



**FAREHAM** BOROUGH  
COUNCIL

[www.fareham.gov.uk](http://www.fareham.gov.uk)

***Minutes of the annual meeting of the Council  
held on 10 May 2012 at Ferneham Hall  
and at the Civic Offices, Fareham***

**Present:**

Councillor T M Cartwright  
(Mayor)

Councillor D L Steadman  
(Deputy Mayor)

**Councillors:**

B Bayford, Mrs S Bayford, Miss S M Bell, J V Bryant, Mrs P M Bryant, T M Cartwright, P J Davies, Mrs M E Ellerton, J M Englefield, K D Evans, G Fazackarley, M J Ford, JP, J S Forrest, N R Gregory, Miss T Harper, Mrs C L A Hockley, T J Howard, L Keeble, T G Knight, A Mandry, Mrs K Mandry, D J Norris, Mrs S Pankhurst, R H Price JP, D C S Swanbrow, Mrs K K Trott, N J Walker, D M Whittingham, P W Whittle, JP and S D T Woodward.

Independent Members: Mr Basson and Mrs M Kilbride.

1. **PRAYERS**

The meeting opened with prayers led by the Mayor's Chaplaincy co-ordinator, Mrs June Hays.

2. **WELCOME AND PRESENTATION OF CERTIFICATES**

The Mayor extended a welcome to the guests at this annual meeting of the Council and went on to announce the Citizens of Honour for 2012. He presented certificates to Jenny Robinson and Suzanne Clifton. Patrick Stewart and Lewis Gamblin were announced as the Young Citizens of the Year and the HMS Collingwood cup was presented to Warrant Officer First Class Tony Pratt.

3. **APOLOGIES FOR ABSENCE (AM)**

There were no apologies for absence for the morning session.

4. **ELECTION OF MAYOR**

On the Council being invited to submit nominations for the election of Mayor, it was proposed by Councillor Woodward and seconded by Councillor A Mandry "that Councillor Dennis Steadman be elected Mayor of Fareham for the municipal year 2012/13." On the motion being put to the meeting it was declared CARRIED unanimously.

RESOLVED that Councillor Dennis Steadman be elected Mayor of Fareham for the municipal year 2012/13.

After Councillor Steadman had received the personal congratulations of The Mayor, he retired from the meeting to be robed and upon his return made the statutory declaration of acceptance of office.

***COUNCILLOR DENNIS STEADMAN, MAYOR, IN THE CHAIR***

The Mayor thanked the Council for his election. He informed members that the Reverend Sally Davenport would be his Chaplain for the year and that he had asked Mrs June Hays to co-ordinate an ecumenical chaplaincy for the year. He also announced that the Mayor's charity appeal would this year be in support of Wessex Heartbeat.

The Mayor then went on to name his wife, Mrs Carole Steadman, as Mayoress for the year and invested her with the chain of office.

5. **ELECTION OF DEPUTY MAYOR**

On the Council being invited to submit nominations for the election of Deputy Mayor of Fareham for the municipal year 2012/13, it was proposed by Councillor Woodward and seconded by Councillor Evans "that Councillor Mrs Susan Bayford be elected Deputy Mayor of Fareham for the municipal year 2012/13". On the nomination being put to the meeting, it was declared CARRIED unanimously.

RESOLVED that Councillor Mrs Susan Bayford be elected Deputy Mayor of Fareham for the municipal year 2012/13.

After receiving the personal congratulations of the Mayor, Councillor Mrs Susan Bayford signed the statutory declaration of acceptance of office and thanked the Council for her election. She announced that her husband, Mr Brian Bayford, would be the Deputy Mayor's Consort. The Mayor then invested the Deputy Mayor and Deputy Mayor's Consort with their chains of office.

## 6. VOTE OF THANKS

It was proposed by Councillor Woodward and seconded by Councillor A Mandry "that the best thanks of the Council be accorded to Councillor Trevor Cartwright and Mrs Ruth Cartwright for their services as Mayor and Mayoress during the past municipal year". On being put to the meeting the motion was declared CARRIED unanimously.

RESOLVED that the best thanks of the Council be accorded to Councillor Trevor Cartwright and Mrs Ruth Cartwright for their services as Mayor and Mayoress during the past municipal year.

Councillor Trevor Cartwright replied to the vote of thanks and expressed his appreciation of the support he had been given throughout his year of office. The Mayor then presented Councillor Trevor Cartwright with his Past Mayor's badge and Mrs Ruth Cartwright with her Past Mayoress' badge.

## 7. ADJOURNMENT

It was proposed by Councillor Woodward and seconded by Councillor A Mandry "that this meeting now adjourn and resume at 2.30pm in the Council Chamber in the Civic Offices, Fareham". On being put to the meeting, the proposition was declared CARRIED unanimously.

RESOLVED that the meeting be adjourned.

*(The meeting adjourned at 11:25am and resumed at 2:30pm).*

## 8. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor T Knight and from Mr Basson.

## 9. MINUTES

RESOLVED that the Mayor be authorised to sign as a correct record the minutes of the meeting of the Council held on 26 April 2012 ([cl-120426-m](#) refers).

## 10. MAYOR'S ANNOUNCEMENTS

### Charity Launch

The Mayor reminded members that the Reverend Sally Davenport would be his Chaplain for the year and that he had asked Mrs June Hays to co-ordinate an ecumenical chaplaincy for the year.

The Mayor also reminded members that his charity appeal would support Wessex Heartbeat. He advised that his charity launch would be on Sunday, 20 May 2012 from 12 noon - 2:00pm at the "V" club, Fareham Football Club, and all members were invited. The Mayor further advised that his first major event would be a sponsored abseil down the Spinnaker Tower by the Mayoress on Sunday 3 June 2012 from 4:30pm. The Mayor encouraged all Members to sponsor the Mayoress.

The Mayor welcomed the 3 newly elected Members - Councillors Ford, Whittingham and Mrs Pankhurst to their first Council meeting.

#### **11. PRESENTATION OF PETITIONS**

There were no petitions presented at this meeting.

#### **12. DECLARATIONS OF INTEREST**

There were no interests declared at this point in the meeting.

#### **13. APPOINTMENT OF THE EXECUTIVE**

##### **(1) Election of Executive Leader**

The Council was invited to elect a Member of the Council to be the Executive Leader in accordance with Standing Order 3.1 of the Council's Constitution. Members were reminded that following the resolution of the Council on 16 December 2010, this appointment would be for a term of four years.

It was proposed by Councillor Cartwright and duly seconded "that Councillor S D T Woodward be confirmed as Executive Leader of the Council" for a four year term, starting from the municipal year 2012/13. On the proposal being put to the meeting, it was declared CARRIED, many members voting in favour and no member voting against.

