

FAREHAM

BOROUGH COUNCIL

COUNCIL MEETING SUMMONS

Members of Fareham Borough Council are hereby summoned to attend the annual meeting of the Council to be held on Thursday 14 May 2015. The meeting will commence at 10.30am in Ferneham Hall, Osborn Road, Fareham and will adjourn for lunch. It is intended to re-convene the meeting at 2.30pm in the Council Chamber, Civic Offices, Fareham

The Mayor: Councillor David Norris

The Deputy Mayor: Councillor Michael Ford, JP

Councillor Brian Bayford	Councillor Leslie Keeble
Councillor Susan Bayford	Councillor Tim Knight
Councillor Susan Bell	Councillor Arthur Mandry
Councillor John Bryant	Councillor Kay Mandry
Councillor Pamela Bryant	Councillor Sarah Pankhurst
Councillor Trevor Cartwright, MBE	Councillor Roger Price, JP
Councillor Peter Davies	Councillor Dennis Steadman
Councillor Marian Ellerton	Councillor David Swanbrow
Councillor Jack Englefield	Councillor Katrina Trott
Councillor Keith Evans	Councillor Nick Walker
Councillor Geoff Fazackarley	Councillor David Whittingham
Councillor Nick Gregory	Councillor Paul Whittle, JP
Councillor Tiffany Harper	Councillor Christopher Wood
Councillor Connie Hockley	Councillor Seán Woodward
Councillor Trevor Howard	



CITIZENS OF HONOUR

Prior to commencement of the meeting there will be a short service of prayers followed by the presentation of awards.

Citizen of Honour awards will go to Denise Batu, Victor Rutland, Sharon Noble and Tony Brown.

The Young Citizen of Honour award will go to Tiffany Desmond, Charlie Wilson and Harry Smith.

The HMS Collingwood award will go to Royal Marine Band Colour Sergeant Phil Trudgeon.

1. Apologies for Absence - morning session

2. Election of Mayor

To elect the Mayor of Fareham for the municipal year 2015/16. (The order of proceedings to be observed is set out in the programme, which will be available at the meeting).

3. Election of Deputy Mayor

To elect the Deputy Mayor for the municipal year 2015/16 in accordance with Standing Order 2.2.

4. Mayor's Cadet

To present the Mayor's Cadet for 2015/16 with the badge of service.

5. Adjournment until 2.30pm

The meeting will re-convene in the Council Chamber, Civic Offices, Fareham.

6. Apologies for Absence - afternoon session

7. Minutes (Pages 1 - 10)

To confirm as a correct record the minutes of the Council Meeting held 23 April 2015.

8. Mayor's Announcements

9. Declarations of Interest

To receive any declarations of interest from members in accordance with Standing Orders and the Council's Code of Conduct.

10. Appointment of the Executive

(1) Executive Leader

At the annual meeting in May 2012, Councillor S D T Woodward was elected to be the Executive Leader for a term of 4 years.

(2) Number of Other Executive Members

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

(3) Election of Other Executive Members

Members are 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 Executive Leader is invited to advise the Council of his appointments.

(4) Areas of Executive Responsibility

In accordance with Standing Order 5.1, the Executive Leader is invited to determine the separate areas of responsibility to be allocated to the Executive Members for the forthcoming year. Members are reminded that Appendix 5 to Part 1 of the Council's Constitution currently provides for the following areas of responsibility:-

- Leisure and Community;
- Planning and Development;
- Policy and Resources;
- Public Protection;
- Health and Housing; and
- Streetscene.

The Executive Leader is invited to confirm the areas of responsibility for 2015/16. Members are reminded that the allocation of these portfolios to the Executive Members is a matter for the Executive Leader.

11. Appointments of Committees and Allocation of Seats (Pages 11 - 18)

In accordance with its Standing Orders, the Council is invited to consider a report on the appointment of committees and the allocation of seats following the nominations of political groups.

12. Standards Arrangements - Appointment of Designated Independent Persons

The Council is reminded that the Localism Act 2011 implemented significant changes to the Standards regime which required the Council to put in place new arrangements to deal with matters of ethics, probity and Members conduct.

At its meeting in June 2012, the Council appointed Mr David Basson and Mrs Mary Kilbride as the Council's two Designated Independent Persons for the purposes of consideration, investigation and hearing of complaints under the Members Code of Conduct as required under section 28(7) of the Localism Act 2011.

The Council is recommended to confirm Mr David Basson and Mrs Mary Kilbride as the Council's two Designated Independent Persons for the next municipal year.

13. Appointments to Outside Bodies (Pages 19 - 44)

Standing Order 10 requires the Council to make appointments to outside bodies, other than appointments which are required by law to be made by the Executive. Appended to this agenda is a report scheduling the appointments to be made.

14. Executive Leader's Announcements

15. Executive Members' Announcements

16. Presentation of Petitions

To receive any petitions presented by a member of the Council.

Note: any petition so presented will be dealt with in accordance with the Council's petition scheme.

17. Deputations

To receive any deputations of which notice has been given.

18. Reports of the Executive

To receive, consider and answer questions on reports and recommendations of the Executive. Minutes of the meetings of the Executive and a schedule of individual Executive member decisions are appended.

(1) Minutes of meeting Monday, 20 April 2015 of Executive (Pages 45 - 54)

(2) Schedule of Executive Member and Officer Delegated Decisions (Pages 55 - 58)

19. Reports of Other Committees

To receive the minutes of the following Committees and to consider and answer questions on any reports and recommendations made.

(1) Minutes of meeting Wednesday, 22 April 2015 of Planning Committee (Pages 59 - 68)

20. Questions under Standing Order 17.2

To answer questions pursuant to Standing Order 17.2 for this meeting.

21. Motions under Standing Order 15

Members will be informed, prior to the meeting, of any motion duly notified in accordance with Standing Order 15 but received after print and dispatch of the agenda.

22. Policy Framework

Standing Order 9 requires the Council to establish or confirm the plans and strategies which are to comprise the Council's overall policy framework within which the Executive will operate during the coming year. The Council's Constitution sets out the major plans and strategies reserved to the Council

for approval. The Council is therefore invited to confirm the policy framework for 2015/16 as comprising those plans and strategies identified in the table below:

<i>Policy / Strategy</i>	<i>Last adopted or approved by</i>	<i>Date</i>
<i>Sustainable Community Strategy</i>	<i>Council</i>	<i>1 February 2010</i>
<i>Housing Strategy</i>	<i>Council</i>	<i>22 April 2010</i>
<i>Food Safety Service Plan</i>	<i>Council</i>	<i>29 May 2014</i>
<i>Licensing Policy</i>	<i>Council</i>	<i>16 December 2010</i>
<i>Development Plan:</i> <ul style="list-style-type: none">• <i>Fareham Core Strategy</i>• <i>Fareham Borough Local Plan Review 2000</i>	<i>Council</i> <i>Planning and Transportation Committee</i>	<i>4 August 2011</i> <i>23 March 2000</i>
<i>Community Safety Strategy</i>	<i>Council</i>	<i>29 May 2014</i>
<i>Corporate Strategy</i>	<i>Council</i>	<i>9 October 2014</i>

23. Revised Standing Orders With Respect to the Appointment, Dismissal and Discipline of Employees (Pages 69 - 82)

A report by the Head of Democratic Services.

