

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
CIVIC CENTRE ROAD
HAVANT
HAMPSHIRE PO9 2AX



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CABINET AGENDA

Membership: Councillor Cheshire (Chairman)

Councillors Bains, Bowerman, Pike, Briggs, Guest, Turner and Wilson

Meeting: Cabinet

Date: Wednesday 14 March 2018

Time: 2.00 pm

Venue: Hollybank Room, Public Service Plaza, Civic Centre Road,
Havant, Hants PO9 2AX

The business to be transacted is set out below:

Nick Leach
Monitoring Officer

6 March 2018

Contact Officer: Penny Milne 02392446234
Email: penny.milne@havant.gov.uk

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PART 1 (Items open for public attendance)

1 Apologies for Absence

To receive and record any apologies for absence.

2 Minutes

1 - 6

To confirm the minutes of the last meeting held on 7 February 2018.

3 Declarations of Interests

To receive and record any declarations of interest.

4 Chairman's Report



To receive any reports the Chairman wishes to make.

5	Cabinet Lead Delegated Decisions, Minutes from Meetings etc.	7 - 10
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RECOMMENDED that the following Delegated Decisions and Minutes of Meetings be noted:

- (1) Delegated Decision - Electric Vehicle Infrastructure

Recommendations from the Scrutiny Board

6	Review of Grass Cutting and Weed Clearance in the Borough	11 - 18
7	Review of Havant Locality Board - Community Trigger	19 - 24
8	Assets of Community Value	25 - 30

Cabinet Lead For Marketing and Commercial Strategy

9	Havant Borough Council Advertising Policy	31 - 38
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PART 2 (Confidential items - closed to the public)

10	Exclusion of the Press and Public
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RECOMMENDED that the public be excluded from the meeting during consideration of the item headed and numbered as below because:

- (a) 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 that item there would be disclosure to them of exempt information of the descriptions specified in paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 shown against the heading in question; and
- (b) in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Item 11 – Building Control IT System

(Paragraph 3 – Information relation to the financial or business affairs of any particular person (including the authority holding that information))

Cabinet Lead for Planning and Place-Making

11	Building Control IT System	39 - 50
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GENERAL INFORMATION

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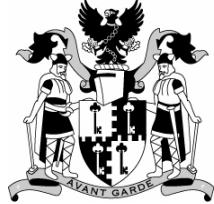
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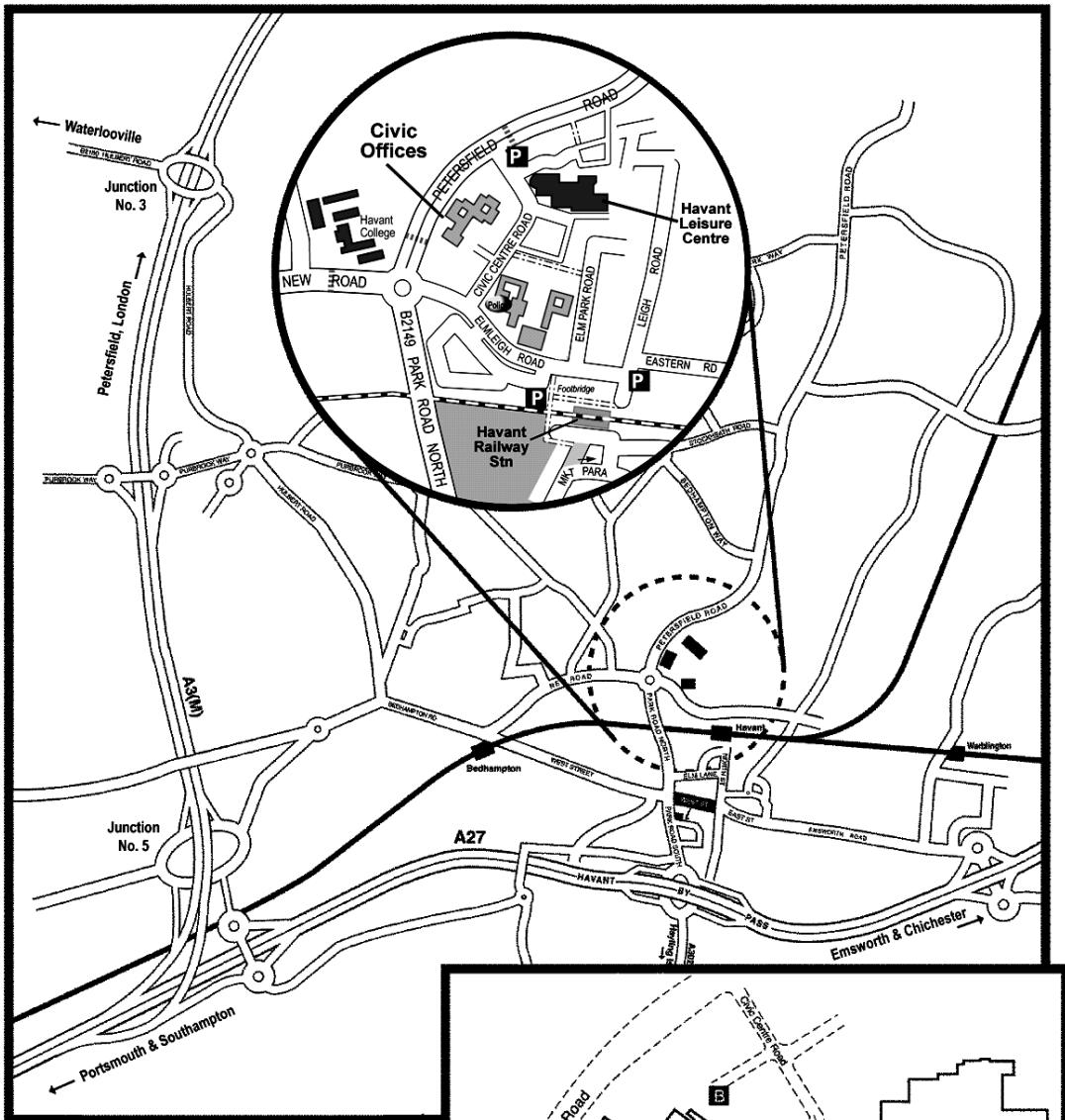
PROTOCOL AT MEETINGS – RULES OF DEBATE

Rules of Debate

- Councillors must always address each other as “Councillor ...” and must always address the meeting through the Chairman;
- A motion must relate to the business included on the agenda or accepted by the meeting as urgent business
- A motion must be proposed and seconded before it is debated until it is either accepted or rejected by a vote;
- An amendment can be proposed to the original motion and this must be seconded before it is debated;
- An amendment cannot be considered if it is inconsistent with an amendment previously adopted or repeats an amendment previously rejected;
- The mover of an original motion may, with the consent of the mover of an amendment, incorporate an amendment into the motion;
- Only one amendment may be moved at a time. No further amendments can be moved until the previous amendment has been dealt with;
- Each amendment must be voted on separately;
- If an amendment is carried, the amended motion becomes the substantive motion to which further amendments may be moved;
- If an amendment is lost, other amendments may be moved to the original motion.
- The mover may withdraw an amendment at any time
- After an amendment has been carried, the Chairman will read out the amended (substantive) motion, before accepting any further amendment, or if there are none, put it to the vote.

Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the item;
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- A recorded vote will always be taken in respect of approval of the Annual Budget
- Councillors may not vote unless they are in the meeting for the full debate on any particular item
- A Councillor may request that his/her vote be recorded in the minutes

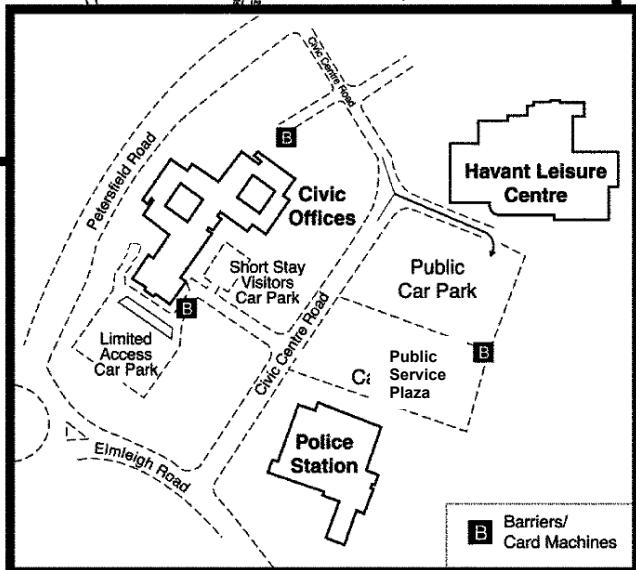


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Civic Offices, Havant, Hants, PO9 2AX

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Agenda Item 2

1

Cabinet

7 February 2018

HAVANT BOROUGH COUNCIL

At a meeting of the Cabinet held on 7 February 2018

Present

Councillor Cheshire (Chairman)

Councillors Bains, Bowerman, Pike, Briggs, Guest and Turner

56 Apologies for Absence

There were no apologies for absence.

57 Minutes

The minutes of the meeting of the Cabinet held on 29 November were approved as a correct record subject to an amendment to minute 43(3) to read 'Owslebury Grove'.

The minutes of the meetings of the Cabinet held on 6 December and 8 December 2017 were approved as a correct record.

58 Declarations of Interests

There were no declarations of interest from any of the members present.

59 Chairman's Report

There were no matters the Chairman wished to report.

60 Cabinet Lead Delegated Decisions, Minutes from Meetings etc.

RESOLVED that the following minutes and delegated decisions be noted:

- (1) Minutes of the Portchester Crematorium Joint Management Committee meeting held on 11 December 2017;
- (2) Delegated Decision: Increase in Charges for Collection of Garden Waste;
- (3) Delegated Decision: Proposed Traffic Regulation Order – Kingsclere Avenue; and
- (4) Delegated Decision: Proposed Traffic Regulation Order – Old Copse Road.

61 Recommendation from the Joint HR Committee - Reviewed Equality Policy

Councillor Bowerman, as Cabinet Lead for Governance and Organisational Development, presented a report to Cabinet arising from the meeting of the Joint HR Committee held on 6 December 2017 and seeking approval of the reviewed Equality Policy. The changes endorsed by the Joint HR Committee were set out in paragraph 4.1 of the report.

Councillor Bowerman also reported that a session on equality and diversity would be incorporated within the new Councillor induction programme for May 2018.

Cabinet members sought clarification with regard to the implications for contractors undertaking work on behalf of the Council and were advised that, whilst the Council could impose its Equality Policy through its contract processes if it was considered reasonable and proportionate to do so, it had no powers to enforce the legislation.

An assurance was also given that the policy was accessible through the Council's website in various languages and that braille copies could be made available on request.

RESOLVED that the reviewed Equality Policy, set out at Appendix A to the Cabinet report be approved.

62 Budget 2018/19

Councillor Briggs, as Cabinet Lead for Finance, presented a report and recommendation to Cabinet setting out the proposed Revenue & Capital Budget for 2018/19 and the Medium Term Financial Strategy for 2022/23 for onward recommendation to Council.

Members of the Cabinet sought clarification with regard to the recommendation that, during 2018/19, a minimum increase of 2.8% be applied to fees and charges not otherwise constrained by statute. Cabinet was minded, however, to recommend that an increase of up to 2.8% be applied in 2018/19 and that if, going forward, there were proposals to increase specific fees or charges above the 2.8% threshold, these be referred back to the Cabinet.

Councillor Buckley, as Chairman of the Scrutiny Board, was invited to join the meeting and presented a report and recommendations from the Scrutiny Board arising from the budget review undertaken by the Budget Scrutiny and Policy Review Panel.

At the conclusion of the debate the Chairman took the opportunity to express his gratitude to the s151 Officer and CEO, to the Heads of Service and the members of the Scrutiny Panel for their rigorous review of all service budgets that had contributed to balancing the forthcoming year's budget at a financially challenging time for local government.

(A) RESOLVED that

- (1) the current Fees and Charges Schedule (Appendix G to the report) be noted; and
 - (2) an increase of up to 2.8% be applied during 2018/19 to those fees and charges that are not otherwise constrained by statute, to be determined by the Chief Finance Officer in consultation with the Leader;
- (B) RECOMMENDED to full Council that it
- (1) approves the proposed Revenue & Capital Budgets for 2018/19, including a Council Tax rate of £198.54 at Band D, representing a 2.99% increase on the current charge;
 - (2) notes the Cabinet decision of 7 February 2018 to apply during 18/19 an increase of up to 2.8% to those fees and charges that are not otherwise constrained by statute, to be determined by the Chief Finance Officer in consultation with the Leader;
 - (3) agrees the Treasury Management Strategy and Prudential Indicators; and
 - (4) reduces the Councillor Community Grants to £0 in 2018/19 and that this be subject to further review by the Scrutiny Board.
- (C) RESOLVED that
- (1) the Chief Finance Officer and the Management Team be instructed to review each service's budget to identify funds which could be used by more than one service and that consideration be given to consolidating budgets where appropriate so that all services are aware of specific budget funds that are available and avoid the situation referred to in paragraph 10.4(a) of the submitted Budget Scrutiny Panel's report;
 - (2) the political group leaders be requested to encourage their members to consent to receiving electronic versions of all committee papers;
 - (3) the officers be instructed to prepare a business case for paperless meeting papers, highlighting the costs and potential savings for this move;
 - (4) the officers and Cabinet Leads be instructed to put in place communication plans for any changes to fees and charges to ensure residents are fully informed; and
 - (5) the draft 2019/20 Budget Timetable for budget meetings in January and February 2019 (Appendix B to the report) be agreed.

63 Solent Recreation Mitigation Strategy

Councillor Guest presented a report and recommendations seeking approval of the Solent Recreation Mitigation Strategy, allowing the Council to implement the strategy's new guidance and charging schedule (collected as a developer contribution for planning applications) from 1 April 2018.

Whilst recognising that the Council was obligated to implement the charging schedule through its commitment to the Partnership for Urban South Hampshire (PUSH) collective agreement to adopt the Strategy, Cabinet members expressed significant concern about the deliverability of the intended mitigations in relation to the perceived excessive cost to developers.

