

FAREHAM

BOROUGH COUNCIL

Minutes of the Council

Date: Thursday, 29 May 2014

Venue: Council Chamber - Civic Offices

PRESENT:

Mrs S M Bayford
(Mayor)

D J Norris
(Deputy Mayor)

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



1. APOLOGIES FOR ABSENCE - MORNING SESSION

Apologies for absence were received from Councillor N R Gregory.

(1) Welcome and Presentation of Certificates

Following the meeting being opened with prayers led by the Mayor's Chaplain, Father John Cooke, the Mayor extended a warm welcome to the guests at this annual meeting of the Council and went on to announce the Citizens of Honour for 2014. She presented badges to Maria Lennan, Vicki Hollins, Les Ballard and Linda Phear. Callum Ashworth, Brandon Draper and Harvey Young were announced as the Young Citizens of the Year and the HMS Collingwood Cup was presented to Leading Physical Trainer Vicky Jarvis.

2. ELECTION OF MAYOR

On the Council being invited to submit nominations for the election of Mayor, it was proposed by Councillor P W Whittle, JP and seconded by Councillor S D T Woodward "that Councillor David Norris be elected Mayor of Fareham for the municipal year 2014/15." On the motion being put to the meeting it was declared CARRIED unanimously.

RESOLVED that Councillor David Norris be elected Mayor of Fareham for the municipal year 2014/15.

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

(1) COUNCILLOR DAVID NORRIS, MAYOR, IN THE CHAIR

The Mayor thanked the Council for his election. He informed members that Reverend Ian Meredith would be his Chaplain for the year and that he had asked Mrs June Haye 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 the Rowan's Hospice and Stubbington Ark.

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

3. ELECTION OF DEPUTY MAYOR

On the Council being invited to submit nominations for the election of Deputy Mayor of Fareham for the municipal year 2014/15, it was proposed by Councillor S D T Woodward and seconded by Councillor T M Cartwright "that Councillor Michael Ford, JP be elected Deputy Mayor of Fareham for the

municipal year 2014/15". On the nomination being put to the meeting, it was declared CARRIED unanimously.

RESOLVED that Councillor Michael Ford, JP be elected Deputy Mayor of Fareham for the municipal year 2014/15.

After receiving the personal congratulations of the Mayor, Councillor Ford, JP signed the statutory declaration of acceptance of office and thanked the Council for his election. He announced that his wife, Mrs Anne Ford, would be the Deputy Mayoress. The Mayor then invested the Deputy Mayor and Deputy Mayoress with their chains of office.

(1) Vote of Thanks

It was proposed by Councillor S D T Woodward and seconded by Councillor K D Evans "that the best thanks of the Council be accorded to Councillor Susan Bayford and Councillor Brian Bayford for their services as Mayor and Mayor's Consort 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 Susan Bayford and Councillor Brian Bayford for their services as Mayor and Mayor's Consort during the past municipal year.

Councillor Susan Bayford replied to the vote of thanks and expressed her appreciation of the support she had been given throughout her year of office. The Mayor then presented Councillor Susan Bayford with her Past Mayor's badge and Councillor Brian Bayford with his Past Mayor's Consort badge.

4. MAYOR'S CADET

The Mayor presented his Mayor's Cadet for 2014/15, Cadet Corporal Matthew Charter of 9 Platoon HMS Collingwood Army Cadet Force with his badge of service.

5. ADJOURNMENT UNTIL 2:30PM

It was proposed by Councillor S D T Woodward and seconded by Councillor T M Cartwright "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.

6. APOLOGIES FOR ABSENCE - AFTERNOON SESSION

As the Annual Meeting of the Council reconvened, the Mayor notified members with sadness that former Councillor Bob Munden had died recently. Bob served on the Council from 1991 to 1995 and from 1998 to 2002. During this time, he was the chairman of the Health and Environment Committee and of the Licensing Sub-Committee. He also served on the Leisure Services and Policy and Resources committees.

The Mayor invited members of the Council and members of the public to join him in a minute's silence, as a mark of respect.

Apologies for absence for the afternoon session were received from Councillor N R Gregory.

7. MINUTES

RESOLVED that the Mayor be authorised to sign as a correct record the minutes of the meeting of the Council held on 24 April 2014.

8. MAYOR'S ANNOUNCEMENTS

The Mayor reminded members that Reverend Ian Meredith would be his chaplain and that he had asked Mrs June Haye to co-ordinate the chaplaincy for the year.

The Mayor also reminded members that his charity appeal would support the Rowan's Hospice and the Stubbington Ark.

The Mayor announced that the charity launch would take place on Sunday 22 June at the Parish Hall, Assheton Court, Portchester from 12 noon and that the first charity event would be a tea party in the Parlour on Thursday 12th June at 2:30pm with a talk by Mardi Marsh about her new book. This would be followed by a cheese and wine evening on Friday 13th June at Wallington Village Hall from 7:30pm with tickets priced at £10.