P GRIMWOOD
Chief Executive Officer

www.fareham.gov.uk

6 May 2015

**For further information please contact:
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FAREHAM

BOROUGH COUNCIL

Minutes of the Council

Date: Thursday, 23 April 2015

Venue: Council Chamber - Civic Offices

PRESENT:

D J Norris
(Mayor)

M J Ford, JP
(Deputy Mayor)

Councillors: B Bayford, Mrs S M Bayford, Miss S M Bell, J V Bryant, Mrs P M Bryant, T M Cartwright, MBE, P J Davies, Mrs M E Ellerton, K D Evans, G Fazackarley, N R Gregory, 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, P W Whittle, JP, C J Wood and S D T Woodward



1. PRAYERS

The meeting opened with prayers led by the Mayor's Chaplain, Dr Ian Meredith from St Mary's Church in Portchester.

The Mayor invited all Members of the Council and members of the public present to observe a minute's silence, as a mark of respect and in memory of former Fareham Borough and Hampshire County Councillor, Dr Ray Ellis who died on 18 April 2015.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J M Englefield and D M Whittingham.

3. MINUTES

RESOLVED that the Mayor be authorised to sign as a correct record the minutes of the meeting of the Council held on 20 February 2015, subject to a correction at item 7 – Declarations of Interest to replace the word "Portchester" with "Locks Heath" in Councillor J M Englefield's declaration regarding his allotment.

4. MAYOR'S ANNOUNCEMENTS

The Mayor thanked everyone who supported his charity events during the municipal year. The Mayor was very pleased to make a contribution to the brilliant work carried out by the RSPCA Stubbington Ark and the Rowans Hospice.

The Mayor welcomed Cadet Corporal Matthew Charter to the Council meeting. Matthew had carried out his duties as the Mayor's Cadet with great poise and the Mayor was particularly pleased that Matthew assisted at the commemoration event for the start of World War One, in August. Matthew was thanked for his service and presented with a certificate to mark the end of his year as the Mayor's Cadet.

5. EXECUTIVE LEADER'S ANNOUNCEMENTS

The Executive Leader drew attention to the fact that in 2016, the Council will be celebrating the 50th anniversary of the town twinning and friendship between Fareham and Vannes.

He announced that he had therefore asked the Chief Executive to consider the options for commemorating this important anniversary, in discussion with the twin town, and to bring forward a report later in the year setting out proposals for approval.

The Executive Leader announced that earlier in the day he had met with the new owner of Fareham Shopping Centre, which had been on the market for the past couple of months. Subject to the landlord's consent, which in this case is Fareham Borough Council, and the due diligence test, Chris Beckerman of the Roubaix Group expects to become the owner of Fareham Shopping Centre in June 2015 and so everyone can look forward to one or two changes being made when he takes over.

6. EXECUTIVE MEMBERS' ANNOUNCEMENTS

Counter-Terrorism and Security Act

The Executive Member for Public Protection advised that the Counter-Terrorism and Security Act is a new piece of legislation which has created a duty on a range of organisations, including local authorities, to prevent people from being drawn into terrorism.

Earlier in the week, the Executive Member attended a Prevent Partnerships Conference, organised by Hampshire Police, to learn more about the new legislation and how it is being implemented across Hampshire. Briefings were given by the Head of Special Branch and by Steve Hawkins (an ex-Policeman dealing with extremism in Portsmouth and surrounding districts) who explained the situation on extremism in Portsmouth; in addition, the conference heard a personal perspective from a Syrian National together with several other interesting case studies and the way forward.

The Executive Member highlighted that as a District Council, Fareham has an important role to fulfil to ensure that none of the Council owned buildings (including community centres and housing stock) are used by extremist groups to promote terrorism. He was pleased to report that officers have already contacted all of Fareham's community centres to raise awareness of the new legislation and have also hosted a training event for tenants.

The Executive Member has asked the Director of Community to prepare a short article for a future edition of the Members Newsletter and to include further details on this important topic in the next annual report on Community Safety.

Hampshire Police and Crime Panel

The Executive Member for Public Protection announced that he attended the Hampshire Police & Crime Panel on 10 April, where he received an update from the Commissioner on the Police & Crime Plan and the Operational Change Programme.

The Executive Member advised Members that the Panel was concerned about the future of safer neighbourhood policing teams, especially with the recent press release from the Chief Constable who stated that, in the future, he could no longer guarantee these arrangements. The Commissioner was questioned about this, especially as he had just increased the 2015/16 precept where he had guaranteed that safer neighbourhood policing would continue stating that

he was happy about the current arrangements but was concerned about more funding cuts in future years.

The Executive Member had also raised an issue at the meeting about communication - to both the public and the police on the Operational Change Programme and the Estates Plan.

Using the Estates Plan as an example, at the last meeting in January, the Panel were given a glossy publication for Fareham stating that the Police would move into the Civic Offices in July 2015 – which, at that time, was news to Fareham Borough Council. Following this meeting on the 23 January, an initial meeting was held with the Council on the 29 January, and on the 30 January, draft Heads of Terms for a lease of office space was provided. The Council is still awaiting a response.

The Executive Member confirmed that at the April meeting of the Panel, it was agreed that communications to the public and the police would be on the agenda of the next meeting, and would also be subject to pro-active scrutiny.

7. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

8. PRESENTATION OF PETITIONS

There were no petitions presented at this meeting.

9. DEPUTATIONS

The Council received a deputation from Mr Edward Morell in relation to a petition recently submitted requesting the Council to consider establishing a Parish Council.

Following the deputation, the Mayor invited the Executive Leader to outline the process which must be followed by the Council in response to the petition.

The Executive Leader reminded Members that the Council's petition scheme requires us to inform the petitioner what action the Council will take, within 10 working days. Within this timescale, officers will check that the petition request is valid against the conditions as set out in The Local Government and Public Involvement in Health Act 2007 (Chapter 3, Section 80). These provisions include checking that the number of local government electors who have signed the petition meets the minimum percentage or minimum number required of the electorate for the proposed area.

If the petition is found to be valid, it will trigger a Community Governance Review. The preparatory stage of the review requires that Hampshire County Council be informed that the Review has been triggered. HCC must also be consulted on the Terms of Reference for the review and these Terms of Reference should be drawn up and agreed with the petitioners before being confirmed by a decision of Full Council.

The date of the Terms of Reference decision by Full Council marks the formal start of the Community Governance Review period which must be completed within 12 months. Key elements of the review will include running formal consultations with the effected electorate, the County Council, and any other person or body with an interest in the review.

Before the end of the 12 month review period, the Council must determine what action it will take with regards to the setting up of a Parish Council. The decision must take into account the statutory guidance and the consultation results.