RESOLVED that Councillor S D T Woodward be appointed as the Executive Leader for a four year term, from 2012/13 to the end of the 2015/16 municipal year.

##### **(2) Number of Other Executive Members**

Members were reminded that following the resolution of the Council on 16 December 2010, the Executive Leader would be invited to advise the Council of his appointment of two or more (but no more than nine) members to form the Executive.

The Council was duly advised that the Executive Leader would be appointing five other members to form the Executive to work alongside himself. He also advised that Councillor Trevor Cartwright would be appointed as the Deputy Executive Leader.

RESOLVED that the above decision be noted.

##### **(3) Appointment of Other Executive Members**

Members were reminded that following the resolution of the Council on 16 December 2010, the Executive Leader would be invited to advise the Council of his appointment of other Executive Members, consequent to his decision at item 13(2) above.

The Council was duly advised that the Executive Leader would be appointing Councillors B Bayford, Cartwright, Evans, Mrs Hockley and Keeble to serve as Executive Members for 2012/13.

RESOLVED that the above decision be noted.

#### **(4) Areas of Executive Responsibility**

The Council was reminded that the Executive Leader is responsible for determining the areas of Executive responsibility and for allocating the portfolios to the Executive Members appointed.

The Council was duly advised that the Executive Leader would be allocating responsibilities to the Executive portfolios for the Municipal Year 2012/13, as follows:-

Strategic Planning and Environment - Councillor K D Evans;  
Leisure and Community - Councillor Mrs C L A Hockley;  
Housing - Councillor B Bayford;  
Public Protection - Councillor T M Cartwright;  
Streetscene - Councillor L Keeble; and  
Policy, Strategy and Finance - Councillor S D T Woodward.

RESOLVED that the above decision be noted.

#### **(5) Opposition Spokesmen**

Members were reminded that the Constitution provides for the largest minority group to appoint opposition spokesmen to each of the Executive portfolios. The Council was informed that the following appointments had been made:

Strategic Planning and Environment: Councillor J S Forrest;  
Leisure and Community: Councillor R H Price, JP;  
Housing: Councillor Mrs K K Trott;  
Public Protection : Councillor G Fazackarley;  
Streetscene : Councillor D J Norris; and  
Policy, Strategy and Finance : Councillor P Whittle, JP.

### **14. APPOINTMENT OF OVERVIEW AND SCRUTINY COMMITTEES**

#### **(1) Functions and number of seats**

The Council was reminded it was required by Standing Order 6.1 to appoint such committee or committees to undertake the function of

overview and scrutiny as provided for in the Council's Constitution. Standing Order 6.3 similarly required the Council to determine the number of members and standing deputies to be appointed.

The Council was reminded that the Constitution provided for the appointment of a Scrutiny Board to undertake the scrutiny function and for 5 Policy Development and Review Panels to assist the Council and Executive in reviewing and developing policy.

RESOLVED that Scrutiny Board and the Policy Development and Review Panels be appointed for 2012/13, as set out below and that the number of members to be appointed be as also shown:

- Scrutiny Board - 9 members + deputies;
- Leisure and Community Policy Development and Review Panel - 7 members + deputies;
- Strategic Planning and Environment Policy Development and Review Panel - 7 members + deputies;
- Public Protection Policy Development and Review Panel - 7 members + deputies;
- Housing Policy Development and Review Panel - 7 members + deputies;
- Streetscene Policy Development and Review Panel - 7 members + deputies.

## **(2) Allocation of Seats**

The Council was reminded that the provisions of the Local Government and Housing Act 1989, which required local authorities to review the representation of political groups on its committees, applied to the Scrutiny Board and Policy Development and Review Panels. The Council was therefore required to allocate the seats in accordance with the principles contained in the Act and the provisions of the Local Government (Committees and Political Groups) Regulations 1990. Members were advised that there were two political groups currently represented on the Council, the Conservative Group with 24 members and the Liberal Democrat Group with 6 members.

RESOLVED that the allocation of seats on the Scrutiny Board and the Policy Development and Review Panels for 2012/13 be as shown in Appendix A to these minutes.

## **(3) Appointment of Members**

Having determined the number of members to be appointed and having also determined the allocation of voting seats, the Council was requested to proceed with the formal appointment of members and deputies to the Scrutiny Board and Policy Development and Review Panels. Members were reminded that under the provisions of the Local Government and Housing Act 1989 the Council had a duty to appoint members to the allocated seats in accordance with the wishes of political groups.

RESOLVED that elected members be appointed to the Scrutiny Board and Policy Development Review Panels for 2012/13, in accordance with the nominations submitted by the Group Leaders, as set out in Appendix A to these minutes.

**(4) Appointment of Chairmen and Vice-Chairmen**

The Council was reminded that it was required by Standing Order 6.4 to appoint a Chairman of the Scrutiny Board and of each of the Policy Development and Review Panels.

RESOLVED that Chairmen and Vice-Chairmen for 2012/13, be appointed as shown in Appendix A to these minutes.

**15. APPOINTMENT OF STANDARDS COMMITTEE**

**(1) Number of seats**

The Council was reminded that it was required under the provisions of the Local Government Act 2000 to appoint a Standards Committee. The Council had previously decided that the committee should comprise six Councillors and three independent members. Under the Localism Act 2011, all standards matters will be dealt with under new arrangements which are likely to be effective from 1 July 2012 or such other date specified by regulation. The Council was asked to confirm the number of seats on the Standards Committee for 2012/13 or until the new arrangements come into effect.

RESOLVED that the composition of the Standards Committee be confirmed as 6 elected members and 3 independent members.

**(2) Appointment of elected members**

Having determined the number of elected members to be appointed to the Standards Committee the Council was invited to proceed with the appointments.

RESOLVED that the appointment of elected members to the Standards Committee for 2012/13, or until the new standards arrangements are implemented, be as shown in Appendix A to these minutes.

**(3) Appointment of Independent Members**

The Council was invited to proceed with the appointment of the independent members to the Standards Committee for 2012/13.

RESOLVED that Mrs Mary Kilbride, Mr David Basson and Mr Paul Catcheside be re-appointed as the independent members of the Standards Committee for 2012/13 or until the new standards arrangements are implemented.

**(4) Appointment of Chairman and Vice-Chairman**

RESOLVED that Mr David Basson be appointed Chairman of the Standards Committee and Mrs Mary Kilbride as Vice-Chairman for 2012/13 or until the new standards arrangements are implemented.

## 16. APPOINTMENT OF OTHER COMMITTEES

### (1) Functions

The Council was reminded that it was required by the Licensing Act 2003 to appoint a committee to undertake certain licensing functions and that Standing Order 7.4 further required the Council to appoint such Committees as it considered necessary to carry out the non-executive functions of the Council.