9. DECLARATIONS OF INTEREST

Councillor T G Knight declared a non-pecuniary interest for item 18, Appointments to Outside Bodies as he is a relative of a representative appointed to the Earl of Southampton Trust (number 4 of Appendix A to the report). Councillor Knight left the meeting for this item and took no part in the discussion.

10. APPOINTMENT OF THE EXECUTIVE

(1) Executive Leader

RESOLVED that the Council noted that Councillor S D T Woodward had been appointed as the Executive Leader in 2012 for the period 2012 - 2016.

(2) Number of Other Executive Members

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

(3) Election of Other Executive Members

The Council was advised that the Executive Leader would be appointing Councillors B Bayford, T M Cartwright, K D Evans, Mrs C L A Hockley and L Keeble to serve as Executive Members for 2014/15.

(4) Areas of Executive Responsibility

The Council was advised that the Executive Leader would be allocating responsibilities to the Executive portfolios for the Municipal Year 2013/14, as follows:-

Planning and Development - Councillor K D Evans;
Leisure and Community - Councillor Mrs C L A Hockley;
Health and Housing - Councillor B Bayford;
Public Protection - Councillor T M Cartwright;
Streetscene - Councillor L Keeble; and
Policy and Resources - Councillor S D T Woodward.

11. APPOINTMENTS OF COMMITTEES AND ALLOCATION OF SEATS

The Council received a report by the Chief Executive Officer, providing the calculations for political balance relating to the allocation of seats on committees and panels for the municipal year 2014/15.

The report asks the Council to confirm the functions and appointment of committee seats as well as the role of Chairman and Vice-Chairman for each committee. The minority group is invited to appoint opposition spokesmen to each of the Executive portfolios.

RESOLVED that the Council approves:

- (a) the committee functions and number of seats on each committee for the municipal year 2014/15, as listed at paragraphs 5, 6 and 7 of the report;
- (b) the allocation of seats to political groups for the municipal year 2014/15, as shown in Appendix A attached to these minutes;

- (c) the nominations of the political groups to seats on committees, deputies and spokesmen, for the municipal year 2014/15, as shown in Appendix B attached to these minutes; and
- (d) the appointment of a Chairman and Vice-Chairman for each committee for the municipal year 2014/15, as shown in Appendix B attached to these minutes.

12. 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.

In considering the appointment to Fareham Town Community Action Team, an amendment was proposed that Councillor Mrs K K Trott be appointed chairman. On being put to the meeting, the amendment was declared LOST, 5 members voting in favour and 21 voting against.

It was proposed by the Executive Leader that the following CAT chairmen be appointed:

Portchester Community Action Team – Councillor D J Norris;
Crofton Community Action Team – Councillor A Mandry;
Titchfield Community Action Team – Councillor T Harper;
Western Wards Community Action Team – Councillor M J Ford; and
Fareham Town Community Action Team – Councillor T J Howard.

Having been duly seconded, it was RESOLVED that the proposal be agreed.

13. STANDARDS ARRANGEMENTS - APPOINTMENT OF DESIGNATED INDEPENDENT PERSONS

The Council was reminded that the Localism Act implemented significant changes to the Standards regime and that at its meeting in June 2012, the Council appointed Mr David Basson and Mrs Mary Kilbride as the Council's two Designated Independent Persons, as required under section 28(7) of the Localism Act 2011.

RESOLVED that Mr David Basson and Mrs Mary Kilbride be confirmed as the Council's two Designated Independent Persons for the municipal year 2014/15.

14. 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 Finance and Resources on the appointments to be made and also received guidance on the duties and responsibilities of members when acting as an appointee to an outside body.

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.

Councillor T G Knight declared a non-pecuniary interest for this item as he is a relative of a representative appointed to the Earl of Southampton Trust (no.4 of the attached Appendix). Councillor Knight left the meeting for the discussion of the appointment to this outside body and took no part in the discussion.

In considering the appointments to the Fareham/Vannes Twinning Committee (no.6), it was AGREED that the description of the purpose of the organisation be amended to show that the committee meets monthly.

In considering the appointments to the Fareham Welfare Trust (no.9), it was AGREED that the description of the purpose of the organisation be amended to show that it is for persons living in the Old Fareham Parish area. It was also AGREED that the appointment of Councillor Mrs S Pankhurst continue for another four year term, ending in June 2018.

In considering the appointments to the Children and Young People's Partnership (no.15), it was AGREED that the title should be amended to "Local Children's Partnership".

In considering the appointments to the Randal Cremer Trust (no.17), it was AGREED that Councillor Mrs K Mandry be appointed as Trustee for 2014/15.

In considering the appointments to the William Price Charitable Trust (no.21), it was AGREED that the description of the purpose of the organisation be amended to show that it is for schools in the Old Fareham Parish area.

In considering the appointments to the Crofton Community Association Management Committee (no.24), it was AGREED that the title should be amended to "Crofton Community Association".

In considering the appointments to RELATE Portsmouth and District (no.40) and RELATE Solent (no. 41), it was AGREED that Councillor Mrs S Pankhurst be appointed as Representative for 2014/15.