Cabinet members also took the view that application of the charging schedule only to new residential development within 5.6km of the coast unfairly impacted local development and that a national application of the Strategy would be more equitable and would reduce the cost locally.

At the conclusion of the debate, the Leader undertook to write to both the Chairman of PUSH and the Chairman of the East Solent Coastal Partnership Board highlighting the Cabinet's concerns and seeking to explore any opportunities to host the scheme through the Coastal Partnership with a view to reducing the financial impact on new local development.

RESOLVED that

- (1) the Solent Recreation Mitigation Strategy (Appendix 1 to the Cabinet report) be approved;
- (2) the Solent Recreation Mitigation Strategy's implementation from 1 April 2018 be approved; and
- (3) the Council's continued membership of, and engagement with, the Solent Recreation Mitigation Partnership (SRMP) be endorsed.

64 Community Infrastructure Levy: Spending

Councillor Guest presented a report providing detail on the 33 bids received following the CIL Bidding Process (20 for the Main CIL Pot and 13 for the Neighbourhood Portion). The report provided an analysis of the bids and made recommendations on the spending of CIL funds. Workshops had been held to give all Councillors an opportunity to comment on the bids received.

In endorsing the recommendations for submission to full Council in accordance with the adopted Funding Decision Protocol, Cabinet members were mindful that further information would be required from the Highways Engineers in relation to the Hambledon Road/Milton Road junction item in order to inform any detailed proposals coming forward in due course. In the meantime, Cabinet was supportive of the proposal to allocate funding in principle for the project as outlined in the report.

RECOMMENDED to full Council that:

- (1) The Council invest the available CIL Pot of £1,918,284 in the following capital infrastructure projects:**

Title (Bid ref)	Amount	Cumulative amount
Langstone FCERM Scheme CIL Pot Building Proposal: 2017-2021 (1) *	£0	£0
Havant Shared Pedestrian and Cycle Bridge (8) **	(£125,000)	(£125,000)
Warblington Footbridge (9)	£150,000	£275,000
Bushy Lease Strategic Sustainable Access Route (10)	£373,000	£648,000
Hambledon Road/Milton Road Safety Improvements (20) ***	£117,000	£765,000
Rusty Cutter – Teardrop Link Road Capacity Enhancement (12)	£150,000	£915,000

Table A: Current recommended spends and cumulative effect on 123 CIL Pot if all spending options are supported

See additional information

* Paragraph 4.14 (i) of the report

** Paragraph 4.14(ii) regarding separate consideration of Footbridge options

*** Paragraph 4.14 (iii) of the report

- (2) That the balance of the CIL Pot be retained and expenditure further considered on Langstone FCERM Scheme in the 2018 CIL Funding Decision once the Draft Havant Borough Local Plan 2036 has been published and the outcome of the consultation is known; and**
- (3) The Council invest the available Neighbourhood Portion of £212,374 across the borough as set out below:**

Title (Bid ref)	Amount	Cumulative amount
Hayling East–West Cycle Route: Upgrade Footpath 521 to Shared Use (J)	£16,000	£16,000
Solent Way Upgrade Project (C)	£46,000	£62,000
Waterlooville Pavilion Feasibility Study (G)	£4,000	£66,000
Drainage Hobby Close Field (L)	£49,500	£115,500
The Spring Arts Centre Minor Works (Air Conditioning) (M)	£15,000	£130,500
Pallant Centre Universal Access Project (Lift) (B)	£21,000	£151,500
Replace Outdated and Uneconomic Lighting in Mountford Wing and Assembly Room of Emsworth Community Centre (F)	£15,000	£166,500
Waterlooville Community Centre Improvements/ Expansion/'Changing Place' Facility (A)	£10,520	£177,020

Table B: Current recommended spends and the cumulative effect on Neighbourhood Portion if all spending options are supported

The meeting commenced at 2.00 pm and concluded at 3.02 pm

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Chairman

HAVANT BOROUGH COUNCIL

Decision by Cllr Tim Pike

Cabinet Lead for: Strategic Innovation, Infrastructure and Projects

Electric Vehicle Infrastructure

Report by: Pennie Brown, Sustainability Adviser

Key Decision: Yes

1.0 Purpose of Report

The purpose of this report is to outline the approach to facilitating an increase in electric vehicle (EV) infrastructure across Havant Borough.

2.0 Decision

- 1) To agree the following approach to EV Infrastructure across the Borough:
 - a) To work with a private sector contractor to identify and install EV infrastructure where technically and economically feasible within Havant Borough Council car parks/land
 - b) To include a policy statement on EV charging infrastructure in the draft Havant Borough Local Plan 2036
 - c) Develop other incentives for electric vehicle users such discounts made available for electric vehicles e.g. low emissions permits
 - d) Explore if there is an opportunity and business case to 'green' any of the Council's fleet

3.0 Issue

The council is seeing an increase in the number of requests from residents and businesses to provide EV charging infrastructure. The current charging infrastructure in Havant is currently low with only three charging points in the whole borough (two located at Waterlooville and one at Northney Marina).

The term *electric vehicle infrastructure* is referring to dedicated electric vehicle charging equipment, also known as an EV charge-point.

There are many reasons why the council could intervene with promoting EV Infrastructure:

- This initiative supports UK Government policy initiated by the Office for Low Emission Vehicles (OLEV) aimed at delivering a modal shift towards electric vehicles

- Havant lacks EV public infrastructure that enables residents, businesses and visitors to have confidence in the ownership and use of electric vehicles
- Promoting plug-in electric vehicles will contribute to a reduction in transport-related carbon emissions and contribute towards an improvement in air quality
- EV charge-points may well become essential infrastructure to attract inward investment for economic development, and enfranchise visitors with EVs to tourist attractions such as Hayling Island over other areas.

It is recommended that the council work with a private sector company to invest in the infrastructure. This approach involves working with a company who is experienced and qualified in rolling out the charge-point network. This process will involve;

- Expression of interest to Office for Low Emission Vehicles authorised EV installers
- Select organisation and agree contract
- Work with the EV installer to provide information on locations working with relevant teams across the council
- Contractor undertaking necessary feasibility searches
- Sites agreed and infrastructure installed

The benefits of this approach are quality of infrastructure improved ensuring a future-proofed network, less ongoing council resource required, no up-front costs required, lower risk, and the potential to generate a small income. The downside of this approach include an exclusive contract, will be business case driven by contractor so may be limited on site location, limited income stream, limited control over pricing strategy of charge-points

4.0 Implications

4.1 Resources:

The project management can be covered by existing resources from the Sustainability Adviser. Staff resource will also be required internally from the estates team and legal services.

The costs of the infrastructure will be covered by the private sector partner.

It is likely points will be located in carparks and this could result in the allocation of car parking spaces for EV charging. Any impacts of this would be considered through the identification of sites.

4.2 Legal:

Internal legal support to establish the contractual arrangement with a private sector organisation. Issues that would need to be resolved include the exclusivity of the contract, the income opportunity, liabilities and lease arrangements.