RESOLVED that in accordance with Standing Order 7.5, the following Committees be appointed for 2012/13 with such terms of reference and delegated powers as are contained in Part Two of the Council's Constitution:-

- Licensing and Regulatory Affairs Committee;
- Planning Committee;
- Appeals Committee;
- Audit & Governance Committee;
- Housing Tenancy Board; and
- Portchester Community Centre Task and Finish Panel.

### (2) Number of Members

The Council was reminded that it was required by Standing Order 7.6 to determine the number of members and standing deputies to be appointed to such Committees as it may appoint.

RESOLVED that:

(a) the number of members be as follows:

- Licensing and Regulatory Affairs Committee : 12 members
- Planning Committee : 9 members
- Appeals Committee : 5 members
- Audit & Governance Committee : 7 members
- Housing Tenancy Board : 5 members plus 3 co-opted tenant representatives and 1 co-opted leaseholder representative
- Portchester Community Centre Task and Finish Panel: 5 members

(b) the number of deputy members appointed to the Planning Committee be 2 from each political group;



- (c) the number of deputy members appointed to the Licensing and Regulatory Affairs Committee, the Appeals Committee, the Audit & Governance Committee, the Housing Tenancy Board and the Portchester Community Centre Task and Finish Panel be 1 from each political group.

**(3) Allocation of Seats**

The Council was reminded that the Local Government and Housing Act 1989 required local authorities to review the representation of political groups on such Committees as it may appoint. The Council was therefore required to allocate seats so as to achieve political balance in accordance with the principles contained in the Act and the Local Government (Committees and Political Groups) Regulations 1990.

RESOLVED that the allocation of seats on committees to the political groups for 2012/13 be as shown in Appendix A to these minutes.

**(4) Appointment of Members**

Having determined the Committees and number of members to be appointed and having also determined the allocation of seats, the Council was requested to proceed with the formal appointment of members and deputies to each of the committees. Members were reminded that under the provisions of the Local Government and Housing Act 1989 the Council had a duty to appoint members in accordance with the wishes of political groups.

RESOLVED that the appointment of members to the Committees for 2012/13 be as set out in Appendix A to these minutes.

**(5) Appointment of Chairmen and Vice-Chairmen**

The Council was reminded that it was required by Standing Order 7.7 to appoint a Chairman and Vice-Chairman of each of the committees appointed.

The Council was asked to approve the appointments as set out in Appendix A.

At this request, Councillor J S Forrest proposed an amendment to the appointments by nominating Councillor G Fazackarley as Vice-Chairman of the Appeals Panel. On being put to the vote, the amendment was LOST, with 7 members voting for and 23 against.

RESOLVED that Chairmen and Vice-Chairmen be appointed as shown in Appendix A to these minutes.

**17. COMMUNITY ACTION TEAMS**

The Council was reminded that it had established Community Action Teams (CATs) throughout the Borough and was invited to appoint chairmen for each of the areas.

RESOLVED that the following Chairmen be appointed:-

- Portchester Community Action Team : Councillor N J Walker
- Crofton Community Action Team : Councillor A Mandry
- Fareham Community Action Team : Councillor D L Steadman;
- Titchfield Community Action Team : Councillor Miss T Harper;
- Western Wards Community Action Team : Councillor M J Ford

#### 18. **POLICY FRAMEWORK**

The Council was reminded that Standing Order 9 required it to establish or confirm the plans and strategies which were to comprise the Council's overall policy framework within which the Executive would operate during the coming year. Members were reminded that the Council's Constitution set out the major plans and strategies reserved to the Council for approval.

RESOLVED that the policy framework for 2012/13 be confirmed as comprising those plans and strategies identified in the table below :

<b><i>Policy / Strategy</i></b>	<b><i>Last adopted or approved by</i></b>	<b><i>Date</i></b>
Sustainable Community Strategy	Council	1 February 2010
Housing Strategy	Council	22 April 2010
Food Safety Service Plan	Council	2 April 2012
Licensing Policy	Council	16 December 2010
Development Plan:		
• Fareham Core Strategy	Council	4 August 2011
• Fareham Borough Local Plan Review 2000	Planning and Transportation Committee	23 March 2000
Community Safety Strategy	Council	16 May 2011
Corporate vision, values, objectives and priority actions	Council	23 June 2011

#### 19. **QUESTIONS UNDER STANDING ORDER 17.2**

There were no questions for this meeting.

#### 20. **POLICE AND CRIME PANEL - PANEL ARRANGEMENTS**

Following the recently enacted Police Reform and Social Responsibility Act 2011, the Council was advised of the requirement for local authorities of each policing area to establish a Police and Crime Panel to review and scrutinise the Police Commissioner's actions and decisions (report [cl-120510-r02-gwh](#) refers).

RESOLVED that:

- (a) the recommended terms on which the Police and Crime Panel should be established are endorsed.
- (b) Subject to recommendation (c) below, the Panel Arrangements in Appendix A to the report are approved. (report [cl-120510-r02-gwh](#) refers)
- (c) the Chief Executive be authorised to agree any further minor amendments to the Panel Arrangements necessary to ensure statutory compliance, once the Home Secretary's regulations and guidance have been published.
- (d) Councillor A Mandry be appointed as the Council's Appointed Member to the Panel.
- (e) Councillor T M Cartwright be identified to act as "Deputy Member" and, where the Appointed Member is temporarily unable to attend a Panel meeting or otherwise undertake Panel business, the Chief Executive be authorised to give notice of temporary change of membership for a period of up to 28 days, to enable the Deputy Member to deputise in the Appointed Member's absence.

## 21. APPOINTMENTS TO OUTSIDE BODIES

The Council was reminded that it was required by Standing Order 10 to make appointments to outside bodies, other than those appointments which were required by law to be made by the Executive. Council therefore considered the report of the Director of Regulatory and Democratic Services on the appointments to be made and also received guidance, approved by the Standards Committee, on the duties and responsibilities of members when acting as an appointee to an outside body (report [cl-120510-r01-lwi](#) refers).

The Executive Leader advised that a number of deletions would also be made as the outside body either no longer existed or had not met for some time.

RESOLVED that:

- (a) subject to the changes above, appointments be made as shown in Appendix B to these minutes;
- (b) the guidance to members on their duties and responsibilities as appointees to outside bodies be noted.