In considering the appointments to the River Hamble Harbour Management Committee (no.42), it was AGREED that the description of the purpose of the organisation be amended to show that the committee "delegates day to day decision making to the Harbour Master."

In considering the appointments to the West Paulsgrove Scout and Community Association (no.48), it was proposed that Councillor G Fazackarley be appointed as the representative. On the proposal being put to the meeting it was declared LOST, 6 members voting in favour and 22 voting against. A further proposal was made that Councillor Miss S Bell be appointed as the representative for 2014/15. On being put to the meeting, the proposition was CARRIED, 22 members voting in favour and 6 voting against.

In considering the appointments to the Daedalus Strategy Group (no.50), it was proposed that Councillor C J Wood be appointed as the representative. Following a debate on this item and in accordance with Standing Order 24.4 a

recorded vote was requested. On being put to the meeting it was declared LOST, 1 member voting in favour (Councillor C J Wood), 27 members voting against (Councillors B Bayford, Mrs S Bayford, Miss S Bell, J V Bryant, Mrs P M Bryant, T M Cartwright, P J Davies, Mrs M E Ellerton, K D Evans, G Fazackarley, M J Ford, JP, Miss T Harper, Mrs C L A Hockley, T J Howard, L Keeble, T G Knight, A Mandry, Mrs K Mandry, Mrs S Pankhurst, R H Price, JP, D L Steadman, D C S Swanbrow, Mrs K K Trott, N J Walker, D M Whittingham, P W Whittle, JP and S D T Woodward) and 1 member abstaining (Councillor J M Englefield).

In considering the appointments to the Local Government Association Coastal Issues Special Interest Group (no.55), it was proposed that Councillor Mrs K K Trott be appointed as the representative for 2014/15. On the proposal being put to the meeting it was declared LOST, 4 members voting in favour, 23 voting against and 1 member abstaining. A further proposal was made that Councillor A Mandry be appointed as the deputy representative for 2014/15. On being put to the meeting, the proposition was CARRIED, many members voting in favour and no member voting against.

In considering the appointments to the Public Transport Representative (no.57), it was AGREED that the description of the purpose of the organisation be updated in consultation with Councillor P J Davies. It was also AGREED that Councillor A Mandry be appointed as the deputy representative for 2014/15.

In considering the appointments to the Community Safety Partnership (no.60) it was AGREED that Councillor Mrs K Mandry be appointed in place of Councillor A Mandry for 2014/15.

In considering the appointments to the Sub-group meetings: Community Tasking and Coordinating Group (no.61), it was AGREED that Councillor T M Cartwright be appointed for 2014/15.

In considering the appointments to the Police and Crime Panel (no.69) it was AGREED that Councillor T M Cartwright be appointed representative and that Mrs K Mandry be appointed deputy representative for 2014/15.

In considering the appointments to the Highlands Hub Management Committee (no.70) it was AGREED that Councillor Mrs C L A Hockley be appointed representative for 2014/15.

In considering the appointments to the County Strategy Group for Crime and Disorder (tabled as no.75) it was AGREED that Councillor T M Cartwright be appointed representative for 2014/15.

Subject to the amendments agreed as listed above, the Council RESOLVED that:

- (a) representatives for 2014/15 be appointed to the organisations as set out in the appendix to the report;
- (b) the outside bodies that have not met within the municipal year be deleted (Nos. 51 and 52.); and

- (c) the guidance to members on their duties and responsibilities as appointees to outside bodies be noted.

15. EXECUTIVE LEADER'S ANNOUNCEMENTS

The Executive Leader placed on record his appreciation and commiseration to former Councillor Jim Forrest who lost his seat at last week's local election.

16. EXECUTIVE MEMBERS' ANNOUNCEMENTS

There were no Executive Members' Announcements given at this meeting.

17. PRESENTATION OF PETITIONS

A petition of approximately 562 signatures was presented by Councillor L Keeble entitled "Petition against development on land between Longfield Avenue, Rowans Way and Stubbington following the Hallam Land planning application.

The Mayor advised Councillor Keeble that the petition would be dealt with in accordance with the Council's petition scheme.

18. DEPUTATIONS

There were no deputations given at this meeting.

19. REPORTS OF THE EXECUTIVE

- (1) Minutes of meeting Monday, 7 April 2014 of Executive

The minutes of the meeting of the Executive held on 7 April 2014 were presented to the Council.

RESOLVED that the minutes of the Executive meeting held on 7 April 2014 be received.

- (2) Minutes of meeting Monday, 12 May 2014 of Executive

The minutes of the meeting of the Executive held on 12 May 2014 were presented to the Council.

RESOLVED that:

- (a) the minutes of the Executive meeting held on 12 May 2014 be received;
- (b) the recommendation of the Executive contained in minute 10(1): Community Safety Strategy – be accepted and the strategy be approved; and

- (c) the recommendation of the Executive contained in minute 11(2): Food Safety Plan - be accepted and the strategy be approved.