10. REPORTS OF THE EXECUTIVE

(1) Minutes of meeting Monday, 2 March 2015 of Executive

RESOLVED that:

- (a) the minutes of the Executive meeting held on 2 March 2015 be received; and
- (b) the recommendation of the Executive contained in minute 11(2) – Treasury Management Strategy and Prudential Indicators 2015/16, to approve the Strategy, be agreed.

11. REPORT OF THE SCRUTINY BOARD

(1) Minutes of meeting Thursday, 19 March 2015 of Scrutiny Board

RESOLVED that:

- (a) the minutes of the Scrutiny Board held on 19 March 2015 be received;
- (b) the Council notes that the Scrutiny Board considers that the call-in procedure is operating satisfactorily and that there are no reasons to suggest the arrangements be amended for 2015/16; and
- (c) the recommendation contained in minute 7(j) regarding the work programme for 2015/16, be accepted and accordingly, the work programme be endorsed.

12. REPORTS OF OTHER COMMITTEES

(1) Minutes of meeting Wednesday, 25 February 2015 of Planning Committee

RESOLVED that the minutes of the Planning Committee held on 25 February 2015 be received.

(2) Minutes of meeting Wednesday, 25 March 2015 of Planning Committee

RESOLVED that the minutes of the Planning Committee held on 25 March 2015 be received.

- (3) Minutes of meeting Tuesday, 3 March 2015 of Planning and Development Policy Development and Review Panel

RESOLVED that:

- (a) the minutes of the Planning and Development Policy Development and Review Panel held on 3 March 2015 be received; and
- (b) the recommendation contained in minute 10(c) regarding the work programme for 2015/16, be accepted and accordingly, the work programme be endorsed.
- (4) Minutes of meeting Wednesday, 4 March 2015 of Leisure and Community Policy Development and Review Panel

RESOLVED that:

- (a) the minutes of the Leisure and Community Policy Development and Review Panel held on 4 March 2015 be received: and
- (b) the recommendation contained in minute 9(c) regarding the work programme for 2015/16, be accepted and accordingly, the work programme be endorsed.
- (5) Minutes of meeting Thursday, 5 March 2015 of Streetscene Policy Development and Review Panel

RESOLVED that:

- (a) the minutes of the Streetscene Policy Development and Review Panel held on 5 March 2015 be received; and
- (b) the recommendation contained in minute 6(c) regarding the work programme for 2015/16, be accepted and accordingly, the work programme be endorsed.
- (6) Minutes of meeting Tuesday, 10 March 2015 of Public Protection Policy Development and Review Panel

RESOLVED that:

- (a) the minutes of the Public Protection Policy Development and Review Panel held on 10 March 2015 be received; and
- (b) the recommendation contained in minute 7(i) regarding the work programme for 2015/16, be accepted and accordingly, the work programme be endorsed.
- (7) Minutes of meeting Thursday, 12 March 2015 of Health and Housing Policy Development and Review Panel

RESOLVED that:

- (a) the minutes of the Health and Housing Policy Development and Review Panel held on 12 March 2015 be received; and

- (b) the recommendation contained in minute 7(c) regarding the work programme for 2015/16, be accepted and accordingly, the work programme be endorsed.
- (8) Minutes of meeting Monday, 16 March 2015 of Audit and Governance Committee

RESOLVED that:

- (a) the minutes of the Audit and Governance Committee held on 16 March 2015 be received; and
- (b) the recommendation contained in minute 7 regarding the work programme for 2015/16, be noted and accordingly, the work programme be approved.
- (9) Minutes of meeting Thursday, 26 March 2015 of Audit and Governance Standards Sub-Committee

RESOLVED that the minutes of the Audit and Governance Standards Sub-Committee held on 26 March 2015 be received.

- (10) Minutes of meeting Tuesday, 17 March 2015 of Licensing and Regulatory Affairs Committee

RESOLVED that the minutes of the Licensing and Regulatory Affairs Committee held on 3 March 2015 be received and that the congratulations of the Council be added to those of the Chairman to the Fareham and Gosport Environmental Health Partnership which had won a silver award, coming second out of 200 local authorities in the Delivering Through Efficiency category of the Improvement and Efficiency (IESE) Awards.

13. QUESTIONS UNDER STANDING ORDER 17.2

There were two sets of questions submitted for this meeting:

Questions from Councillor P J Davies:

- 1. Can the leader advise on matters relating to Bus Shelters.
 - a) Can the leader advise on the feasibility of moving omnibus shelters from locations from whence omnibuses no longer arrive and depart?
 - b) Can the leader advise on the feasibility of moving bus shelters from Hillson Drive (opposite St Columba church) and Highlands Road (southside adjacent to Frosthole Close) to well used locations in Nashe Way (opposite Arras House) and Hill Park Road (south).

Response by the Executive Member for Planning and Development:

- 1 a) There is the potential to relocate bus shelters that are no longer on a bus route, although this would depend upon a number of salient factors that could, for example, include age and condition of the shelter to be relocated, feasibility of the location proposed, likelihood that the route is

altered or discontinued in the future, and actual demand in terms of passenger numbers.

Notwithstanding the above, at their meeting on Monday 20 April 2015 the Executive considered a recommendation arising from the Public Transport Review undertaken by the Planning and Development Policy & Development Review Panel that officers be asked to undertake a feasibility study for an on-going programme of installation of new and/or re-located bus shelters and associated bus stop infrastructure in the Borough. This study would complement existing repair and maintenance activities undertaken by the Council and proposals for renewing of the maintenance contract for bus shelters that is due to expire in March 2016.

The Executive's Decision was to accept the recommendation for that feasibility study to be carried out with a scope of work that includes bus shelter relocations. I would therefore respectfully ask the Councillor to await the findings of this study which will be submitted to the Executive for consideration in due course.

- 1b) The two bus shelters in question are relatively new and in good condition and therefore moving these shelters would be a practical proposition, assuming the required funding is available and it can be confirmed that there are no underground services impacting on installation at these sites. However, it should be noted that due to financial constraints the Council's Environmental Services Department is currently unable to allocate a budget for carrying out this work.

Should re-location of these shelters be agreed in the future, then there appears to be sufficient space at the site in Nashe Way to accommodate a shelter. In Hill Park Road it is likely that a shelter could be installed in the wide verge on the north side, and the bus operator advised that the one shelter will be used by both northbound and southbound buses.

Questions from Councillor P J Davies:

2. Can the leader advise on the following matters relating to hot food takeaways?
 - a) What action can be taken against car drivers who throw the remains and packaging of such 'haute cuisine' onto the public highway?
 - b) How can the Council taxpayer be recompensed for the cost of clearing up the remains of such 'haute cuisine'?

Response by the Executive Member for Public Protection

2. a) Defra were due to complete a study by the end of March 2015 reporting with their recommendations for introducing appropriate regulations to better tackle littering from vehicles.