*Note: The Council was advised that meetings of the Licensing and Regulatory Affairs and the Standards Committees would follow this meeting.*

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*(The meeting started at 10:30am, adjourned at 11:25am, reconvened at 2:30pm and ended at 3:15pm).*

**APPENDIX A**  
(Minutes 14, 15 and 16 refer)

## ALLOCATION OF SEATS ON COMMITTEES

**Table 1**

	<b>CON (77.42%)</b>	<b>LIB DEM (19.35%)</b>	<b>NO. OF SEATS ALLOCATED TO GROUPS</b>	<b>SEATS TO NON- GROUP MEMBERS</b>
87 x seats to be allocated	67	17	84	3
Scrutiny Board (9 seats)	7 (6.97)	2 (1.74)	9	
Leisure & Community PDR (7 seats)	6 (5.42)	1 (1.35)	7	
Streetscene PDR (7 seats)	5 (5.42)	1 (1.35)	6	1
Strategic Planning & Environment PDR (7 seats)	5 (5.42)	2 (1.35)	7	
Housing PDR (7 seats)	5 (5.42)	1 (1.35)	6	1
Public Protection PDR (7 seats)	6 (5.42)	1 (1.35)	7	
Licensing & Reg Affairs Cttee (12 seats)	9 (9.29)	3 (2.32)	12	
Planning Cttee (9 seats)	7 (6.97)	2 (1.74)	9	
Appeals Panel (5 seats)	4 (3.87)	1 (0.97)	5	
Audit & Governance Cttee (7 seats)	5 (5.42)	1 (1.35)	6	1
Housing Tenancy Board (5 seats)	4 (3.87)	1 (0.97)	5	
Portchester Community Centre Task & Finish Panel (5 seats)	4 (3.87)	1 (0.97)	5	
Total no. of Cttee seats allocated	67	17	84	3