20. REPORTS OF OTHER COMMITTEES

- (1) Minutes of meeting Wednesday, 23 April 2014 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on 23 April 2014 be received.

21. QUESTIONS UNDER STANDING ORDER 17.2

There were no questions submitted for this meeting.

22. MOTIONS UNDER STANDING ORDER 15

The motion submitted by Councillor N R Gregory, as included in the Council agenda, was removed at the request of Councillor Gregory as he had submitted his apologies for absence for this meeting.

23. 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 2014/15 be confirmed as comprising those plans and strategies identified in the table below:

Policy / Strategy	Last adopted or approved by	Date
Sustainable Community Strategy	Council	1 February 2010
Housing Strategy	Council	22 April 2010
Food Safety Service Plan	Council	29 May 2014
Licensing Policy	Council	16 December 2010
Development Plan: <ul style="list-style-type: none"> • Fareham Core Strategy • Fareham Borough Local Plan Review 2000 	Council Planning and Transportation Committee	4 August 2011 23 March 2000
Community Safety Strategy	Council	29 May 2014
Corporate Strategy	Council	10 October 2013

24. CHANGE OF DATE FOR HOUSING TENANCY BOARD MEETING

RESOLVED that the date for the meeting of the Housing Tenancy Board in July be changed from 14 July 2014 to 28 July 2014.

(The meeting started at 10.30 am
and ended at 3.18 pm).

Political Group Balance Calculation

		Conservative		Liberal Democrat		Independent	
		23		5		3	
		74.19%		16.13%		(9.68%)	
Seats to be allocated		Strict Entitlement	Rounded	Strict Entitlement	Rounded	Strict Entitlement	Rounded
	82	60.84	61	13.23	13	n/a	n/a
Scrutiny Board	9	6.68	7	1.45	1	n/a	0
Leisure & Community	7	5.19	5	1.13	1	n/a	0
Planning & Development	7	5.19	5	1.13	1	n/a	0
Public Protection	7	5.19	5	1.13	1	n/a	0
Health & Housing	7	5.19	5	1.13	1	n/a	0
Streetscene	7	5.19	5	1.13	1	n/a	0
Licensing & Regulatory Affairs	12	8.90	9	1.94	2	n/a	0
Planning Committee	9	6.68	7	1.45	1	n/a	0
Appeals Panel	5	3.71	4	0.81	1	n/a	0
Audit & Gov	7	5.19	5	1.13	1	n/a	0
Housing Tenancy Board	5	3.71	4	0.81	1	n/a	0
Notional allocation	82		61		12		0
Adjustment Required			0		+1		+8

Notes:

- (i) Under the calculation, the Conservative Group has notionally been allocated 61 seats on committees. The Group cannot have a greater representation on committees than their strict entitlement of 61 seats and so there is no adjustment required.
- (ii) The Liberal Democrat Group has notionally been allocated 12 seats on committees. This is 1 less than their strict entitlement of 13 seats and so a positive adjustment must be made to balance the

AGENDA ITEM 11
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- allocations.
- (iii) Whilst there is a UKIP councillor, a group cannot be formed by a single member and so for the purposes of these calculations, the UKIP councillor will be treated as an independent member.
 - (iv) The seat allocations for each committee must equal the agreed number of seats for that committee, as determined by the Council at paragraphs 5, 6 and 7 above. Where this does not occur, the manual adjustments described at paragraph (ii) above, must be made from those committees requiring a balancing adjustment. These affected committees are shaded in the table at Appendix A.
 - (v) There are three independent councillors who do not represent any political group. There is no strict entitlement calculation applicable to an independent member however, following the calculations and allocation of seats to political groups, the Council must appoint the non-group members to any seats not otherwise allocated. In doing this, the Council may allocate seats from those committees requiring a balancing adjustment. These affected committees are shaded in the table at Appendix A.

**AGENDA ITEM 11
TABLED APPENDIX B**

Council Meeting 29 May 2014, Item 11 – Appointments of Committees

Conservative Group nominations for committee seats:

	<i>Executive portfolio</i>	<i>Scrutiny Board</i>	<i>Leisure & Comm PDRP</i>	<i>Planning & Dev PDRP</i>	<i>Public Protect PDRP</i>	<i>Health & Housing PDRP</i>	<i>Streetscene PDRP</i>	<i>Licensing & Reg Affairs</i>	<i>Planning Committee</i>	<i>Appeals</i>	<i>Audit & Governance</i>	<i>Housing Tenancy Bd</i>
No of seats>	6	7	5	5	6	5	5	10	7	3	5	3
Bayford, B	H&H								X			
Bayford, Mrs S M		X			X		Ch	X				
Bell, Miss S		X	Ch			X		X				
Bryant, J V		D			VC		X					
Bryant, Mrs P M			X					Ch				
Cartwright, T	PP							VC	X			
Davies, P J				X		X			D		X	Ch
Ellerton, Mrs M		X			X	Ch		X				D
Evans, K D	P&D							D	X		D	
Ford, M J		X	VC	D				X	X	Ch		
Harper, Miss T		D		X			VC				X	
Hockley, Mrs C L A	L&C								D			
Howard, T J		D		VC				X		X		X
Keeble, L	S							X			VC	
Knight, T G			X			X					Ch	
Mandry, A		X		Ch			D		VC			
Mandry, Mrs K		VC			Ch			X				VC
Pankhurst, S			X		X			X		D		
Steadman, D L		D			X	VC					X	
Swanbrow, D C S		Ch					X		X			
Walker, N J				X	D				Ch			
Whittingham, D M			D			D	X			VC		
Woodward, S D T	P&R											