At present there is no provision (regulation) which allows a Local Authority outside London to serve a Fixed Penalty Notice on the

registered keeper of a vehicle for someone throwing litter from a vehicle or allows litter to be thrown from a vehicle. So until such a regulation is made the keeper of a vehicle is not liable to pay a fixed penalty notice if litter is dropped from his or her vehicle.

Until then we can issue a FPN for littering from a vehicle, what we would do is contact the registered keeper to ask who was driving on the day in question. If the litter came from the driver's side it's simple. If the registered keeper doesn't say someone else was driving we could pursue the registered keeper as the defendant for littering.

If it's the passenger it's a little more complicated, as we would have to rely on the registered keeper of the vehicle giving us the details of the passenger. Until this provision (regulation) comes in we would need to pursue the passenger, however without knowing who the passenger was and if the Enforcement Officers can't approach the vehicle at the time, we would need to again contact the registered keeper and ask them to confirm who was the passenger, if they were not forthcoming with the name then no FPN could be served.

2. b) There is no means by which the taxpayer can be directly recompensed for the cost of clearing up litter thrown from vehicles. However, if new legislation as described in a) above does come into force, the number of penalty charges may increase slightly.

14. MOTIONS UNDER STANDING ORDER 15

There were no Motions under Standing Order 15 submitted for this meeting.

15. SPECIAL RESPONSIBILITY ALLOWANCE

RESOLVED that the Council allocates a Special Responsibility Allowance of 75 points to the Mayor in the role of Chairman of the Council and that this allowance be reviewed by an Independent Remuneration Panel when it is formed later this year.

16. CHANGE TO LEISURE AND COMMUNITY POLICY DEVELOPMENT AND REVIEW PANEL MEETING DATE

RESOLVED that the Council agrees that the date for the meeting of the Leisure and Community Policy Development and Review Panel be changed from Wednesday 20 May 2015 to Wednesday 3 June 2015.

(The meeting started at 6.00 pm
and ended at 7.03 pm).

FAREHAM

BOROUGH COUNCIL

Report to Council

Date: **14 May 2015**

Report of: **Chief Executive Officer**

Subject: **APPOINTMENTS OF COMMITTEES AND ALLOCATION OF SEATS**

SUMMARY

This report provides details of the calculations for political balance relating to the allocation of seats on committees and panels, as required to be determined by the Council at its Annual meeting.

The report asks the Council to appoint the nominations of the political groups to committees and also to appoint the role of Chairman and Vice-Chairman for each committee.

RECOMMENDATION

That the Council approves:

- (a) the committee functions and number of seats on each committee for the municipal year 2015/16, as listed at paragraphs 5, 6 and 7 of the report;
- (b) the allocation of seats to political groups, as set out in Appendix A for the municipal year 2015/16;
- (c) the nominations of the political groups to seats on committees, deputies and spokesmen, for the municipal year 2015/16, as set out in Appendix B (to be tabled following the receipt of nominations); and
- (d) the appointment of a Chairman and Vice-Chairman for each committee for the municipal year 2015/16, as set out in Appendix B (to be tabled following the receipt of nominations).

INTRODUCTION

1. The Council is required by its Standing Orders to agree the functions and number of seats for its committees as well as the members to be appointed and the Chairman and Vice-Chairman for each committee.
2. Accordingly, the Council is now invited to agree the allocation of seats to its committees along with the nomination of deputies and the appointment of a Chairman and Vice-Chairman for each committee for the municipal year 2015/16. Such appointments will take effect from 15 May 2015.

FUNCTIONS AND NUMBER OF SEATS

Overview and Scrutiny Committees

3. The Council is 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 requires the Council to determine the number of members and standing deputies to be appointed.
4. The Council is reminded that the Constitution provides for the appointment of a Scrutiny Board to undertake the scrutiny function and for five Policy Development and Review Panels to assist the Council and Executive in reviewing and developing policy.
5. The Council is therefore invited to confirm that the committees to be appointed for 2015/16 will be as set out below and that the number of members to be appointed is as also shown:
 - Scrutiny Board: 9 members + deputies;
 - Leisure and Community Policy Development and Review Panel: 7 members + deputies;
 - Planning and Development Policy Development and Review Panel: 7 members + deputies;
 - Public Protection Policy Development and Review Panel: 7 members + deputies;
 - Health and Housing Policy Development and Review Panel: 7 members + deputies; and
 - Streetscene Policy Development and Review Panel: 7 members + deputies.

Appointment of Other Committees

6. The Council is reminded that it is required by the Licensing Act 2003 to appoint a committee to undertake certain licensing functions and that Standing Order 7.1 further requires the Council to appoint such committees as it considers necessary to carry out the non-executive functions of the Council. The Council is therefore invited to confirm the following committees to be appointed, the number of members and standing deputies and to allocate to those Committees such terms of reference and delegated powers as are contained in Part Two of the Council's Constitution:
 - Licensing and Regulatory Affairs Committee: 12 members;
 - Planning Committee: 9 members;
 - Appeals Committee: 5 members; and
 - Audit and Governance Committee: 7 members.

7. Each political group shall appoint 2 deputy members to the Planning Committee and 1 deputy member to each of the remaining committees for which a seat has been allocated.
8. Members are reminded that at its meeting on 26 April 2012, the Council agreed that the Audit and Governance Committee would be formed from which a Standards Sub Committee could be called if necessary, to deal with any standards issues referred to it by the Monitoring Officer.

ALLOCATION OF SEATS

9. Section 5 of the Local Government and Housing Act 1989 provides the following principles which apply to the allocation of seats:
 - (a) that not all the seats on the body to which appointments are being made are allocated to the same political group;
 - (b) that the majority of seats on each Committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
 - (c) that, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
 - (d) subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
10. The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of Committee places between the political groups, the Council must then appoint the nominees of the political groups to the Committees.

POLITICAL PROPORTIONALITY

11. The political balance of the Council for municipal year 2015/16 is shown in Appendix A.
12. The allocation of seats between the political groups for each committee shall be in accordance with the figures tabled in Appendix A to this report.

ADJUSTMENTS FOLLOWING CALCULATIONS

13. Each of the political groups is entitled to a certain number of seats on committees. This is based upon their percentage representation on the Council as a whole, as detailed in Appendix A.
14. There are a total of 77 seats to be allocated and the strict entitlement to seats on committees for each political group is shown in Appendix A.
15. Each of the political groups is only entitled to their proportion of seats and once this entitlement has been reached, a manual adjustment may be necessary.
16. Appendix A shows a rounded allocation of seats to each political group. This is then required to be manually adjusted to ensure that the number of seats

allocated to a particular political group matches and does not exceed their strict entitlement.