**Appendix A cont****APPOINTMENTS TO COMMITTEES****Scrutiny Board**

Chairman : Councillor D C S Swanbrow

Vice-Chairman : Councillor N R Gregory

Councillor Miss S M Bell

Councillor Mr J V Bryant

Councillor Mrs M E Ellerton

Councillor J S Forrest

Councillor Miss T Harper

Councillor Mrs K Mandry

Councillor P W Whittle, JP

**Deputies :**

Councillor Mrs S M Bayford

Councillor M J Ford, JP

Councillor T J Howard

Councillor Mrs S Pankhurst

Councillor R H Price, JP

Councillor D M Whittingham

**Leisure and Community Policy Development and Review Panel**

Chairman : Councillor Miss S M Bell

Vice-Chairman : Councillor M J Ford, JP

Councillor Mrs P M Bryant

Councillor Mrs M E Ellerton

Councillor T G Knight

Councillor Mrs S Pankhurst

Councillor R H Price, JP

**Deputies :**

Councillor Mrs K Mandry

Councillor Mrs K K Trott

**Strategic Planning and Environment Policy Development and Review Panel**

Chairman : Councillor J V Bryant

Vice-Chairman : Councillor T J Howard

Councillor J M Englefield

Councillor J S Forrest

Councillor Miss T Harper

Councillor A Mandry

Councillor N J Walker

**Deputies :**

Councillor P J Davies

Councillor P W Whittle, JP

**Appendix A cont****Public Protection Policy Development and Review Panel**

Chairman : Councillor Mrs K Mandry

Vice-Chairman : Councillor Mrs S Pankhurst

Councillor Mrs S M Bayford

Councillor J S Forrest

Councillor Mrs P M Bryant

Councillor D M Whittingham

Councillor G Fazackarley

**Deputies :**

Councillor D J Norris

Councillor D L Steadman

**Housing Policy Development and Review Panel**

Chairman : Councillor Mrs M Ellerton

Vice-Chairman : Councillor D M Whittingham

Councillor Miss S M Bell

Councillor T G Knight

Councillor J M Englefield

Councillor Mrs K K Trott

Councillor N R Gregory

**Deputies :**

Councillor G Fazackarley

Councillor D C S Swanbrow

**Streetscene Policy Development and Review Panel**

Chairman : Councillor Miss T Harper

Vice-Chairman : Councillor Mrs S M Bayford

Councillor J V Bryant

Councillor D L Steadman

Councillor M J Ford, JP

Councillor D C S Swanbrow

Councillor D J Norris

**Deputies :**

Councillor J S Forrest

Councillor A Mandry

**Appendix A cont****Standards Committee**

Chairman : Mr D Basson

Vice-Chairman : Mrs M Kilbride

Councillor B Bayford

Councillor T G Knight

Councillor A Mandry

Councillor D J Norris

Councillor Mrs K K Trott

Councillor P W Whittle, JP

***Other independent member :***

Mr P Catcheside

**Licensing and Regulatory Affairs Committee**

Chairman : Councillor Mrs P M Bryant

Vice-Chairman : Councillor T M Cartwright

Councillor Mrs S M Bayford

Councillor Miss S M Bell

Councillor Mrs M E Ellerton

Councillor M J Ford, JP

Councillor T J Howard

Councillor L Keeble

Councillor Mrs K Mandry

Councillor D J Norris

Councillor R H Price, JP

Councillor P W Whittle, JP

***Deputies :***

Councillor J S Forrest

Councillor D M Whittingham

**Planning Committee**

Chairman : Councillor N J Walker

Vice-Chairman : Councillor A Mandry

Councillor B Bayford

Councillor P J Davies

Councillor K D Evans

Councillor M J Ford, JP

Councillor R H Price, JP

Councillor D C S Swanbrow

Councillor P W Whittle, JP

***Deputies :***

Councillor T M Cartwright

Councillor J S Forrest

Councillor Mrs C L A Hockley

Councillor Mrs K K Trott

**Appendix A cont****Appeals Committee**

Chairman : Councillor N R Gregory

Vice-Chairman : Councillor T J Howard

Councillor Miss S M Bell

Councillor M J Ford, JP

Councillor G Fazackarley

**Deputies :**

Councillor D M Whittingham

Councillor P W Whittle, JP

**Audit and Governance Committee**

Chairman : Councillor T G Knight

Vice-Chairman : Councillor L Keeble

Councillor P J Davies

Councillor Mrs K Mandry

Councillor J M Englefield

Councillor D J Norris

Councillor Miss T Harper

**Deputies :**

Councillor N R Gregory

Councillor P W Whittle, JP

**Housing Tenancy Board**

Chairman : Councillor P J Davies

Vice-Chairman : Councillor Mrs K Mandry

Councillor T J Howard

Councillor Mrs K K Trott

Councillor D L Steadman

**Deputies :**

Councillor G Fazackarley

Councillor D M Whittingham

**Portchester Community Centre Task and Finish panel**

Chairman : Councillor Mrs C L A Hockley

Vice-Chairman : Councillor N J Walker

Councillor Miss S M Bell

Councillor R H Price, JP

Councillor T M Cartwright

**Deputies :**

Councillor L Keeble

Councillor D J Norris



**APPENDIX B**

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
1.	Citizens' Advice Bureau	Cllr T Howard  <i>Deputy:</i> Cllr L Keeble	2012/13		Provides a free, impartial and independent service of generalist advice, information, support and representation in a confidential manner to all people of the Fareham area who require it, including business and voluntary agencies, as far as it is able. Meets quarterly (with monthly sub-group meetings). Status: Representative (non-voting)
2.	Community Action Fareham	Cllr L Keeble	2012/13		Provides support for voluntary organisations in Fareham so that relief of distress resulting from poverty is achieved with on-going development of community spirit and identity. Meets 8 to 10 times per year. Status: Representative (non-voting)
3.	Consultation with Businesses	Executive Leader - Cllr SDT Woodward Deputy Leader - Cllr T Cartwright	2012/13		This is a consultation arrangement with representatives of local businesses, Federation of Small Businesses and Institute of Directors. Meets once annually. Status - representatives
4.	Earl of Southampton Trust	Ms Annette Devoil Mrs S Wise  Cllr Mrs C Hockley Mrs F C Knight	2011/15  2010/14	4 year term ending Sept 2011  4 year term ending Sept 2014	The charitable trust exists for the benefit of inhabitants of the ancient parish of Titchfield, in particular for the provision and upkeep of almshouses and a day centre for the elderly and for the relief of poverty and hardship. Meets monthly. Status: Trustee
5.	Fareham Fairtrade Borough Working Group	Cllr Mrs P M Bryant	2012/13		This is the steering group for Fairtrade in the Borough. Its efforts are directed towards maintaining the Borough's Fairtrade status by

No	Name of Organisation	Representative(s) for last municipal year	Period of current appoint- ment	Comments on appointment	Purpose of organisation
					<p>promoting Fairtrade, encouraging its wider availability throughout the Borough and convincing people who live and work in the Borough of the benefits and importance of Fairtrade. The working group meets four times per year and additionally organises events to promote Fairtrade. Status : Representative (voting)</p>
6.	Fareham/Pulheim Twinning Association	Cllr T J Howard Cllr R H Price	2012/13		<p>Promotes and fosters friendship and understanding between the peoples of Fareham and Pulheim, including the encouragement of visits, fund raising and financial assistance. Meets monthly. Status: Representatives (voting) on management committee</p>
7.	Fareham Technology Forum	Executive Leader	2012/13		<p>This is a business networking event with a membership of approximately 180 local businesses. It is organised by the Borough Council. Meetings to be arranged as and when necessary. Status: Representative</p>
8.	Fareham/Vannes Twinning Committee	Cllr T M Howard Cllr Mrs Trott	2012/13		<p>The Committee exists to progress the “entente cordiale” between Fareham and Vannes. Main groups are sporting exchanges, cultural exchanges and family exchanges. Council to Council formal</p>

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
					exchanges are arranged directly between the Borough Council and the Marie. Committee currently meets 4 times per annum plus 1 major exchange visit. (Several social and fund raising events also.) Status: Representatives (voting)
9.	Fareham Welfare Trust	Cllr J V Bryant	2008/12	4 year term ending June 2012.	This charitable trust exists for the relief of need, hardship or distress of persons living in the Fareham area; preference being given to widows. Meets twice annually plus an Annual General Meeting. Status: Trustees.
		Cllr D Whittingham	2010/14	4 year term ending June 2014.	
10.	Hammond Memorial Hall Trust	Ex officio : the ward councillors for Stubbington and Hill Head John Guest Rev <sup>d</sup> Stephen Girling Mrs Sarah Coles	2012/13		The ward councillors for Stubbington and Hill Head are ex officio trustees. Council appoints three additional trustees to administer the charitable scheme. Meets as and when required. Status : trustees.
11.	Hampshire and Isle of Wight Local Government Association	Executive Leader <i>Deputies:</i> Cllr T Cartwright; Cllr Mrs C L A Hockley	2012/13		Leading Members and Chief Executives of Hampshire and Isle of Wight local authorities meet to discuss matters of mutual interest. Meets 6 times per year. Status: Directors

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
12.	Hampshire Superannuation Scheme (AGM)	Cllr T M Cartwright Cllr L Keeble	2012/13		This is the Annual General Meeting of the pension fund, administered by Hampshire County Council, to which officers and members of the Borough Council may contribute under the Local Government Pension Scheme. Status: Representatives.
13.	Local Government Association – General Assembly and Annual Meeting	Executive Leader Leader of largest opposition group	Indefinite		This is the General Assembly and the Annual Meeting of the Local Government Association which is the national association for local authorities in England and Wales. It also represents police, fire and passenger transport authorities. Status: Representatives

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
14.	Local Government Association – Group Leaders’ Briefings	All group leaders of a registered political party <i>(or their nominated group representative)</i>	Indefinite		Briefing meetings organised by the Local Government Association for local leaders of political groups, on a national basis. Meet 2 or 3 times a year. Status: Representative
15.	Children and Young	Executive Member for	Indefinite		This Partnership was originally established to

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
	People's Partnership	Community			underpin the Local Strategic Partnership. Whilst the LSP has now ceased, this partnership continues to operate. Meets quarterly. Status - representative
16.	Partnership for Urban South Hampshire (PUSH) Overview and Scrutiny Committee	Cllr A Mandry <i>Deputy :</i> Cllr D Swanbrow	2012/13		Established to scrutinise and call-in decisions of the PUSH Joint Committee and to review delivery of the PUSH business plan. The Committee meets twice per year, when decisions are called-in or as the committee determines. Status : Representative.
17.	Randal Cremer Trust	Cllr A Mandry	2011/15		This charitable trust exists for the provision of almshouses for the poor or for persons who are permanently disabled from being able to earn a livelihood. Meets 2 times per year. Status: Trustee (voting)
18.	South East Employers' Local Democracy and Accountability Network for Councillors	Cllr T M Cartwright <i>Deputy:</i> Cllr L Keeble	2012/13	Representatives should not be employees of another local authority or employees or officers of any of the	Councillor networks will meet to consider key localist issues affecting local authorities in the south east region e.g. Localism Bill, new governance arrangements, opportunities for shared services and Local Enterprise Partnerships Meets twice per year. Status: Representative but would also be a

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
				local government unions	Trustee if elected as Chairman.
19.	South East Employers	Cllr T M Cartwright  Deputy: Cllr K D Evans	2012/13	Representatives should not be employees of another local authority or employees or officers of any of the local government unions	Represents the interests of authorities within the region, providing comprehensive employment and industrial relations advice, consultancy, training and information services. Meets 3 times per year. Status: Representative but would also be a Trustee if elected as Chairman
20.	Tourism South East - Executive Committee	Cllr Mrs M E Ellerton  <i>Deputy:</i> Cllr B Bayford	2012/13		Provides services and expertise that support the performance and growth of tourism businesses and destinations. Meets 1 or 2 times per year plus Annual General Meeting. Status: Representative (voting)
21.	Town Centre Management Steering Group	Cllr A Mandry  <i>Deputy :</i> Cllr J V Bryant	2012/13		A public/private partnership to support the vitality and viability of the town centre through management initiatives. Supported financially by the Council and the private sector. Meets monthly. Status: Representative.
22.	William Price Charitable Trust	Cllr Mrs P Bryant	2011/15	4 year term ending August 2011	This charitable trust exists to provide special and educational benefits for schools in Fareham; to promote education by the provision of financial assistance such as bursaries and grants; and to promote education in the doctrines of the Church of England among the under-25s. Meets 6 times per year (2 x general meeting, 2 x
		Cllr T Howard	2009/13	Current term ends August 2013.	