**AGENDA ITEM 11
TABLED APPENDIX B**

Liberal Democrat Group nominations for committee seats:

		<i>Scrutiny Board</i>	<i>Leisure & Comm PDRP</i>	<i>Planning & Dev PDRP</i>	<i>Public Protect PDRP</i>	<i>Health & Housing PDRP</i>	<i>Streetscene PDRP</i>	<i>Licensing & Reg Affairs</i>	<i>Planning Committee</i>	<i>Appeals</i>	<i>Audit & Governance</i>	<i>Housing Tenancy Bd</i>
No of seats>		1	1	1	1	1	1	2	2	1	1	1
Fazackarley, G					Xs	D	Ds			X		D
Norris, D J							X	X	D		D	
Price, R H		D	Xs		D			X	X			
Trott, Mrs K K			D	D		Xs		D	X			X
Whittle, P W		X		Xs					D	D	X	

Independent Councillors:

		<i>Scrutiny Board</i>	<i>Leisure & Comm PDRP</i>	<i>Planning & Dev PDRP</i>	<i>Public Protect PDRP</i>	<i>Health & Housing PDRP</i>	<i>Streetscene PDRP</i>	<i>Licensing & Reg Affairs</i>	<i>Planning Committee</i>	<i>Appeals</i>	<i>Audit & Governance</i>	<i>Housing Tenancy Bd</i>
No of seats>	8	0	0	0	0	0	0	0	0	0	0	0
Englefield, J M			X	X			X					
Gregory, N R		X				X					X	
Wood, C J										X		X

APPENDIX A

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	2013/14		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. Page 5	Community Action Fareham	Cllr L Keeble	2013/14		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	2013/14		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	2011/15	4 year term ending Sept 2015	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
		Cllr Mrs C Hockley Mrs F C Knight	2010/14	4 year term ending Sept 2014	

5.	Fareham Fairtrade Borough Working Group	Cllr Mrs P M Bryant	2013/14		This is the steering group for Fairtrade in the Borough. Its efforts are directed towards maintaining the Borough's Fairtrade status by 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)
6.	Fareham/Pulheim Twinning Association	Cllr T J Howard Cllr R H Price	2013/14		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
7.	Fareham Technology Forum	Executive Leader	2013/14		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

8.	Fareham/Vannes Twinning Committee	Cllr T M Howard Cllr Mrs K Trott	2013/14		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 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	2012/16	4 year term ending June 2016.	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 Mrs S Pankhurst	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 ^d Stephen Girling Mrs Sarah Coles	2013/14		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	2013/14		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

12.	Hampshire Superannuation Scheme (AGM)	Cllr T M Cartwright Cllr L Keeble	2013/14		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
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 People's Partnership	Executive Member for Leisure and Community	Indefinite		This Partnership was originally established to 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	2013/14		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	2013/14	Representatives should not be employees of another local authority or employees or officers of any of the local government unions	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 Trustee if elected as Chairman.
19 Page 9	South East Employers	Cllr T M Cartwright Deputy: Cllr K D Evans	2013/14	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 advise, consultancy, training and information services. Meets 3 times per year. Status: Representative but would also be a Trustee if elected as Chairman
20.	Town Centre Management Steering Group	Cllr A Mandry <i>Deputy :</i> Cllr J V Bryant	2013/14		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.

21.	William Price Charitable Trust	Cllr Mrs P Bryant	2011/15	4 year term ending August 2015	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 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)
		Cllr T Howard	2013/17	Current term ends August 2017	
22.	Abshot Community Association Management Committee	Cllr S Pankhurst <i>Deputy:</i> Cllr K Evans	2013/14		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
23.	Burridge Community Association Management Cttee	Cllr D C S Swanbrow	2013/14		To maintain and support the use of Burridge Village Hall for the benefit of the local community. Meets – 6 to 7 times per year. Status: Trustee (voting)
24.	Crofton Community Association Management Committee	Cllr T G Knight <i>Deputy:</i> Cllr A Mandry	2013/14		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)
25.	Strategic Partnering Board (Hampshire)	Cllr B Bayford <i>Deputy :</i> Cllr S D T Woodward	2013/14		Responsible for the delivery of the LIFT project, procurement of a private sector partner and the establishment of LIFTCo. Meets Monthly. Status: Representative