4.3 Strategy:

This delivers against the environmental sustainability priority within the corporate strategy and against the Council's Energy Strategy which was agreed in February 2016. This also supports wider strategies to improve air quality and demonstrate council leadership.

4.4 Risks:

There are reputation issues of doing nothing. EV charge-points may well become essential infrastructure to attract inward investment for economic development, and to attract EV owners to visit the borough.

The installation of charge-points is dependent on suitable access to the electricity supply must be approved by the Distribution Network Operator (DNO).

Installation costs can escalate if the site of the charge-points are a significant distance from an electricity supply or sub-station. Care should be taken to select sites to minimise installation costs, and to involve SSE (the local DNO) as soon as possible to allow work to be scheduled. The partner organisation would incur these costs, this is just to note as may contribute to the business case on location of sites

The contract would need to consider risks identified with the land and its long-term objectives especially potential development opportunities.

5.0 Local Government (Access to Information) Act 1985 – ‘confidential’ or Exempt’ Information Indicator:

- 5.1 This delegated decision contains neither confidential nor exempt information

6.0 Is this an Urgent Decision?

No

Agreed Cllr Tim Pike

Date 8/2/2018.

(The decision is subject to the usual ‘call-in’ process and, if not called in by the Scrutiny Board, will be effective five clear working days after the date of publication, i.e. 16/02/18. If an urgent decision, this date will be the same as the date that this decision record was published)

Agreed and signed off by:

Legal Services: Nick Leach: 14/11/2017

Executive Head for Finance: Lydia Morrison 29/11/2017

Relevant Executive Head: James Hassett, 23/11/2017

Cabinet Lead: Cllr Pike. 8/11/2017

Contact Officer: Pennie Brown
Job Title: Sustainability Adviser
Telephone: 023 9244 6554
E-Mail: pennie.brown@havant.gov.uk

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HAVANT BOROUGH COUNCIL

CABINET

14 March 2018

Review of Grass Cutting and Weed Clearance in the Borough

Report by: Scrutiny Board

For Recommendation

Key Decision: No

Cabinet Lead: Councillor Tony Briggs

1.0 Purpose of the Report

- 1.1 At its meeting held on 20 February 2018, the Scrutiny Board considered a report (Appendix A) from the Operations, Environmental Services and Norse Scrutiny and Policy Development Panel, setting out its findings and recommendations following a scrutiny into grass cutting and weed clearance in the Borough.
- 1.2 The Scrutiny Board endorsed the recommendations set out in the report.

2.0 Recommendations

It is recommended that Cabinet;

- 2.1 endorse the new monitoring arrangements, as set out in Appendix B, to improve monitoring of the grass cutting and weed clearance programme;
- 2.2 request officers to provide regular reports to Councillors on the progress of the grass cutting and weed clearance programme;
- 2.3 request officers to investigate ways of encouraging Councillors to report any instances of poor or lack of grass cutting / weed clearance to Customer Services, and in turn encourage residents to do the same; and
- 2.4 request officers to publish an article in Serving You advising residents to contact Customer Services in any instances of poor or lack of grass cutting or weed clearance.

3.1 Appendices

Appendix A – Report by the Operations, Environmental Services and Norse Scrutiny and Policy Development Panel

Appendix B – Excerpt from Page 34 of the Findings Pack – ‘Action Taken/to be taken to Prevent the Same Issues in 2018’

Background Papers

[Panel's Findings Pack](#)

The Panel’s report was agreed and signed off for publication by:

Head of Service: 01.03.18

Head of Finance: 05.03.18

Head of Legal: 05.03.18

Contact: Councillor Jackie Branson

Title: Scrutiny Lead for the Operations, Environmental Services and Norse Scrutiny and Policy Development Panel

E-Mail: jackie.branson@havant.gov.uk

APPENDIX A

HAVANT BOROUGH COUNCIL

Scrutiny Board

20 February 2017

Review of Grass Cutting and Weed Clearance in the Borough

FOR RECOMMENDATION

KEY DECISION NO

REPORT BY: Operations, Environmental Services and Norse Scrutiny and Policy Development Panel

1.0 EXECUTIVE SUMMARY

- 1.1 The review was established following complaints raised by Councillors at the Scrutiny Board meeting on 27 June 2017.
- 1.2 The review investigated:
 - a) the problems experienced this year and measures taken resolve these issues
 - b) measures introduced to prevent similar problems in the future; and
 - c) how the service can be developed and enhanced to meet customer expectations.

2.0 RECOMMENDATIONS

- 2.1 Cabinet be recommended to
 - 2.1.1 endorse the new monitoring arrangements as set out in the Findings Pack to improve monitoring of the grass cutting and weed clearance programme;
 - 2.1.2 request officers to provide regular reports to Councillors on the progress of the grass cutting / weed clearance programme;
 - 2.1.3 request the officers to investigate ways of encouraging Councillors to report any instances of poor or lack of grass cutting / weed clearance to Customer Services, and in turn encourage residents to do the same;
 - 2.1.4 request the officers to publish an article in Serving You advising residents to contact Customer Services in any instances of poor or lack of grass cutting or weed clearance.

APPENDIX A

- 2.2 That the Scrutiny Board be recommended to include a review of the performance of this service in its 2017/18 and 2018/19 Work Programmes. This review will include a meeting at the commencement of the 2018 programme to discuss the proposed schedule of works and a meeting at the end of the 2018 programme to review how the service has performed during the season.

3.0 Resources:

- 3.1 The above recommendations seek to make the service more efficient through more effective monitoring of the grass cutting / weed clearance programme. These changes can be delivered within existing budgets.

4.0 Legal:

- 4.1 n/a

5.0 Strategy:

- 5.1 The Council is committed to improving neighbourhoods and their environmental quality, while realising this goal through innovative methods and successful partnerships with public service partners to improve services for residents, namely the Norse South East Joint Venture Company.
- 5.2 The Council will also use customer feedback to ensure that this service is delivered at the right quality and price.

6.0 Risks:

- 6.1 There are risks to the Council's reputation if the grass cutting/weed clearance work is conducted to a poor standard.

7.0 Communications:

- 7.1 n/a

8.0 For the Community:

- 8.1 The provision of grass cutting and weed clearance is one of the most visible services provided by the Council to its residents. Therefore, it is essential that this is undertaken at a high standard.

9.0 METHODOLOGY

- 9.1 The review was requested at the Scrutiny Board meeting on 27 June 2017. However, due to the workload of the Operations etc. Scrutiny and Policy Development Panel, the review was delayed to January 2018.

- 9.2 The Panel canvassed all councillors to ascertain their concerns relating to the performance of the grass cutting and weed clearance. The Panel also

APPENDIX A

invited the Operations Director of Norse South East and the Strategic Procurement Project Manager, to discuss the difficulties experienced in the summer of 2017, the concerns raised by Councillors and measures to overcome the problems experienced in future years.

10.0 Conclusions

- 10.1 The Panel is confident that the measures introduced this year to overcome the problems experienced with the grass cutting and weed clearance are robust and will reduce the risk of such problems reoccurring in future programmes.
- 10.2 Arrangements should be put in place to keep Councillors informed of the performance of this service throughout the year. This will enable Councillors to respond to residents' enquiries and complaints.
- 10.3 Councillors and residents should be encouraged to use the Council's complaints data base (CRM) to enable the officers and Norse South East to easily identify the scope of any issues and respond quickly.
- 10.4 The performance of this service should be reviewed by a scrutiny panel both prior to and after the 2018 grass cutting / weed clearance programme.

