1, as set out in the confidential Appendix A, being the most advantageous Tender received; and
- (b) awards the Contract to the Company.

Reason:

To maintain the condition of the Council assets and provide well maintained car parks, access roads and pedestrian footways for public use.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 7 March 2016

Record of Decision by Executive

Monday, 7 March 2016

Portfolio Policy & Resources
Subject: Wickham Road Cemetery Wall Repairs
Report of: Director of Finance & Resources
Strategy/Policy:
Corporate Objectives:

Purpose:

To consider the revised Tenders received and the award of Contract for the repairs to the boundary wall at Wickham Road Cemetery.

On the 6th October 2014 the Executive Member for Streetscene approved the award of Contract to carry out remedial works but the Council were unable to agree a contract with the successful contractor. The Council's requirement has been reviewed and revised Tenders obtained.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive:

- (a) accepts the Tender submitted by the Contractor which achieved the best overall score, as detailed in the appended evaluation matrix; and
- (b) awards a Contract to this Company.

Reason:

To ensure the long term stability of this wall, provide safe access for the public within the site and on the adjoining footway.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 7 March 2016

Record of Decision by Executive

Monday, 7 March 2016

Portfolio	Policy & Resources
Subject:	Southampton and Fareham Legal Services Partnership
Report of:	Director of Finance & Resources
Strategy/Policy:	Corporate Strategy
Corporate Objectives:	Dynamic, Prudent and Progressive Council

Purpose:

This report provides an update on the Southampton and Fareham Legal Services Partnership and asks the Executive to consider extending the existing arrangements for a further five year period.

At its meeting on 8 March 2011, the Executive resolved to enter into a shared service arrangement with Southampton City Council to share a Solicitor to the Council and a comprehensive legal service for a period of five years with the option to extend this for a further five years.

Due to the success of the Partnership and following detailed discussions between senior officers of both Councils, it is now proposed that the Southampton and Fareham Legal Services Partnership be extended with a revised and updated Deed of Delegation.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive agrees:

- (a) to continue the partnership arrangements for the Southampton and Fareham Legal Services Partnership for a further period of 5 years, with an option to extend the partnership for another 5 years; and
- (b) to delegate responsibility to the Chief Executive Officer after consultation with the Executive Leader to enter into such arrangements as are necessary and on such terms as are reasonable.

Reason:

To continue to provide a robust and resilient legal service at an affordable cost to Fareham Borough Council.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 7 March 2016

FAREHAM

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Monday, 7 March 2016

Portfolio	Policy & Resources
Subject:	Citizen of Honour 2016
Report of:	Director of Finance & Resources
Strategy/Policy:	Community Engagement Strategy
Corporate Objectives:	Strong and Inclusive Communities

Purpose:

This report presents nominations for consideration under the Council's annual Citizen of Honour and Young Citizen of Honour Awards 2016.

The Citizen of Honour Award was introduced in November 1996. Five years later, the scheme was extended to recognise the efforts of younger residents under the age of 18 through the Young Person of the Year Award.

Over the last 20 years, the award has honoured 78 residents of the Borough, with nominations being received from all areas of Fareham.

This year, the Council has received 20 nominations overall. There are 14 nominations for the Citizen of Honour Award, two nominations for the Young Citizen of the Year Award (12-18 year olds), and four nominations for the Young Citizen of the Year Award (4-11 year olds).

In order to encourage resident participation in future years, those who put someone forward for nomination this year, will be invited to do so again next year if their candidate does not win the 2016 award. The Executive reserves the right to increase the number of candidates who are honoured in future awards, providing a higher number of nominations are received.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive approves:

- (a) the selection of three of the candidates nominated be formally recognised as Citizens of Honour 2016;
- (b) the selection of one of the candidates nominated be formally recognised as Young Citizen of the Year (12 – 18 year olds); and
- (c) the selection of one of the candidates nominated be formally recognised as Young Citizens of the Year (4 -11 year olds).

Reason:

The Citizen of Honour and Young Citizen of the Year Awards are valuable initiatives for rewarding local residents for their community service and for recognising the important contribution and difference that they have made to the lives of others. The Young Citizen of Honour category also recognises young people who have overcome severe personal difficulties or who give their time to care for family or friends.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

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Monday, 7 March 2016

Portfolio	Policy & Resources
Subject:	Irrecoverable Debts
Report of:	Director of Finance & Resources
Strategy/Policy:	Finance Strategy
Corporate Objectives:	Dynamic, Prudent and Progressive Council

Purpose:

The report proposes the approval of the write off of certain monies due to the Council which are deemed irrecoverable.

There are a number of sources of income due to the Council from individuals and businesses. The Council uses appropriate debt recovery techniques to try and collect this income. However, in some cases where all reasonable steps have been exhausted, the debt is now considered irrecoverable. This report brings the latest list of debts over £5,000 deemed irrecoverable, for member approval to write them off.

Options Considered:

As recommendation.

Decision:

That the Executive agrees the debts listed in Appendix A to this report, be written off as irrecoverable.

Reason:

There is no further legal action that can be taken to collect the debt or exceptional circumstances apply that justify the non-collection of the debt.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

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