26.	Fareham and Gosport MIND	Cllr Mrs S M Bayford	2013/14		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
27.	Fareham North West Community Association Management Cttee	Cllr P Davies Cllr D Whittingham	2013/14		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)
28.	Genesis Centre Executive Committee	Cllr Mrs S Bayford Cllr Mrs M E Ellerton	2013/14		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
29.	Hampshire Health and Well-being Partnership Board	Cllr B Bayford	2013/14		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
30.	District Forum Health and Well-being Partnership Board	Cllr B Bayford	2013/14		

31.	Fareham and Gosport Clinical Commissioning Group	Cllr B Bayford	2013/14	13/12/12	Meetings are held bi-monthly and cover both the required governance and assurance business and the emerging commissioning strategies for health in Fareham and Gosport.
32.	Health Review Panel (Portsmouth City Council)	Cllr K D Evans <i>Deputy:</i> Cllr M J Ford	2013/14		Scrutinises and comments on any proposed significant changes in health service provision. Meets bi-monthly. Status: Representative
33.	Home-Start Gosport and Fareham	Cllr Mrs M E Ellerton <i>Deputy:</i> Cllr Mrs S M Bayford	2013/14		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)
34.	Locks Heath Day Centre Group	Cllr Mrs S M Bayford	2013/14		Provides day care for the frail and elderly and elderly mentally infirm. Board meets quarterly. Management Committee monthly. Status: Trustee
35.	Locks Heath Community and Sports Association Management Cttee	Cllr Mrs S Bayford	2013/14		Provides sports and social facilities to its members who are in the main local to the club. Meets quarterly. Status: Representative
36.	Portchester Community Centre Ltd	Cllr N Walker Cllr R H Price, JP	2013/14		This charity body was set up to manage and run the new Portchester Community Centre following the award of the lease to Portchester Community School.
37.	Portchester Parish Hall Board of Trustees	Cllr Miss S M Bell Cllr D J Norris	2013/14		Provides facilities for user groups of all ages and a wide variety of other functions. Meets quarterly. Status: Trustees (voting)

38.	Priory Park Community Association Management Committee	Cllr B Bayford Cllr Mrs M E Ellerton	2013/14		Provides a service to the local community by maintaining and managing facilities for various groups to run activities to improve condition of life, health and leisure. Meets 6 times per year. Status: Representatives
39.	Ranvilles Community Association Management Committee	Cllr Miss T Harper	2013/14		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
40.	RELATE Portsmouth and District	Cllr T Howard	2013/14		Relationship counselling and related matters including education and training. Meets quarterly. Status: Representative.
41.	RELATE Solent	Cllr T Howard	2013/14		Relationship counselling and related matters including education and training. Meets every 3 months Status: representative (non-voting)
42.	River Hamble Harbour Management Committee	Cllr T M Cartwright <i>Deputy:</i> Cllr D C S Swanbrow	2013/14		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)
43.	Solent Sea Rescue Organisation	Cllr T Knight	2013/14		Saving of life at sea and rescuing people in danger in the Solent area. Meets 8 times per year. Status: Representative

44.	The Louisa Seymour Charity Management Committee	Cllr D C S Swanbrow	2013/14		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)
45.	Titchfield Community Association –	Cllr Miss Harper	2013/14		Liason between FBC and Titchfield Community Association on matters other than routine/administration. Meets 5 times per year. Status: Representative (non-voting)
46.	Victory Hall Management Committee	Cllr M Ford	2013/14		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
47.	Wallington Village Community Association Executive Committee	Cllr Mrs K K Trott <i>Deputy:</i> Cllr P W Whittle, JP	2013/14		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)
48.	West Paulsgrove Scout and Community Association	Cllr Miss Bell	2013/14	Added - Council 21/10/10	

49.	Whiteley Community Association – General and Executive Cttees	Cllr S D T Woodward	2013/14		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
50.	Daedalus Strategy Group	Cllr A Mandry <i>Deputy:</i> Cllr T Knight	2013/14		To consider issues relating to the future use of the Daedalus site. Meetings: To be determined. Status: Representative
51	Design Champions Club – South East England Development Agency	Cllr N J Walker <i>Deputy:</i> Cllr A Mandry	2013/14		Promotes and encourages good design within each representative’s organisation. Meets approx 3 - 4 times per year. Status: Representative
52.	Fareham Town Access Plan Steering Group	Cllr P Davies Cllr Mrs Trott	2013/14		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

53.	Hampshire Buildings Preservation Trust	Cllr N J Walker <i>Non-voting representative :</i> Cllr Mrs M E Ellerton	2013/14		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)
54.	Historic Environment Champion (English Heritage)	Cllr N J Walker	2013/14		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)
55.	Local Government Association Coastal Issues Special Interest Group	Cllr T G Knight <i>Deputy:</i> Cllr J V Bryant	2013/14		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

56.	North Whiteley Development Forum	Cllr D C S Swanbrow <i>Deputy:</i> Cllr K D Evans	2013/14		Informal advisory body to Winchester City Council, advising on the major development north of Whiteley. Meets approximately 4 times per year Status : Representative(voting)
57.	Public Transport Representative	Cllr P J Davies <i>Deputy:</i> Cllr T Howard	2013/14		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
58.	Solent Forum (incorporating the Solent Water Quality Group/Conference)	Cllr T G Knight <i>Deputy:</i> Cllr T M Cartwright	2013/14		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 issues. The Solent Forum website (www.solentforum.org) 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)