17. The manual adjustments required are shown as a note to Appendix A:
 - (i) Under the calculation, the Conservative Group has notionally been allocated 57 seats on committees. This is 3 less than the strict entitlement of 60 seats and so a positive adjustment must be made to balance the allocations.
 - (ii) The Liberal Democrat Group has notionally been allocated 11 seats on committees. The Group cannot have a greater representation on committees than their strict entitlement of 10 seats and so a negative adjustment must be made to balance the allocations.
 - (iii) Whilst there is one 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 of the report. Where this does not occur, the manual adjustments described at paragraphs (i) and (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.
18. To assist the Council in this matter and in exercise of powers delegated to him, the Chief Executive Officer will be consulting the leaders of the political groups prior to the meeting, with a view to agreeing the allocation of seats for 2015/16. Group Leaders have been requested to provide nominations to the places on committees to which their respective groups are entitled. The nominations of political groups to seats on committees will be set out in Appendix B, to be tabled at the meeting.
19. The Council is invited to confirm the allocation of seats for the next municipal year. However, if the Council is asked to consider alternative arrangements in appointing the committees and those arrangements do not comply with the provisions requiring political balance, members are reminded that such alternative arrangements would require the support of the Council with no member voting against.

CHAIRMEN AND VICE-CHAIRMEN

20. The Council is required by Standing Order 7.3 to appoint a Chairman and Vice-Chairman for each committee appointed.
21. The nominations will be set out in Appendix B (indicated by the letters Ch and VC), to be tabled at the meeting.

OPPOSITION SPOKESMEN

22. The minority group Leader may nominate a spokesman for each Executive portfolio area on which a seat is held by that group. The nominations of political groups to seats on committees will be set out in Appendix B (marked as Xs), to be tabled at the meeting.

Background Papers: None

Reference Papers:

Local Government (Committees and Political Groups) Regulations 1990

Local Government and Housing Act 1989

Enquiries:

For further information on this report please contact Leigh Usher. (Ext 4553)

Political Group Balance Calculation

		Conservative		Liberal Democrat		Independent	
		24		4		3	
		77.42%		12.9%		(9.68%)	
Seats to be allocated		Strict Entitlement	Rounded	Strict Entitlement	Rounded	Strict Entitlement	Rounded
	77	59.61	60	9.94	10	n/a	n/a
Scrutiny Board	9	6.97	7	1.16	1	n/a	0
Leisure & Community	7	5.42	5	0.90	1	n/a	0
Planning & Development	7	5.42	5	0.90	1	n/a	0
Public Protection	7	5.42	5	0.90	1	n/a	0
Health & Housing	7	5.42	5	0.90	1	n/a	0
Streetscene	7	5.42	5	0.90	1	n/a	0
Licensing & Regulatory Affairs	12	9.29	9	1.55	2	n/a	0
Planning Committee	9	6.97	7	1.16	1	n/a	0
Appeals Panel	5	3.87	4	0.65	1	n/a	0
Audit & Gov	7	5.42	5	0.90	1	n/a	0
Notional allocation	77		57		11		0
Adjustment Required			+3		-1		+7

Notes:

- (i) Under the calculation, the Conservative Group has notionally been allocated 57 seats on committees. This is 3 less than the strict entitlement of 60 seats and so a positive adjustment must be made to balance the allocations.
- (ii) The Liberal Democrat Group has notionally been allocated 11 seats on committees. The Group cannot have a greater representation on committees than their strict entitlement of 10 seats and so a negative adjustment must be made to balance the allocations.
- (iii) Whilst there is one 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 of the report. Where this does not occur, the manual adjustments described at paragraphs (i) and (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.

To be tabled at the meeting

FAREHAM

BOROUGH COUNCIL

Report to Council

Date: **14 May 2015**

Report of: **Director of Finance and Resources**

Subject: **APPOINTMENTS TO OUTSIDE BODIES AND OTHER MISCELLANEOUS APPOINTMENTS**

SUMMARY

In accordance with the terms of the Council's constitution, the Council is required to make the majority of the authority's appointments to outside bodies and other miscellaneous appointments. The details of appointments which need to be made for 2015/16 are set out in the schedule to this report. The report also provides members with guidance on appointments to outside bodies.

RECOMMENDATION

That the Council:

- (a) appoints representatives for 2015/16 onwards to those organisations set out in the attached schedule;
- (b) considers the addition of any new Outside Bodies as tabled at the meeting;
- (c) notes those outside bodies that have not met within the municipal year and agrees that these are deleted. (No. 19.); and
- (d) notes the guidance to members on their duties and responsibilities as appointees to outside bodies.

MAKING APPOINTMENTS TO OUTSIDE BODIES

1. The Council is required or has agreed to make a number of appointments to outside bodies and many of the appointments are made annually. The schedule appended to this report at Appendix A lists the organisations and representatives appointed for or during 2014/15. It should be noted that some appointments are made for a longer term and may therefore have already been dealt with for the next municipal year.
2. The schedule contains a commentary on the nature and purpose of each organisation and, if known, the status of the Council's appointee. This should assist the Council in determining its nominee.

CHANGES FOR 2015/16

3. Changes to appointments for 2015/16 onwards should be made to those organisations set out in the schedule at Appendix A.
4. The schedule at Appendix A shows the appointments as made at the Annual Meeting of 29th May 2014 and any subsequent amendments or appointments made during the municipal year. Outside bodies that have not met within the municipal year are highlighted within the schedule and it is recommended that these are deleted (No. 19). It is recommended that any new Outside Bodies, as tabled at the meeting, are added to the schedule.

GUIDANCE FOR MEMBERS ON OUTSIDE BODIES

5. Members are reminded that Council has approved guidance for members on their duties and responsibilities when acting as an appointee to an outside body; this was updated and approved by the Council in December 2011. Members are provided with the guidance, which is attached at Appendix B.

RISK ASSESSMENT

6. There are no significant risks or opportunities that need to be addressed, but appointments to outside bodies will support the Council in its community leadership role and may assist in achieving the Council's aims and objectives.

CONCLUSION

7. The Council is invited to proceed with the making of appointments to outside bodies.

Appendix A: Schedule of appointments made for, or during, 2014/15.

Appendix B: Guidance to members on their duties and responsibilities as appointees to outside bodies.

Background Papers: None

Reference Papers: None

Enquiries: For further information please contact Lesley Winter (Ext. 4594).