11.0 Key Findings

- 11.1 The Panel has found that the grass cutting and weed clearance programme for 2017 was not carried out to the usual standard due to an unprecedented growth of weeds and grass, poor weather conditions, and a delay in identifying that there was problem with the performance of the service and responding to the issue.
- 11.2 The delay in recognising the extent of the problem and reacting accordingly was due in part to a failure to collate all the complaints onto one system. Although members of the public were reporting their concerns, they did so mainly by contacting officers and Councillors directly and these complaints were not fed into the Council's data base (CRM). Therefore, the official records did not record the true scale of the problem. Recommendations 2.1.3 and 2.1.4 seek to stop this occurring in the future.
- 11.3 A failure of the Council to introduce a system to monitor the performance of the grass cutting and weed clearance programme also contributed to the delay in responding to the problem. The Panel was pleased to learn that a monitoring system has been introduced to ensure the works are completed within an agreed schedule, and if not, reasons for the failure are recorded. These changes will enable Norse to effectively assign resources to the right areas in the Borough, and enable the Council to accurately monitor the performance of the service and react if standards begin to slip (full details of the measures are set out Section H of the Findings Pack). The Panel are confident that the necessary robust measures are being put in place to

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reduce the risk of these problems happening again. Recommendation 2.1.1 asks the Cabinet to endorse these measures.

- 11.4 The Panel was also pleased to learn that Norse South East has revised its working methods to improve the service provided to the Council. These new methods make the service more flexible and able to react quickly to resolve issues that arise during the cutting/clearance season. Recommendation 2.1.1 asks the Cabinet to endorse these measures.
- 11.5 A failure to keep Councillors up to date with the issues at the beginning of the season did not help the situation. Councillors play an important role keeping their constituents informed about issues, and preventing and resolving complaints. It is therefore imperative that Councillors are kept up to date on sensitive areas such grass cutting/weed clearance. The Panel acknowledge that towards the end of the season regular reports were submitted to Councillors. The Panel consider that reports on the progress of the programme should be submitted to Councillors on a regular basis, to enable quick reference in response to any queries from residents. Recommendation 2.1.2 seeks to implement this measure.
- 11.6 While assured by the measures suggested by the officers, the Panel are keen to ensure these problems do not arise in the coming summer period. As such, the Panel will meet with the key officers before the season to discuss the coming programme, and following the season to analyse the work undertaken, as per recommendation 2.2
- 11.7 The full findings of the review can be found in the Findings Pack.

Background Papers

[Findings pack for the review](#)

Contact: Councillor Jackie Branson
Title: Scrutiny Lead for the Operations, Environmental Services and Norse Scrutiny and Policy Development Panel
E-Mail: jackie.branson@havant.gov.uk

APPENDIX B

Action Taken / To be taken to Prevent the Same Issues in 2018
<ul style="list-style-type: none">• Train more members of staff on how to apply weed treatment• Have at least two team members spraying weeds in all roads within the Borough from March to October• Respond positively to all enquiries/Remedies• Create mobile teams to deal with significant weed growth• A monitoring system has been created to enable the Strategic Procurement Project Manager to monitor the performance of the service against an agreed timetable of works• Officers to investigate ways of submitting regular reports to Councillors on the performance of the service throughout the year• Officers to investigate ways of encouraging members of the public and Councillors to report their concerns about the services using the CRM e.g. Serving You• The budget process will investigate the feasibility of reducing the amount of grass cuts/weed spraying to the minimum level set out in the Agency Agreement

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HAVANT BOROUGH COUNCIL

CABINET

14 March 2018

Review of Havant Locality Board – Community Trigger

Report by: Scrutiny Board

For Recommendation

Key Decision: No

Cabinet Lead: Councillor Leah Turner

1.0 Purpose of the Report

- 1.1 At its meeting held on 20 February 2018, the Scrutiny Board considered a report (Appendix A) from the Communities and Housing Scrutiny and Policy Development Panel, setting out its findings and recommendations following a scrutiny review of the Havant Locality Board and its effectiveness in relation to the Community Trigger.
- 1.2 The Scrutiny Board endorsed the recommendations set out in the report.

2.0 Recommendations

It is recommended that Cabinet;

- 2.1 request the officers to maximise publicity for the Community Trigger on the Council's website and the website for the Safer Havant Partnership;
- 2.2 request the officers to provide a training course on the Community Trigger to all existing Councillors and to include this course as part of the Councillor's induction programme; and
- 2.3 request the Leader of the Council to clarify the roles and responsibilities of the Cabinet Leads in relation to Community Safety and anti-social behaviour. Such clarification should include a clearer explanation of the term 'Community Safety'.

3.1 Appendices

Appendix A – Report by the Communities and Housing Scrutiny and Policy Development Panel

Background Papers

[Panel's Findings Pack](#)

The Panel's report was agreed and signed off for publication by:

Head of Service: 27.02.18

Head of Finance: 05.03.18

Head of Legal: 05.03.18

Contact: Councillor Diana Patrick

Title: Scrutiny Lead for the Communities and Housing Scrutiny and Policy
Development Panel

E-Mail: diana.patrick@havant.gov.uk

APPENDIX A

HAVANT BOROUGH COUNCIL

Scrutiny Board

20 February 2018

Review of the Havant Locality Board – Community Trigger

FOR RECOMMENDATION

KEY DECISION NO

REPORT BY: Communities and Housing Scrutiny and Policy Development Panel

1.0 EXECUTIVE SUMMARY

- 1.1 This review was undertaken to investigate the effectiveness of the Havant Locality Board (formerly known as the Safer Havant Partnership) with regard to dealing with the Community Trigger.

2.0 RECOMMENDATIONS

- 2.1 The Scrutiny Board recommend Cabinet to;
- 2.1.1 request the officers to maximise publicity for the Community Trigger on the Council's website and the website for Safer Havant Partnership;
- 2.1.2 request the officers to provide a training course on the Community Trigger to all existing Councillors and to include this course as part of the Councillor's induction programme; and
- 2.1.3 request the Leader of the Council to clarify the roles and responsibilities of the Cabinet Leads in relation to Community Safety and in particular anti-social behaviour: such clarification to include a clearer explanation of the term "Community safety".