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
					grants committee meeting, 2 x finance committee meeting). Status: Trustees (voting) (to fulfil the role of trustees, both reps sit as members of the Finance committee)
23.	Abshot Community Association Management Committee	Cllr S Pankhurst <i>Deputy:</i> Cllr K Evans	2012/13		The Community Association is a voluntary organisation set up to provide facilities for local community groups and also a venue for other groups to use. Meets - Monthly. Status: Representative
24.	Burrige Community Association Management Cttee	Cllr D C S Swanbrow	2012/13		To maintain and support the use of Burrige Village Hall for the benefit of the local community. Meets – 6 to 7 times per year. Status: Trustee (voting)
25.	Crofton Community Association Management Committee	Cllr T G Knight <i>Deputy:</i> Cllr A Mandry	2012/13		Promotes benefits for the inhabitants of the Stubbington and Hill Head wards by providing recreation and leisure time facilities. Meets monthly. Status: Managing Trustee (voting)
26.	Strategic Partnering Board (Hampshire)	Cllr B Bayford <i>Deputy :</i> Cllr S D T Woodward	2012/13		Responsible for the delivery of the LIFT project, procurement of a private sector partner and the establishment of LIFTCo. Meets Monthly. Status: Representative
27.	Fareham and Gosport MIND	Cllr Mrs S M Bayford	2012/13		Determines policy and strategy, takes major financial decisions and generally supervises and directs the operation of the organisation. Meets on a six - eight week cycle. Status : Trustee

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
28.	Fareham North West Community Association Management Cttee	Cllr P Davies Cllr D Whittingham	2012/13		Supports the local community by maintaining the centre, maximising its occupancy and making it accessible for local residents. Meets 4 times per year. Status: Representative (voting)
29.	Genesis Centre Executive Committee	Cllr Mrs S Bayford Cllr Mrs M E Ellerton	2012/13		Operates as part of Hampshire County Council Youth Service working closely with the Borough Council to provide services for young people. Meets 6 times per year. Status: Representatives
30.	Hampshire Health and Well-being Partnership Board	Cllr B Bayford	2012/13		Established at county level to be accountable to the Local Area Agreement (LAA) Executive for meeting the health improvement and wellbeing targets in Hampshire's LAA and to act as a programme board for joint health improvement projects and services. Meets quarterly. Status: Representative
31.	District Health and Well-being Partnership Board	Cllr B Bayford			
32.	NHS Hampshire	Cllr B Bayford <i>Deputy:</i> Cllr K D Evans	2012/13		Provides and administers all primary health care functions within Fareham. Meets 6 times per year. Status: Representative
33.	Health Review Panel	Cllr K D Evans	2012/13		Scrutinises and comments on any proposed



No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
	(Portsmouth City Council)	<i>Deputy:</i> Cllr M J Ford			significant changes in health service provision. Meets bi-monthly. Status: Representative
34.	Home-Start Gosport and Fareham	Cllr Mrs M E Ellerton  <i>Deputy:</i> Cllr Mrs S M Bayford	2012/13		Gives practical support and friendship to families in their own homes. Home-Start provides trained, parent volunteers to help any parent, with at least one child under five, who is finding it hard to cope. Meets bi-monthly. Status: Representative (voting)
35.	Locks Heath Day Centre Group	Cllr Mrs S M Bayford	2012/13		Provides day care for the frail and elderly and elderly mentally infirm. Board meets quarterly. Management Committee monthly. Status: Trustee
36.	Locks Heath Community Association Management Cttee	Cllr Mrs S Bayford	2012/13		Provides sports and social facilities to its members who are in the main local to the club. Meets quarterly. Status: Representative
37.	Portchester Community Association Management Cttee	Cllr Miss S M Bell Cllr D J Norris Cllr R H Price, JP	2012/13		Provides recreational, educational, social, cultural and community services. Meets monthly. Status: Representative
38.	Portchester Parish Hall Board of Trustees	Cllr Miss S M Bell Cllr D J Norris	2012/13		Provides facilities for user groups of all ages and a wide variety of other functions. Meets quarterly. Status: Trustees (voting)
39.	Priory Park Community Association Management	Cllr B Bayford Cllr Mrs M E Ellerton	2012/13		Provides a service to the local community by maintaining and managing facilities for various groups to run activities to improve

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
	Committee				condition of life, health and leisure. Meets 6 times per year. Status: Representatives
40.	Ranvilles Community Association Management Committee	Cllr Miss T Harper	2012/13		The community association is a voluntary organisation set up to maintain and run the centre and serve the local community by making various activities accessible to local people. Meets 4 to 6 times per year. Status: Representative
41.	RELATE Portsmouth and District	Cllr T Howard	2012/13		Relationship counselling and related matters including education and training. Meets quarterly. Status: Representative.
42.	RELATE Solent	Cllr T Howard	2012/13		Relationship counselling and related matters including education and training. Meets every 3 months Status: representative (non-voting)
43.	River Hamble Harbour Management Committee	Cllr T M Cartwright <i>Deputy:</i> Cllr D C S Swanbrow	2012/13		Considers policy and regulatory functions; prepares and maintains a strategic plan for management of the river; delegates day to day decision making to the (County) Executive Member for Environment. Meets 4 times per year. Status: Representative (voting)
44.	Solent Sea Rescue Organisation	Cllr T Knight	2012/13		Saving of life at sea and rescuing people in danger in the Solent area. Meets 8 times per

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
					year. Status: Representative
45.	The Louisa Seymour Charity Management Committee	Cllr D C S Swanbrow	2012/13		The charity is for provision and upkeep of Sarisbury Parish Rooms. The appointee is as a member of the Management Committee. Meets bi-monthly. Status: Trustee (non-voting)
46.	Titchfield Community Association –	Cllr M Ford	2012/13		Liason between FBC and Titchfield Community Association on matters other than routine/administration. Meets 5 times per year. Status: Representative (non-voting)
47.	Victory Hall Management Committee	Cllr M Ford	2012/13		Provides and maintains a village hall for use of the inhabitants of Hook and Warsash for recreation and leisure use with the object of improving conditions of life. Meets monthly. Status: Trustee
48.	Wallington Village Community Association Executive Committee	Cllr Mrs K K Trott <i>Deputy:</i> Cllr P W Whittle, JP	2012/13		Provides leisure/educational facilities for Wallington residents; maintains and manages the village hall and seeks to maintain and improve the built and natural environment within the village. Meets monthly. Status: Representative (non-voting)
49.	West Paulsgrove Scout and Community Association	Cllr Miss Bell	2012/13		