	Title	Description	Representative	Role	Political Party	Terms of Office
1	Abshot Community Association Management Committee	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: 1 Representative 1 deputy	Councillor Keith Evans Councillor Sarah Pankhurst	Deputy Committee Member	Conservative Conservative	
2	Burrige Community Association Management Committee	To maintain and support the use of Burrige Village Hall for the benefit of the local community. Meets: Six to seven times per year Status: 1 Trustee (voting)	Councillor David Swanbrow	Committee Member	Conservative	1 year
3	Citizens' Advice Bureau	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: 1 Representative (non-voting) 1 Deputy	Councillor Leslie Keeble Councillor Trevor Howard	Deputy Committee Member	Conservative Conservative	1 year 1 year
4	Community Action Fareham	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: 1 Representative (non-voting)	Councillor Leslie Keeble	Committee Member	Conservative	1 year
5	Community Safety Partnership	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. Meets: Bi-monthly Status: 2 Representatives	Councillor Kay Mandry Councillor Trevor Cartwright, MBE	Committee Member Committee Member	Conservative Conservative	1 year 1 year

6	Partnership Action Group (formerly Community Tasking and coordinating Group) (sub-group of the Community Safety Partnership)	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. Meets: To be confirmed Status: 1 Representative	Councillor Trevor Cartwright, MBE	Committee Member	Conservative	1 year
7	Consultation with Businesses	This is a consultation arrangement with representatives of local businesses, Federation of Small Businesses and Institute of Directors. Meets: Once annually Status: 2 Representatives	Councillor Seán Woodward Councillor Trevor Cartwright, MBE	Committee Member Committee Member	Conservative Conservative	1 year 1 year
8	County Strategy Group for Crime and Disorder	Meets to discuss and review crime and disorder issues across Hampshire, including updates from Police and Crime Commissioner. Chaired by a Hampshire County Councillor. Meets: quarterly Status: Representative (voting)	Councillor Trevor Cartwright, MBE	Committee Member	Conservative	
9	Crofton Community Association	Promotes benefits for the inhabitants of the Stubbington and Hill Head wards by providing recreation and leisure time facilities. Meets: Monthly Status: 1 Managing Trustee (voting) 1 Deputy	Councillor Arthur Mandry Councillor Tim Knight	Deputy Committee Member	Conservative Conservative	1 year 1 year
10	Daedalus Strategy Group	To consider issues relating to the future use of the Daedalus site. Meetings: To be determined Status: 1 Representative 1 Deputy	Councillor Arthur Mandry Councillor Tim Knight	Committee Member Deputy	Conservative Conservative	1 year 1 year
11	District Health and Well-being Partnership Board		Councillor Brian Bayford	Committee Member	Conservative	1 year

12	Earl of Southampton Trust	The charitable trust exists for the benefit of inhabitants of the ancient parish of Titchfield , in particular for the provision and upkeep of alms-houses and a day centre for the elderly and for the relief of poverty and hardship. Meets: Monthly Status: 4 Trustees Cllr Mrs C Hockley Mrs FC Knight – term ends Sept 2014 Ms A Devoil Mrs S Wise – term ends Sept 2015	Annette Devoil Councillor Connie Hockley F C Knight S Wise	Committee Member Committee Member Committee Member Committee Member	Conservative	4 year term 4 year term 4 year term 4 year term
13	Fareham / Pulheim Twinning Association	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: 2 Representatives (voting) on management committee	Councillor Roger Price, JP Councillor Trevor Howard	Committee Member Committee Member	Liberal Democrats Conservative	1 year 1 year
14	Fareham / Vannes Twinning Committee	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. Meets: The Committee currently meets monthly plus 1 major exchange visit (several social and fund raising events also occur). Status: 2 Representatives (voting)	Councillor Katrina Trott Councillor Trevor Howard	Committee Member Committee Member	Liberal Democrats Conservative	1 year 1 year
15	Fareham and Gosport Clinical Commissioning Group	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 Status: 1 Representative	Councillor Brian Bayford	Committee Member	Conservative	
16	Fareham and Gosport MIND	Determines policy and strategy, takes major financial decisions and generally supervises and directs the operation of the organisation. Meets: Meetings are held on a six to eight week cycle. Status: 1 Trustee	Councillor Susan Bayford	Committee Member	Conservative	1 year

17	Fareham College CEMAST Curriculum Development Group	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	Councillor Trevor Cartwright, MBE	Committee Member	Conservative	
18	Fareham Fairtrade Borough Working Group	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 . Meets: The working group meets four times per year and additionally organises events to promote Fairtrade . Status : 1 Representative (voting)	Councillor Pamela Bryant	Committee Member	Conservative	1 year
19	Fareham Housing Market Partnership (to be removed)	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. Meets: To be confirmed Status: 2 Representatives	Councillor Brian Bayford Councillor Keith Evans	Committee Member Committee Member	Conservative Conservative	1 year 1 year

20	Fareham North West Community Association Management Committee	Supports the local community by maintaining the centre, maximising its occupancy and making it accessible for local residents. Meets: Four times per year Status: 2 Representative (voting)	Councillor David Whittingham	Committee Member	Conservative	1 year
			Councillor Peter Davies	Committee Member	Conservative	1 year
21	Fareham Technology Forum	This is a business networking event with a membership of approximately 180 local businesses. It is organised by Fareham Borough Council. Meetings: Arranged as and when necessary Status: Representative (Executive Leader)	Councillor Seán Woodward	Committee Member	Conservative	1 year
22	Fareham Welfare Trust	This charitable trust exists for the relief of need, hardship or distress of persons living in the old Fareham parish area; preference being given to widows. Meets: Twice annually plus an Annual General Meeting. Status: 2 Trustees Cllr Mrs Pankhurst – June 2014 - 2018 Cllr Bryant – June 2012 - 2016	Councillor John Bryant	Committee Member	Conservative	4 year term
			Councillor Sarah Pankhurst	Committee Member	Conservative	4 year term
23	Genesis Advisory Committee	A partnership between the Borough Council and local youth work charity, Y Services for Young People, has been established to manage the Genesis facility on a day to day basis. This arrangement is supported by Genesis Advisory Committee, who work closely with the partners, hirers and user groups and local community representatives to develop and extend the range of opportunities available from the Centre, for young people in the Western Wards. Meets: 6 times per year Status: 2 Representatives	Councillor Marian Ellerton Councillor Susan Bayford	Committee Member Committee Member	Conservative Conservative	1 year 1 year

24	Hammond Memorial Hall Trust	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: 4 Trustees (Ex officio: the ward Councillors for Stubbington and Hill Head)	Councillor Arthur Mandry Councillor Christopher Wood Councillor Kay Mandry Councillor Tim Knight John Guest Rev Stephen Girling Sarah Coles	Committee Member Committee Member Committee Member Committee Member Public Public Public	Conservative UKIP Conservative Conservative	1 year 1 year 1 year 1 year 1 year 1 year 1 year
25	Hampshire and Isle of Wight Local Government Association	Leading Members and Chief Executive s of Hampshire and Isle of Wight local authorities meet to discuss matters of mutual interest. Meets: Six times per year Status: 1 Director (Executive Leader) 2 Deputies	Councillor Connie Hockley Councillor Seán Woodward Councillor Trevor Cartwright, MBE	Deputy Committee Member Deputy	Conservative Conservative Conservative	1 year 1 year 1 year
26	Hampshire Buildings Preservation Trust	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. Fareham Borough Council's representative is entitled to attend the Annual General Meeting of the Trust and to vote at the meeting. Meets: Four times per year, plus the AGM Status: 1 Representative (voting) and 1 non-voting representative.	Councillor Arthur Mandry Councillor Marian Ellerton	Committee Member Advisory Member	Conservative Conservative	1 year 1 year
27	Hampshire County Council South Area Road Safety Council	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: Three times per year Status: 1 Representative (non-voting)	Councillor Kay Mandry	Committee Member	Conservative	1 year