3.0 RESOURCES:

- 3.1 The above recommendations can be delivered within the existing budget.
- 3.2 The Council does not have the capacity to deal with a large number of community triggers. It is therefore critical that a proper assessment process is undertaken and Councillors are trained in the processes to reduce the officers' workload

4.0 LEGAL:

- 4.1 The community trigger is a mechanism for victims of persistent anti-social behaviour to request that relevant bodies undertake a case review introduced

APPENDIX A

under the Anti Social behaviour, Crime and Policing Act 2014 (“the Act”). A case review would entail the relevant bodies sharing information in relation to the case, discussing what action has previously been taken, and collectively deciding whether any further action could be taken. Relevant bodies are set out in section 105 and include local authorities, the police, health providers and providers of social housing. Any individual, community or business can make an application for a case review, and the relevant bodies must carry out a case review if the threshold is met. The threshold will be set by the relevant bodies and could, for example, be three reports of separate incidents of anti-social behaviour in a six month period, where there has not been an adequate response to that behaviour. The threshold may also be set with reference to the persistence of the behaviour, the potential for harm to the victim, and the adequacy of response from agencies. Subsection (4) provides that the threshold should be set no higher than three complaints, but agencies may choose to set a lower threshold. Subsection (11) defines a “qualifying complaint” as one which is made within one month of the incident occurring and provides that the application for the case review should be made within six months of the original complaint. The community trigger is intended as a backstop safety net for the victims of anti-social behaviour who consider that there has not been an appropriate response to their complaints about such behaviour.

- 4.2 The relevant bodies in each local government area must make and publish arrangements for review procedures (subsection (2)). Paragraph 8 of Schedule 4 allows for joint arrangements to be made for a larger area such as the police force area. The procedures must include the point of contact for making applications and ensure that applications are passed to all the relevant bodies in the area. The bodies carrying out the review must inform the applicant of their decision on whether the threshold for review is met, the outcome of the review and any recommendations made as a result of the review (subsections (6) to (8)). The bodies carrying out the review may make recommendations to a person who carries out public functions, including any of the bodies that have taken part in the community trigger review, and the person must have regard to the recommendations.
- 4.3 Subsection (9) requires relevant bodies to publish information about the number of community trigger applications they received, the number of times the threshold was not met, the number of case reviews carried out and the number of reviews that resulted in further action.

5.0 STRATEGY:

- 5.1 The Community Triggers contributes towards the Council’s aim to improve neighbourhoods and their environmental quality.

6.0 RISKS:

- 6.1 There are no risks rising from the contents of this report.

7.0 COMMUNICATIONS:

APPENDIX A

7.1 N/A

8.0 FOR THE COMMUNITY:

8.1 The recommendations seek to improve the processes and procedures of the Community Trigger and allow for better support for vulnerable families within the Borough.

9.0 METHODOLOGY

9.1 The Council is required to review how the Havant Locality Board discharges its function every year. In view of the wide range of functions delivered by the Board it was decided to limit this year's review to the procedures and processes involved in the Community Trigger process

9.2 The Communities and Housing Scrutiny and Policy Development Panel held an initial meeting with the Neighbourhood Development Team Leader and Transformation Officer to discuss the procedures and processes of the Community Trigger.

9.3 From this discussion, the Panel identified three agencies to interview to discuss their experience of the Community Trigger.

9.4 Full details of the methodology of the project are set out in the separate Findings Pack.

10.0 KEY FINDINGS

10.1 The Panel were pleased to note that although there were initially issues dealing with anti-social behaviour in the Borough, the Community Trigger appeared to offer an effective tool to progress any issues.

10.2 The Panel were concerned to hear that from a victim's perspective, there was concern that the agencies did not appear to take the issue seriously before the trigger was activated. There was also concern about the delay before any action was taken. However, once trigger was activated the victim understood the reasons for the delay and was pleased with the processes and outcome.

10.3 From the interviews with agency representatives, it was clear that all felt that the trigger had allowed for support to be delivered in a more effective manner to vulnerable victims of anti-social behaviour.

10.4 The multi-agency approach required the agencies to concentrate on the vulnerability of the victim and allowed for a wide range of support and advice to be available for vulnerable victims of anti-social behaviour. In addition, the trigger enabled agencies involved with a case to share information and give a joint and consistent response to cases that were the subject of individual but similar concerns reported to multiple organisations.

APPENDIX A

- 10.5 There are however areas which could be improved. The agencies interviewed acknowledged that the public are mainly unaware of the Community Trigger, which could be overcome by better publicity on the Council's and Safer Havant Partnership's websites. Councillors could also play an important role in maximising awareness of the process and helping victims of anti-social behaviour. The Panel therefore considered that the training course given to new Councillors in 2016 should be extended to all Councillors.
- 10.6 The Panel accepted that there is a limited resource capacity to deal with community trigger cases. This workload pressure is currently being reduced by the agencies working together more to help resolve issues before the trigger could be activated.
- 10.7 The use of Councillors to guide victims or potential victims through the process should also help reduce the workload for the agencies and enable them to deal with more cases which may arise from a greater awareness of the process.
- 10.8 There is no clear understanding or agreement amongst the relevant Cabinet Leads and officers over the arrangements for the discharge of functions relating to community safety and in particular anti-social behaviour. The Panel felt that this could potentially lead to duplication, a Cabinet Lead acting beyond his or her powers, delays in progressing any issues, or issues being missed.
- 10.9 Full details of the findings of the project are set out in the separate Findings Pack.

Background Papers

[Findings Pack](#)

Contact: Councillor Diana Patrick
Title: Scrutiny Lead for the Communities and Housing Scrutiny and Policy Development Panel
E-Mail: diana.patrick@havant.gov.uk

HAVANT BOROUGH COUNCIL

CABINET

14 March 2018

Review of the Assets of Community Value Policy

Report by: Scrutiny Board

For Recommendation

Key Decision: No

Cabinet Lead: Councillor Leah Turner

1.0 Purpose of the Report

- 1.1 At its meeting held on 20 February 2018, the Scrutiny Board considered a report (Appendix A) from the Communities and Housing Scrutiny and Policy Development Panel, setting out its findings and recommendations following a scrutiny review of the Assets of Community Value policy and procedures.
- 1.2 The Scrutiny Board endorsed the recommendations set out in the report.

2.0 Recommendations

It is recommended that Cabinet;

- 2.1 request officers to update the Council's website to contain clear information for the public detailing exactly what an Asset of Community Value (ACV) is, how they can apply, what can and cannot be used as a reason for the application and the requirements for groups submitting nominations;
- 2.2 request officers to send Councillors information on ACVs to enable clear direction to be given to residents;
- 2.3 request officers to include details on how the Council considers ACV applications in the updated Local Plan;
- 2.4 request officers to review the resources used by the Council to facilitate the ACV process;
- 2.5 request the Monitoring Officer to amend the Constitution to reflect the Cabinet's delegation of authority to determine nominations for the listing of ACVs to the Cabinet Lead for Communities and Housing (Minute 83/3/2013); and
- 2.6 delegates authority to the Head of Housing and Community Engagement to select up to three Councillors to sit on the Assets of Community Value Panel on a meeting by meeting basis, provided that these Councillors are not

members of the Cabinet or where the asset concerned is not within their ward.