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
	Added - Council 21/10/10				
50.	Whiteley Community Association – General and Executive Cttees	Cllr S D T Woodward	2012/13		Seeks to work together for the benefit of local residents by association with local authorities, voluntary and other organisations to advance education, to provide facilities for recreational and leisure use for local people and to maintain and manage the community centre. General Cttee: Meets not less than 4 times per year. Executive Cttee: Meets not less than 6 times per year. Status: Trustee
51.	Youth Clubs – Hampshire and Isle of Wight Board	Cllr Mrs S Pankhurst	2012/13		Seeks to help and educate young people especially, but not exclusively, through their leisure time activities so as to develop their mental, physical and spiritual capacities that they may grow to full maturity as individuals and as members of society and that their life condition may be improved. Meets 4 times per year. Status: Representative
52.	Daedalus Strategy Group	Cllr A Mandry	2012/13		To consider issues relating to the future use of the Daedalus site. Meetings: To be determined. Status: Representative
53.	Design Champions Club – South East England Development	Cllr N J Walker <i>Deputy:</i>	2012/13		Promotes and encourages good design within each representative’s organisation. Meets approx 3 - 4 times per year. Status:

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
54.	Agency Fareham Town Access Plan Steering Group	Cllr A Mandry Cllr P Davies Cllr Mrs Trott	2012/13		Representative A Partnership with Hampshire County Council to develop a Town Access Plan, designed to improve movement in and around town and to make the best use of roads and public spaces. Status: Representatives
55.	Hampshire Buildings Preservation Trust	Cllr N J Walker  <i>Non-voting representative :</i> Cllr Mrs M E Ellerton	2012/13		The Trust seeks to preserve, for the benefit of the people of Hampshire and of the nation at large, whatever English historical and constructional heritage may exist in Hampshire. The Borough's representative is entitled to attend the Annual General Meeting of the Trust and to vote at the meeting. Meets 4 times per year plus the AGM. Status : Representative (voting)
56.	Historic Environment Champion (English Heritage)	Cllr N J Walker	2012/13		Promotion of the historic environment and ensuring that the historic environment is "at the heart of the Council agenda". The Government sees the historic environment as a catalyst for regeneration, learning, community cohesion and economic development. Status: Representative/Heritage Champion (non-voting)

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
57.	Local Government Association Coastal Issues Special Interest Group	Cllr T G Knight <i>Deputy:</i> Cllr J V Bryant	2012/13		The Group's purpose is to:- (i) increase awareness of issues affecting coastal, estuarine, and maritime communities; (ii) act as a focus for liaison between local authorities and other bodies; (iii) secure improved cross-departmental co-ordination within central government on coastal issues.  Meets 3-4 times per year. Status: Representative
58.	North Whiteley Development Forum	Cllr D C S Swanbrow <i>Deputy:</i> Cllr K D Evans	2012/13		Informal advisory body to Winchester City Council, advising on the major development north of Whiteley. Meets approximately 4 times per year Status : Representative(voting)
59.	Public Transport Representative	Cllr P J Davies <i>Deputy:</i> Cllr T Howard	2012/13		Enables interested parties to keep up to date with progress on passenger transport issues. Includes meetings of the National Federation of Bus Users – Portsmouth Bus Action Group. Status: Representative
60.	Solent Forum (incorporating the Solent Water Quality Group/Conference)	Cllr T M Cartwright <i>Deputy:</i> Cllr T G Knight	2012/13		Since 1992, the Solent Forum has provided a platform to deliver Integrated Coastal Zone Management in the Solent sub-region of the South East. It operates at a strategic coastal management level, providing a network for closer working relationships, information dissemination and discussion of topical coastal

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
					<p>issues.</p> <p>The Solent Forum website (<a href="http://www.solentforum.org">www.solentforum.org</a>) contains information on the nature and work on the Solent Forum. From it you can find details of the Forum's members, learn about the Forum's current work and view news and events from around the Solent and the UK. You can also download the bi-annual newsletter. . Meets 2 times per year, plus the conference. Status: Representative (non-voting)</p>
61.	Transport for South Hampshire Joint Committee	Observer : Cllr K Evans	2012/13		<p>The committee is responsible for providing enhanced transport delivery arrangements for the South Hampshire area and maximising investment and infrastructure provision in accordance with the South Hampshire sub-regional strategy. Meets 4 times per year. Status : Observer representative</p>
62.	Community Safety Partnership	Cllr A Mandry Cllr T M Cartwright	2012/13		<p>Conducts and publishes an audit of crime and disorder problems in the Borough; identifies local crime and disorder priorities and formulates a three-year strategy to assist in tackling them, including objectives and targets; monitors progress and reviews strategies as required. Partnership meets bi-monthly. Status : Representatives.</p>
	Sub-group meetings : Community Tasking and Coordinating Group	Executive Member for Public Protection	2012/13		
63.	Joint Authorities Gypsies and Travellers'	Cllr T Cartwright Cllr Mrs K Mandry	2012/13		<p>The purpose of the Panel is to investigate joint co-operation between all authorities,</p>

No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
	Panel				including unitary and parish councils, so that a combined strategy can be developed to overcome the problems associated with unauthorised camping. Meets quarterly. Status: Representative
64.	PATROL - Parking and Traffic Regulations Outside London <i>(formerly National Parking Adjudication Service Joint Committee)</i>	Cllr Cartwright  Cllr K Evans	2012/13		The joint committee provides an opportunity for local member input into the national parking adjudication service. Meets annually. Status: Representative
65.	Hampshire County council South Area Road Safety Council	Cllr Mrs K Mandry	2012/13		To promote and encourage road safety education, training and publicity in the local area. To encourage activities of local groups on road safety matters. To seek involvement of local community to support road safety programmes. To support initiatives and promotions of local campaigns designed to improve awareness of road safety. Meets 3 times per year. Status: Representative (non-voting)
66.	Project Integra (i) Management Board	Cllr L Keeble  <i>Deputy:</i> Cllr B Bayford	2012/13		(i) Portfolio holders representing partner organisations. Meets 3 times per year plus conference. Status: Representative; Deputy also an