28	Hampshire Health and Well-being Partnership Board	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: 1 Representative	Councillor Brian Bayford	Committee Member	Conservative	1 year
29	Hampshire Partnership	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	Councillor Connie Hockley Councillor Seán Woodward Councillor Trevor Cartwright, MBE	Deputy Deputy Committee Member	Conservative Conservative Conservative	
30	Hampshire Superannuation Scheme (AGM)	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. Meets: Annually Status: 2 Representatives	Councillor Leslie Keeble Councillor Trevor Cartwright, MBE	Committee Member Committee Member	Conservative Conservative	1 year 1 year
31	Health Review Panel (Portsmouth City Council)	Scrutinises and comments on any proposed significant changes in health service provision. Meets: Bi-monthly Status: 1 Representative 1 Deputy	Councillor Keith Evans Councillor Michael Ford, JP	Committee Member Deputy	Conservative Conservative	1 year 1 year

32	Highlands Hub Management Committee	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. Meets: To be confirmed Status: 1 Representative and 1 Deputy	Councillor Connie Hockley Councillor Peter Davies	Committee Member Deputy	Conservative Conservative	1 year 1 year
33	Historic Environment Champion (English Heritage)	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. Meets: To be confirmed Status: 1 Representative/Heritage Champion (non-voting)	Councillor Nick Walker	Committee Member	Conservative	1 year
34	Home-Start Gosport and Fareham	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: 1 Representative (voting) 1 Deputy	Councillor Marian Ellerton Councillor Susan Bayford	Committee Member Deputy	Conservative Conservative	1 year 1 year
35	Joint Authorities Gypsies and Travellers' Panel	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: 2 Representatives	Councillor Kay Mandry Councillor Trevor Cartwright, MBE	Committee Member Committee Member	Conservative Conservative	1 year 1 year

36	Joint Member Shared Coastal Management Board	<p>The Coastal Partnership is between four local authorities: 1. Havant Borough Council 2. Portsmouth City Council 3. Gosport Borough Council 4. 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.” 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. Meets: To be confirmed Status: 1 Representative and 1 Deputy</p>	Councillor Keith Evans Councillor Tim Knight	Committee Member Deputy	Conservative Conservative	1 year 1 year
37	Local Children's Partnership	<p>This Partnership was originally established by Hampshire County Council to underpin the Local Strategic Partnership. Whilst the LSP has now ceased, this partnership continues to operate. Meets: Quarterly Status: Representative (Executive Member for Leisure and Community) Term: Indefinite</p>	Councillor Connie Hockley	Committee Member	Conservative	Indefinite

38	Local Government Association - General Assembly and Annual Meeting	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. Meets: Annually Status: 2 Representatives (Executive Leader and Leader of largest opposition group) Indefinite term	Councillor Paul Whittle, JP Councillor Seán Woodward	Committee Member Committee Member	Liberal Democrats Conservative	Indefinite Indefinite
39	Local Government Association - Group Leaders' Briefings	Briefing meetings organised by the Local Government Association for local leaders of political groups, on a national basis. Meets: Two or three times a year Status: Representatives (All group leaders of a registered political party) Term: Indefinite	Councillor Paul Whittle, JP Councillor Seán Woodward	Committee Member Committee Member	Liberal Democrats Conservative	Indefinite Indefinite
40	Local Government Association Coastal Issues Special Interest Group	The Group's purpose is to:- 1. increase awareness of issues affecting coastal, estuarine, and maritime communities; 2. act as a focus for liaison between local authorities and other bodies 3. secure improved cross-departmental co-ordination within central government on coastal issues. Meets: Three to four times per year Status: 1 Representative and 1 Deputy	Councillor Arthur Mandry Councillor Tim Knight	Deputy Committee Member	Conservative Conservative	1 year 1 year
41	Locks Heath Community & Sports Association	Provides sports and social facilities to its members who are in the main, local to the club Meets quarterly Status: 1 Representative	Councillor Susan Bayford	Committee Member	Conservative	
42	Locks Heath Day Centre Group	Provides day care for the frail and elderly and elderly mentally infirm. Meets: Board meets quarterly and the Management Committee meets monthly. Status: 1 Trustee	Councillor Susan Bayford	Committee Member	Conservative	1 year
43	North Whiteley Development Forum	Informal advisory body to Winchester City Council, advising on the major development north of Whiteley . Meets: Approximately four times per year Status: 1 Representative (voting) and 1 Deputy	Councillor David Swanbrow Councillor Keith Evans	Committee Member Deputy	Conservative Conservative	1 year 1 year

44	Parking and Traffic Regulations Outside London	The joint committee provides an opportunity for local member input into the national parking adjudication service. Meets: Annually Status: 2 Representatives	Councillor Keith Evans Councillor Trevor Cartwright, MBE	Committee Member Committee Member	Conservative Conservative	1 year 1 year
45	Partnership for Urban South Hampshire - Overview and Scrutiny Committee	Established to scrutinise and call-in decisions of the PUSH Joint Committee and to review delivery of the PUSH business plan. Meets: Twice per year, when decisions are called-in or as the committee determines. Status: 1 Representative 1 Deputy	Councillor Arthur Mandry Councillor David Swanbrow	Committee Member Deputy	Conservative Conservative	1 year 1 year
46	Police and Crime Panel	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) Meets: To be confirmed Status: 1 Representative and 1 Deputy	Councillor Kay Mandry Councillor Trevor Cartwright, MBE	Deputy Committee Member	Conservative Conservative	4 years 4 years
47	Portchester Community Centre Ltd	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 Status: 2 Representatives	Councillor Geoff Fazackarley Councillor Nick Walker	Committee Member Committee Member	Conservative Conservative	
48	Portchester Parish Hall Board of Trustees	Provides facilities for user groups of all ages and a wide variety of other functions. Meets: Quarterly Status: 2 Trustees (voting)	Councillor David Norris Councillor Susan Bell	Committee Member Committee Member	Liberal Democrats Conservative	1 year 1 year

49	Priory Park Community Association Management Committee	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: Six times per year Status: 2 Representatives	Councillor Brian Bayford Councillor Marian Ellerton	Committee Member Committee Member	Conservative Conservative	1 year 1 year
50	Project Integra - Management Board	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. Portfolio holders representing partner organisations. Meets: Three times per year, plus conference Status: 1 Representative (voting) and 1 Deputy (voting) (Representative and Deputy must be Executive Members)	Councillor Brian Bayford Councillor Leslie Keeble	Deputy Chairman	Conservative Conservative	1 year 1 year
51	Public Transport Representative	To attend meetings of FARGO (Fareham and Gosport Bus Panel) and HCC Transport Fora for Fareham and Gosport. To liase with bus and train companies on matters relating to public transport. To attend Bus Users UK meetings in South Hampshire. Meets: Status: 1 Representative 1 Deputy	Councillor Geoff Fazackarley Councillor Peter Davies	Deputy Committee Member	Conservative Conservative	1 year 1 year
52	Randal Cremer Trust	This charitable trust exists for the provision of alms-houses for the poor or for persons who are permanently disabled from being able to earn a livelihood. Meets: Two times per year Status: 1 Trustee (voting) Term: 2011-2015	Councillor Kay Mandry	Committee Member	Conservative	1 year
53	Ranvilles Community Association Management Committee	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: Four to six times per year Status: 1 Representative	Councillor Tiffany Harper	Committee Member	Conservative	1 year