3.1 Appendices

Appendix A – Report by the Communities and Housing Scrutiny and Policy Development Panel

Background Papers

[Panel's Findings Pack](#)

The Panel's report was agreed and signed off for publication by:

Head of Service: 05/03/18

Head of Finance: 05/03/18

Head of Legal: 05/03/18

Contact: Councillor Diana Patrick

Title: Scrutiny Lead for the Communities and Housing Scrutiny and Policy Development Panel

E-Mail: diana.patrick@havant.gov.uk

APPENDIX A

HAVANT BOROUGH COUNCIL

Scrutiny Board

7 November 2017

Assets of Community Value Policy Review

For Recommendation

Key Decision No

Report By: Communities and Housing Scrutiny and Policy Development Panel

1.0 EXECUTIVE SUMMARY

- 1.1 The scrutiny was established to review the Assets of Community Value policy and procedures.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that Cabinet:
 - 2.1.1 agrees to the Council's website being updated to contain clear information for the public detailing exactly what an Asset of Community Value (ACV) is, how they can apply, what can and cannot be used as a reason for the application and the requirements for groups submitting nominations;
 - 2.1.2 agrees to Councillors being sent information to enable clear direction to be given to residents;
 - 2.1.3 agrees to the Local Plan be amended to include information on how the Council considers ACV applications;
 - 2.1.4 agrees to a review of the resources used by the Council to facilitate the ACV process;
 - 2.1.5 requests the Monitoring Officer to amend the Constitution to reflect the Cabinet's delegation of authority to determine nominations for the listing of ACVs to the Cabinet Lead for Communities and Housing (Minute 83/3/2013); and
 - 2.1.6 delegates authority to the Head of Communities and Housing to select up to three Councillors to sit on the Assets of Community Value Panel on a meeting by meeting basis, provided that these Councillors are not members of the Cabinet or where the asset concerned is not within their ward.

3.0 STRATEGY

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- 3.1 The improvement of information available to the public signals the Council's continuing strategic focus for public service excellence, while in-keeping with the drive for active and prosperous communities in the Borough.

4.0 LEGAL

- 4.1 The Localism Act 2011 and the subsequent Assets of Community Value (England) Regulations 2012 set out the duties and requirements of the Council in relation to ACV. This is not a discretionary service therefore, the Council cannot levy a charge to recover its costs.
- 4.2 There may be legal costs associated with appeals.

5.0 RESOURCES

- 5.1 It will depend upon the volume and intensity of any Community Rights interest as to whether services can provide the required support within existing financial resources. Further financial constraints will exacerbate difficulties in delivering support within the resources available.
- 5.2 In terms of compensation payments, it is remains to be clarified who would bear the associated costs, but any Council liability may cause a pressure on the Council's revenue budget.
- 5.3 The recommendations seek to review the Council's resources when determining the ACV process.

6.0 STAKEHOLDERS

- 6.1 Whilst the initial framework for managing the implementation has been put in place, it is likely that adjustments may need to be made once First Tier Tribunal decisions have been made on nomination and compensation appeals.
- 6.2 This Right has an effect on the Council as a landowner as the Council holds a wide range of assets that are likely to meet the nomination criteria. It is important, therefore that the process for managing nominations is transparent, ensuring that all land and property owners in the area are treated equitably.
- 6.3 Equally, this right will impact on capital receipts planning whereby additional time will be required to allow for managing any bids from community interest groups to sites that are listed as assets of community value.

7.0 RISKS

- 7.1 The legislation requires a response from the Council to ACV nominations to be provided within 8 weeks of receipt.

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- 7.2 Owners may claim compensation for loss and expense occurred through the asset being listed or previously listed. This includes claims arising from a delay in entering into a binding agreement to sell that is wholly caused by the interim or full moratorium period or legal expenses incurred in a successful appeal to the Tribunal. The format for any claim and timescales are specified in the Regulations.

8.0 METHODOLOGY

- 8.1 Full details of the methodology of the project is set out in a separate Findings Pack

9.0 CONCLUSIONS

- 9.1 The Panel found that the Council was only able to handle a few nominations at a time due to the limited number of staff available to undertake this function. This lack of resources restricted how far the Council could promote this facility (Sections H and J of the Findings Pack).
- 9.2 The Council's form, procedures and policy compared well with other Council and is considered fit for purpose subject to the policy being updated to reflect the officer who currently chairs the meeting (Section I of the Findings Pack).
- 9.3 The Council's website could be improved however as the amount of information available was less compared to other local authorities and did not encourage nominations. An improvement in the website could also lead to an improvement in the standards of the nominations thereby reducing the workload of the Community Manager and enabling the Panel to determine more nominations.
- 9.4 Further to this aim, the Panel considers that all Councillors should receive further information on the ACV process, to enable clear direction and information to be given to residents. Informing Councillors of the process could reduce the workload of the Community Manager and at the same time enable the Council to deal with more nominations.
- 9.5 The current statutory function represented a financial burden on the Council Tax payer as the service was provided free of charge. The Panel discussed the feasibility of levying a small charge to recover some of the administration costs. However, it was advised that as this was a statutory service, the Council could not levy such a charge.
- 9.6 The listing of an asset of community value is not automatically taken into account as a material consideration when determining a planning application, though the planning authority may choose to regard it as a material consideration in any individual case. The Panel did not consider this particularly helpful to community groups or landowners and that reference should be included in its Local Plan.

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- 9.7 From interviews with officers on the Assets of Community Value Panel, it was clear to Panel members that the procedure was an extremely time-dependant process and although there were a number of prescribed stages there was considerable interpretation and ambiguity that required local determination for each nomination. Any changes to these processes had to take into account the limited resources available and the strict timetable imposed by legislation. The Panel felt that the resources used in undertaking the nomination process should be reviewed to ensure that officer time was available for this procedure.
- 9.8 The Panel felt it was important that the Cabinet Lead for Communities and Housing held responsibility for deciding on nominations, as this maintained Councillor oversight of the process. The Panel recognised however that this process needed to be properly stated within the Constitution to ensure proper decision-making procedures are followed.
- 9.9 Further to this, the Panel were keen to encourage as much Councillor involvement in the process as possible, and considered that the appointment of Councillors onto the decision-making Panel would provide this, while also providing an insight into the matters that have to be considered when determining a nomination. The Panel also considered that the appointment of councillors onto the panel will give councillors a greater involvement in the decision making process and at the same time give them and insight into the matters that have to been considered when determining a nomination. The selection of Councillors for the Panel should be on a meeting by meeting basis to give all those eligible councillors an opportunity to gain experience of the process in action and increase their knowledge. Appointments to this Panel will not be permitted to members of the Cabinet or ward councillors where the asset concerned is within their ward, to ensure the avoidance of the appearance of bias or contravening the rules of natural justice. Instead, ward Councillors would be encouraged to provide representations to support bids from community groups.
- 9.10 For the same reason, it is recommended that the appointment of a Councillor to the decision-making Panel is not made to a Cabinet member, to avoid the appearance of a member being both an advocate on behalf of their residents and an adjudicator on an application.

10.0 Background Papers

[Findings Pack](#)

Contact: Councillor Diana Patrick
Title: Scrutiny Lead for the Communities and Housing Scrutiny and Policy Development Panel
E-Mail: diana.patrick@havant.gov.uk

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HAVANT BOROUGH COUNCIL

CABINET

14 February 2018

HAVANT BOROUGH COUNCIL ADVERTISING POLICY

Report by: Lydia Forbes-Manson

For Decision

Cabinet Lead (HBC): Cllr Narinder Bains

Key Decision: No

1.0 Purpose of Report

- 1.1 This report outlines the benefits to the council of formally approving the implementation of an advertising policy for Havant Borough Council. It also ensures that the policy safeguards the council from any inappropriate advertising which could bring the council into disrepute.