59.	Transport for South Hampshire Joint Committee	Observer : Cllr K Evans	2013/14		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
60.	Community Safety Partnership	Cllr A Mandry Cllr T M Cartwright	2013/14		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.
61.	Sub-group meetings : Community Tasking and Coordinating Group	Cllr A Mandry	2013/14		
62.	Joint Authorities Gypsies and Travellers' Panel	Cllr T Cartwright Cllr Mrs K Mandry	2013/14		The purpose of the Panel is to investigate joint co-operation between all authorities, 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
63.	PATROL - Parking and Traffic Regulations Outside London <i>(formerly National Parking Adjudication Service Joint Committee)</i>	Cllr Cartwright Cllr K Evans	2013/14		The joint committee provides an opportunity for local member input into the national parking adjudication service. Meets annually. Status: Representative

64.	Hampshire County council South Area Road Safety Council	Cllr Mrs K Mandry	2013/14		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)
65.	Project Integra (i) Management Board	Cllr L Keeble <i>Deputy:</i> Cllr B Bayford	2013/14		(i) Portfolio holders representing partner organisations. Meets 3 times per year plus conference. Status: Representative; Deputy also an "Observer". (voting) (Representative must be an Executive Member) 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.

68	Fareham Housing Market Partnership	Cllr K D Evans Cllr B Bayford	2013/14	Appointed at 05/09/11 Exec	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.
69. Page 20	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)

70	Highlands Hub Management Committee	Cllr D Whittingham <i>Deputy</i> Cllr P Davies	2013/14	18/02/12	The Management Committee steers the work of the Highlands Hub facility within the local community, linking its role to the parish churches of St Columba and Holy Trinity with local partners. The Council was asked to review the Council's appointment of a representative to the Highlands Hub Management Committee.
71	Joint Member Shared Coastal Management Service Board	Cllr K Evans <i>Deputy</i> Cllr T G Knight	2013/14	21/06/12 18/10/12	<p>The Coastal Partnership is between four local authorities: Havant Borough Council, Portsmouth City Council, Gosport Borough Council and Fareham Borough Council. The Partnership Agreement allows for a “one team” approach or shared service that is designed to maximise benefit and efficiencies to each authority by sharing resources. The vision is “To provide an effective and efficient coastal flood and erosion risk management service across partnering authorities, through co-ownership of objectives and an equitable fee structure.”</p> <p>The shared Coastal Defence Management Team provide an effective and co-ordinated coastal defence management service to the Councils that reduces the risks to people and the developed and natural environment from flooding and coastal erosion by encouraging the provision of technically, environmentally and economically sound and sustainable defence measures within the respective local authority areas.</p>

72	Standing Conference on Problems Associated with Coastline (SCOPAC)	Cllr T Knight Deputy Cllr K Evans	2013/14		The primary aims of SCOPAC are: To provide a strong political forum for coastal local authorities and other organisations with an interest in coastal risk management along the south coast of England; and To raise and sanction funding for the successful operation of SCOPAC and for the development and implementation of its research programme.
73	Fareham College CEMAST Curriculum Development Group	Cllr T Cartwright	2013/14	10/03/14	This group is comprised of employers and stakeholders to discuss curriculum, marketing, course design, bespoke employer requirements and continuing and strengthening links between the Fareham Colleges Group's CEMAST project and local employers. Meetings: Quarterly Status: Representative
74	Hampshire Partnership	Cllr T Cartwright Deputy Cllr SDT Woodward	2013/14	Made at Council on 12/12/13	The role previously undertaken by the Hampshire Senate has been reviewed and refreshed and the Senate will now be replaced by the Hampshire Partnership; the Partnership will drive forward a new agenda for partnership working that recognises the important role of the County Council and District and Borough Council's working together with other organisations on matters of interest and service delivery within the county of Hampshire Meetings: Quarterly Status: Representative

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.

SUITABILITY OF OUTSIDE BODIES

3. Appointment of Members to serve on outside bodies shall be dependent on one or more of the following conditions applying:
 - (a) where it is considered necessary to supplement existing communication channels established by members and/or officers;
 - (b) where the Council has a significant interest in the business dealt with by the body in question, e.g. by virtue of owning relevant premises; providing significant resource contributions; being a key partner; or the fact that the work of the Body is of strategic significance to the Council;
 - (c) where Council appointees are legally required;
 - (d) where the boards of registered charities are required to include Council appointed trustees in order to comply with their Articles of Association or Trust Deeds; and
 - (e) in other cases, where such representation would bring clearly defined mutual benefits to both the authority and the body in question.