No	Name of Organisation	Representative(s) for last municipal year	Period of current appointment	Comments on appointment	Purpose of organisation
	(ii) Policy, Review and Scrutiny Committee	Cllr Miss T Harper <i>Deputy:</i> Cllr Mrs Bayford	2012/13		<p>“Observer”. (voting) (Representative must be an Executive Member)                      (ii) Scrutiny Panel members from partner organisations. Meets quarterly.                      Status: Representative</p> <p>Project Integra is a mature partnership of the all Local Authorities in Hampshire plus Hampshire Waste Services. It has achieved an integrated approach to municipal waste management. Current mission is to manage waste generated by households in Hampshire, gaining benefits from integration, scale, synergy and influence.</p>
67	Fareham Housing Market Partnership	Cllr K D Evans Cllr B Bayford	2012/13 Sept 11	Appointed at 05/09/11 Exec	<p>The purpose of the HMP is to provide input and advice to the development of Fareham Borough Council's planning and housing policies, strategies and evidence base for housing in the Borough. The key documents the HMP is involved with are the Council's Housing Strategy, the Strategic Housing Land Availability Assessment (SHLAA) and other Local Development Documents (LDDs) as required. The HMP is made up of representatives from public private and not-for-profit organisations involved in the delivery of housing in the Borough.</p>

No	Name of Organisation	Representative(s) for last municipal year	Period of current appoint- ment	Comments on appointment	Purpose of organisation
73.	Police and Crime Panel	Cllr A Mandry  <i>Deputy</i> Cllr T Cartwright	2012-16	Four Year Term	Section 28(1) of the Police Reform and Social Responsibility Act 2011 (“the Act”) provides that each police area is to have a police and crime panel established and maintained in accordance with Schedule 6 to the Act. Paragraph 3(2) of Schedule 6 to the Act provides that the local authorities for a police area must (a) establish and maintain a police and crime panel for their police area, and (b) make the panel arrangements for the police and crime panel. Paragraph 3(3) provides that in the case of a multi-authority police area, all the relevant local authorities must agree to the making or modification of the panel arrangements. (Council 10/05/12 item 17)

## APPENDIX B cont

### GUIDANCE ON THE DUTIES AND RESPONSIBILITIES OF MEMBERS APPOINTED TO OUTSIDE BODIES

1. This guidance gives an outline of the duties and responsibilities of members appointed to “outside bodies” on the nomination of Fareham Borough Council.
2. It is not intended to provide definitive answers to every question which could be raised in relation to each of the outside bodies to which members of the Council are nominated or appointed. Rather it is intended to alert members to issues of which they should be aware and prompt the seeking of advice from the body itself or from officers of the Council where necessary.

#### The relationship with the Council’s Code of Conduct for Members

3. Under the Council’s Code of Conduct, a member is required to include in his register of interests his membership of any “body to which he has been appointed or nominated by the authority as its representative.”
4. Such membership of an outside body is a personal interest which a member must declare under the Code.
5. The Code also provides that a member **may** regard himself as not having a prejudicial interest (under the Code) in a matter if that matter relates to a body to which he has been appointed or nominated by the authority as its representative.
6. The Code further provides that when a member acts as a representative of the authority on any other body, he must, when acting for that other body, comply with the authority’s code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.
7. The latter provision will apply when the member has been appointed or nominated to the membership of the other body by Fareham Borough Council but not otherwise.

#### Personal Responsibility

8. Members appointed to outside bodies by the Council should note that although the nomination is made by the Council, once appointed the member is personally responsible for the carrying out of any obligations to the body concerned. In the event of any default, the individual member and not the Council (or its insurers) will be responsible. For this reason it is important that members make sure that they understand the nature of the obligations they are undertaking when they accept nomination or appointment to an outside body by the Council.
9. The bodies concerned should be able to provide this information but in case of any unresolved query or potential conflict of interest, a member should seek advice from the Director of Regulatory and Democratic Services.
10. The principal types of outside bodies are Charitable Trusts, Unincorporated Associations and Companies, and the significance of each of these for members is set out below.

## **Charitable Trusts**

11. Guidance is available on the Charity Commission's website [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk). Document CC3 – Responsibility of Charity Trustees is particularly useful.
12. Trustees will be appointed under the Trust Deed or Scheme. This will set out the objects of the charity which govern how the charity's assets may be used.
13. Trustees must take care to act in accordance with the Trust Deed to protect the Charity's assets. They are also responsible for compliance with the Charities' Acts and the Trustee Act 2000.
14. Trustees must not make a private profit from their position. They must also perform their duty with the standard of care which an ordinary prudent business person would show. Higher standards are required of professionals and in relation to investment matters.
15. Charitable Trustees must ensure that the information relating to the trust and trustees is registered with the Charity Commission and that annual accounts and returns are completed and sent.
16. If charitable income exceeds £5000, then letters advertisements and cheques etc. must bear a statement that the organisation is a registered charity.
17. Trustees are under a duty to ensure compliance with all relevant legislation for example in relation to tax and health and safety.

## **Unincorporated Associations**

18. An unincorporated association does not have a separate legal identity. It consists of a group of people (its members) acting together for a common purpose. The rules governing the members' duties and liabilities will (or should) be set out in a constitution.
19. In most cases an unincorporated association cannot sue or be sued. The individual members of the association may be liable on contracts entered into 'on behalf of' the association either because of the way the contract is worded or because they are exceeding their authority. There is no limit on liability as exists for directors of a limited company. It is important that members of such an association should ensure that no financial commitment is entered into unless it is properly authorised and the association holds sufficient funds to cover the liability.
20. Such associations are usually advisory or consultative bodies and do not become involved in financial transactions of any kind. In such cases the question of personal liability is less likely to arise.

## **Limited Companies**

21. In some cases an appointment to an outside body will mean becoming a director of a limited company.

22. The objects of a company and the roles of directors will be set out in its Memorandum and Articles of Association and any director should be familiar with these documents.
23. A director has a fiduciary duty to the company to act honestly and in good faith in the best interests of the company as a whole. (This may conflict with the interests of the Council in which case advice should be sought.)
24. A director owes a general duty of care and skill to the company commensurate with his level of skills knowledge and experience.
25. A director must exercise independent judgement. He may take into account the interests of a third party whom he represents but must disclose the position to the company. It would be a breach of duty to vote simply in accordance with a Council mandate, for example.
26. A director may not make a secret profit from his position and must therefore disclose all interests in contracts or dealings with the company.
27. A director must ensure compliance with the Companies Acts in relation to keeping accounts and making returns to the registrar of Companies, and also with other relevant legislation for example in relation to employment or health and safety.
28. A director must ensure that the company is able to meet its current liabilities.
29. Provided a director acts within his powers and within the powers of the company, and is not negligent or in breach of his fiduciary duty he will not incur personal liability.
30. In some cases an outside body may be both a company limited by guarantee and a charity so the provisions relating to charities set out above will also apply.

### **Indemnity for Loss**

31. Fareham Borough Council does not indemnify members of outside bodies for any personal losses or liabilities they may incur. Members should ensure that the body carries appropriate insurance to cover personal liabilities to the extent that the law allows.

March 2004  
*updated 2011*