2.0 Recommendation

- 2.1 That Cabinet endorses the advertising policy for use with external parties or partners

3.0 Summary

- 3.1 Advertising could be a way to generate income for Havant Borough Council (HBC). In order to secure advertising we need to have a policy in place which outlines the council's principles in relation to this. This will safeguard the council against any advertising which could damage the reputation of the council. In addition, having an approved advertising policy in place will ensure that all parties are fully clear on the types of advertising the council finds acceptable

4.0 Subject of Report

- 4.1 The advertising policy explains our principles with regards to advertising and is very clear on what type of advertisements will be deemed acceptable. Ensuring that the policy is very clear on what is not acceptable should help potential customers determine whether advertising through HBC would be a suitable option for them.
- 4.2 In general, HBC will accept most advertising from most businesses. It is important to note that the policy has not been written to deter businesses from advertising through the council, rather, it has been written to ensure that any businesses choosing to advertise through the council are clear on the

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parameters of advertising. The policy therefore lists the type of advertising which HBC will not use.

- 4.3** The policy is also clear that advertising with HBC does not infer endorsement. This is an important point for Cabinet to note and therefore provides a degree of assurance that the brand and reputation of the council will not be impacted through external party advertising.
- 4.4** To improve the income potential for the council, it is proposed that HBC uses an advertising sales company to generate potential advertising opportunities.

5.0 Implications

5.1 Resources:

Using an advertising sales company would ensure the resources and skills required to generate advertising. It would involve payment through a % cut approach but there would be no upfront investment required.

5.2 Legal:

If we involve an agency then a legal agreement will be entered into with them and we will consult with the legal team to ensure that the agreement protects the council's rights to terminate the agreement at a time suitable to the council.

5.3 Strategy:

The advertising policy will enable us to start trying to secure adverts and generate income for the council – contributing to the strategic aim of financial sustainability.

5.4 Risks: (Environmental, Health & Safety and Customer Access Impact Assessment)

There could be a reputational risk if the advertisers we feature come into disrepute as there could be an impact due to association – but this is minimal as the policy states that we do not endorse those which advertise with the council.

5.5 Communications:

Careful monitoring of customer feedback will be required to ensure that advertising does not have a negative impact on the customer experience.

5.6 For the Community:

None identified.

5.7 The Integrated Impact Assessment (IIA) has been completed and concluded the following:

n/a

6.0 Consultation

Cllr Narinder Bains, Cabinet Lead for Marketing and Commercial Strategy Executive Board

Appendices:

The advertising policy is attached at Appendix A.

Background Papers:

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n/a

Agreed and signed off by:

Deputy Monitoring Officer: 6 March 2018

Head of Finance: 6 March 2018

Relevant Head of Service: 6 March 2018

Cabinet Lead: 6 March 2018

Contact Officer: Lydia Forbes-Manson

Job Title: Communications manager

Telephone: 01730 234359

E-Mail: Lydia.forbes-manson@easthants.gov.uk

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Havant Borough Council Advertising Policy

March 2018

This document outlines the terms and conditions for advertising with Havant Borough Council (HBC). Advertising in this context includes printed materials (for example posters, flyers, Serving You magazine,) and online (websites, social media, the intranet, weekly emails and other e-newsletters). This policy can also be used to conjunction with sponsorship (for example on roundabouts).

1: Our principles regarding advertising

HBC will generally accept most advertising from most businesses and will actively try to secure adverts.

However, advertising with HBC does not infer endorsement.

2: Restricted and prohibited advertising

HBC will not consider advertising that includes:

Topics
Tobacco or tobacco related products, including e-cigarettes and 'vaping'
Alcohol
Religion
Showing weaponry and/or violence, or inciting hatred
Nudity or overtly sexual tone
Advertising demeaning (or otherwise discriminating against) to protected characteristics as defined by the Equality Act 2010
Racially provocative content
Any political or lobbying content
Content that disadvantages current or former armed service personnel, their families or veterans
Content that could cause offence
Unsustainable borrowing, e.g. payday loans
Political organisations (or lobbying or campaigning groups – these could be groups which are local or temporary in nature and may be centred on a particular planning decision or a national or international campaign).

This list is not definitive, and HBC retains the sole and non-negotiable right to refuse advertising at any time.

On an ad-hoc basis, HBC reserves the right to check advertisers against third party data - for example Trading Standards – to ensure services advertised meet the standard required by HBC. HBC may check that the organisation does not have an outstanding debt with the authority before an order is placed.

During times of heightened political sensitivity, e.g. in the pre-election period, the location of adverts will be carefully considered.

3: Style and content of advertising

HBC expects all advertising placed to fall within the guidelines of the Advertising Standards Authority (ASA), specifically the *UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing* – otherwise known as the Committee of Advertising Practice (CAP) Code. It is the advertiser's responsibility to be aware of the code as well as Consumer Protection and Unfair Trading Regulations and any changes/updates to them.

All advertising must also adhere to the latest Code of Recommended Practice on Local Authority Publicity currently available here

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5670/1878324.pdf

Advertising content must be legal, decent, honest and truthful, and be prepared with a sense of responsibility to consumers and to society as a whole.

HBC is open to a variety of styles in submitted advertising, but will not consider content that:

- Violates the *topics* outlined in section 2 above
- Uses the council's logo without consent in writing from the Communications at HBC
- Does not clearly state who the advertiser is
- Is not clearly identifiable as an advertisement
- Infers a connection with an organisation/s that does not exist
- Is not suitable for family viewing
- Presents unsubstantiated statements as fact

We retain the right to decline advertising from any source in respect of particular products or content which HBC, at our sole discretion, considers inappropriate. HBC will agree with those advertising in advance the nature and content of the publicity and will retain the right to approve all advertising material.

Acceptance of any advertisement does not represent endorsement of any organisation, product or offer by HBC, or that the council is responsible for the advertiser's quality and reliability.

All advertisers will be required to sign an advertising agreement which reflects the terms stated in this policy before any advertising commences.

The council accepts no liability for any loss or damage arising out of or in connection to any external advertisement placed. As part of the booking agreement, all advertisers must indemnify HBC against any claims, damages, losses etc. arising out of any advertising placed.

In addition, HBC accepts no responsibility for advertisements not placed due to deadlines missed (or specifications not met) by the advertiser. There will be a HBC approval process in which the service manager will have the final say.

4: Advertising rates

Advertising rates are set by HBC with regard to current market conditions.

Introductory or discounted rates may apply but will be offered fairly to all advertisers.

The advertising rates will be reviewed on a regular basis, and will be adjusted when and where applicable to maximise income for the council and the residents it supports. This will not affect any booking agreements made **prior** to changes.

5: Unexpected circumstances

HBC reserves the right to withdraw advertising *with no guarantee of refund* at any time to meet the demands of unexpected circumstances. This includes – for example -

- *Force majeure* (i.e. major environmental events)
- Periods of heightened sensitivity and/or developments following the installation of advertising (i.e. an external event deems previously acceptable advertising as in bad taste).

Advertisers would be informed of such circumstances at the earliest available opportunity.

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Agenda Item 11

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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