BASIS FOR APPOINTMENT

4. Members will be appointed to outside bodies to:
 - (a) represent the Council on joint local authority bodies/consortia
 - (b) represent the Council by attending meetings of other organisations in a purely advisory capacity to:
 - observe proceedings; and/or
 - facilitate information exchange whilst promoting the interests of the Council as opposed to the body; or
 - (c) act as executive members of other organisations (e.g. a director/trustee/voting member of a Management Committee) with an obligation to act in the best interests of the body concerned whilst conducting its business.
5. Where the Council makes appointments/nomination on the basis of sub-paragraph (b) and (c) above, officers shall assist, when requested, in seeking to verify whether the organisations concerned have adequate insurance cover in place to protect the Council’s appointees.

6. Each organisation shall be requested to provide the Council with a clear statement of what is expected of Council appointees, e.g. in terms of the number of meetings to be attended and responsibilities associated with the appointment.
7. It would be inappropriate for a member to hold the position of a Fareham Borough Council appointed representative or trustee at the same time as holding a position that is directly elected or appointed by the same external organisation. An individual member should hold only one position or the other (as once elected as a member they must always act in that capacity and cannot choose when to do so or not). Being appointed as a representative or trustee by two bodies in different capacities may cause conflicts of interest which may not be in the Council's best interests.

THE ROLE OF COUNCIL APPOINTEES

8. The role of Council appointees on outside bodies will vary, but, essentially, will be to:
 - (a) help to secure any objectives of the Council in participating in the organisation;
 - (b) help the organisation to achieve its aims and objectives, legally, properly and effectively;
 - (c) meet any specific legal responsibilities attached to the membership of the organisation;
 - (d) safeguard the Council's interests on those organisations which are funded from or through the Council; and
 - (e) encourage the organisation to adopt sustainable and ethical policies.
9. The three main types of appointee are:

Observer - non-voting role with the main task of viewing the business undertaken and reporting issues back to Council;

Representative - formally appointed to vote on business conducted by the outside body but with no statutory responsibilities; and

Trustee - formally appointed to vote. Must follow legislative responsibilities, as per the Charity Commission guidance (see paragraph 13 below).
10. All outside bodies will have requirements placed on them either by statute or by their constitutions. Members should ensure, where possible, that those bodies comply with the requirements thereon.
11. Members are advised to:
 - (a) ask about any specific legal responsibilities attached to membership of the organisation;
 - (b) read the constitution of the organisation and be aware of its powers, duties and objectives;
 - (c) attend meetings regularly;

- (d) ensure that they receive regular reports on the activities of the organisation and its financial position;
- (e) where the organisation is funded by or through the Council, to obtain a copy of the Annual Report and Accounts to see that the funds have been spent on the agreed objectives; and
- (f) seek advice from the appropriate Council officers in the event of any doubts or concerns about the operation of the organisation.

THE RELATIONSHIP WITH THE COUNCIL'S CODE OF CONDUCT FOR MEMBERS

- 12. 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."
- 13. Such membership of an outside body is at least a personal interest which a member must declare under the Code. The interest may be a prejudicial interest in certain circumstances where the member is not appointed by the Council but is involved in that organisation in a private capacity.
- 14. 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. Where this arises advice should be taken from the Monitoring Officer.
- 15. 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

- 16. 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. The Council does indemnify certain acts under the Council's Officials Indemnity Policy (details of which can be provided by the Finance Department). However, in the event of any default, the individual member will be responsible unless the act is covered by the policy. 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.
- 17. 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 Monitoring Officer (Director of Regulatory and Democratic Services).
- 18. 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

- 19. Guidance is available on the Charity Commission's website:
www.charitycommission.gov.uk. Document CC3 – Responsibility of Charity

Trustees is particularly useful as is the Councillors Guide produced by the LGA and Charity Commission

<http://www.charitycommission.gov.uk/Publications/cc3.aspx>].

20. 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.
21. Trustees must take care to act in accordance with the Trust Deed to protect the Charity's assets. They are also personally responsible for compliance with the Charities' Acts and the Trustee Act 2000.
22. 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.
23. 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.
24. If charitable income exceeds £5000, then letters advertisements and cheques etc. must bear a statement that the organisation is a registered charity.
25. Trustees are under a duty to ensure compliance with all relevant legislation for example in relation to tax and health and safety.

UNINCORPORATED ASSOCIATIONS

26. 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.
27. 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.
28. 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

29. In some cases an appointment to an outside body will mean becoming a director of a limited company.
30. 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.

31. 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.)
32. A director owes a general duty of care and skill to the company commensurate with his level of skills knowledge and experience.
33. 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 or on party political grounds, for example.
34. A director may not make a secret profit from his position and must therefore disclose all interests in contracts or dealings with the company.
35. 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.
36. A director must ensure that the company is able to meet its current liabilities.
37. 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.
38. 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

39. Fareham Borough Council does not indemnify members of outside bodies for any personal losses or liabilities they may incur, other than under the Officials Indemnity Policy referred to in paragraph 11 above. Members should ensure that the body carries appropriate insurance to cover personal liabilities to the extent that the law allows.

March 2004
updated 15 December 2011