54	RELATE Portsmouth and District	Relationship counselling and related matters including education and training. Meets: Quarterly Status: 1 Representative	Councillor Sarah Pankhurst	Committee Member	Conservative	1 year
55	RELATE Solent	Relationship counselling and related matters including education and training. Meets: Quarterly Status: 1 Representative (non-voting)	Councillor Sarah Pankhurst	Committee Member	Conservative	1 year
56	River Hamble Harbour Management Committee	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: Four times per year Status: 1 Representative (voting) 1 Deputy	Councillor David Swanbrow Councillor Trevor Cartwright, MBE	Deputy Committee Member	Conservative Conservative	1 year 1 year
57	Solent Forum (incorporating the Solent Water Quality Group / Conference)	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: Two times per year, plus the conference Status: 1 Representative (non-voting) 1 Deputy	Councillor Tim Knight Councillor Trevor Cartwright, MBE	Committee Member Deputy	Conservative Conservative	1 year 1 year
58	Solent Sea Rescue Organisation	Saving of life at sea and rescuing people in danger in the Solent area. Meets: Eight times per year Status: 1 Representative	Councillor Tim Knight	Committee Member	Conservative	1 year

59	South East Employer's Local Democracy and Accountability Network for Councillors	Councillor networks will meet to consider key local 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: 1 Representative (would also be a Trustee if elected as Chairman) 1 deputy Representatives should not be employees of another local authority or employees or officers of any of the local government unions	Councillor Leslie Keeble Councillor Trevor Cartwright, MBE	Deputy Committee Member	Conservative Conservative	1 year 1 year
60	South East Employers	Represents the interests of authorities within the region, providing comprehensive employment and industrial relations advise, consultancy, training and information services. Meets: Three times per year Status: 1 Representative (would also be a Trustee if elected as Chairman) 1 Deputy Representatives should not be employees of another local authority or employees or officers of any of the local government unions	Councillor Keith Evans Councillor Trevor Cartwright, MBE	Deputy Committee Member	Conservative Conservative	1 year 1 year
61	Standing Conference on Problems Associated with Coastline	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 · To raise and sanction funding for the successful operation of SCOPAC and for the development and implementation of its research programme. Meets: To be confirmed Status: 1 Representative and 1 Deputy	Councillor Keith Evans Councillor Tim Knight	Deputy Committee Member	Conservative Conservative	1 year 1 year

62	Strategic Partnering Board (Hampshire)	Responsible for the delivery of the LIFT project, procurement of a private sector partner and the establishment of LIFTCo . Meets: Monthly Status: 1 Representative 1 Deputy	Councillor Brian Bayford Councillor Seán Woodward	Committee Member Deputy	Conservative Conservative	1 year 1 year
63	The Louisa Seymour Charity Management Committee	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: 1 Trustee (non-voting)	Councillor David Swanbrow	Committee Member	Conservative	1 year
64	The Moving On Project	The Moving On Project is a charity working in Fareham and Gosport, to provide help for young people aged 11-25, to improve their lives. They offer confidential discrete support, including free counselling and mentoring to local young people. They are based at the X- perience Youth Centre, Fareham and also offer counselling in Gosport. In addition to the counselling and mentoring services, the Moving On Project co-delivers 6 weekly drop-in health and wellbeing sessions in a number of local youth centres.	Councillor Geoff Fazackarley	Committee Member	Conservative	
65	Titchfield Community Association	Liaison between Fareham Borough Council and Titchfield Community Association on matters other than routine/administration. Meets: Five times per year Status: 1 Representative (non-voting)	Councillor Tiffany Harper	Committee Member	Conservative	1 year
66	Fareham Town Centre Management Steering Group	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: 1 Representative 1 Deputy	Councillor Arthur Mandry Councillor John Bryant	Committee Member Deputy	Conservative Conservative	1 year 1 year

67	Transport for South Hampshire Joint Committee	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: Four times per year Status: 1 Representative (Observer)	Councillor Keith Evans	Committee Member	Conservative	1 year
68	Victory Hall Management Committee	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: 1 Trustee	Councillor Michael Ford, JP	Committee Member	Conservative	1 year
69	Wallington Village Community Association Executive Committee	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: 1 Representative (non-voting) 1 Deputy	Councillor Katrina Trott Councillor Paul Whittle, JP	Committee Member Deputy	Liberal Democrats Liberal Democrats	1 year 1 year
70	West Paulsgrove Scout and Community Association	The community hall managed by the Association is located at the boundary of Portsmouth and Fareham and a number of users are from the Portchester area. Meetings of the committee take place at about 6-weekly intervals at the hall. The committee currently comprises local residents, representatives of the scouting movement and a representative of Portsmouth City Council Status: 1 Representative	Councillor Geoff Fazackarley	Committee Member	Conservative	1 year

71	Whiteley Community Association - General and Executive Committees	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 Committee: Meets not less than 4 times per year Executive Committee: Meets not less than 6 times per year Status: 1 Trustee	Councillor Seán Woodward	Committee Member	Conservative	1 year
72	William Price Charitable Trust	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: Six times per year (two general meetings, two grants committee meeting and two finance committee meeting) Status: 2 Trustees (voting) (to fulfil the role of trustees, both representatives sit as members of the Finance committee) Cllr Mrs Bryant – 4 year term ends 31/08/2015 Cllr Howard – 4 year term ends 31/08/2017	Councillor Pamela Bryant Councillor Trevor Howard	Committee Member Committee Member	Conservative Conservative	

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

FAREHAM

BOROUGH COUNCIL

Minutes of the Executive

(to be confirmed at the next meeting)

Date: Monday, 20 April 2015

Venue: Collingwood Room - Civic Offices

Present:

S D T Woodward, Policy and Resources (Executive Leader)
T M Cartwright, MBE, Public Protection (Deputy Executive
Leader)
B Bayford, Health and Housing
K D Evans, Planning and Development
Mrs C L A Hockley, Leisure and Community
L Keeble, Streetscene

Also in attendance:

Miss S M Bell, Chairman of Leisure and Community Policy Development and Review
Panel; for item 12(3)
P J Davies, Chairman of Housing Tenancy Board; for items 8(2) and 11(3)
Mrs M E Ellerton, Chairman of Health and Housing Policy Development and Review
Panel
Mrs K K Trott, for items 8(1), 8(2) and 11(3)



1. APOLOGIES FOR ABSENCE

There were no apologies given for this meeting.

2. MINUTES

To confirm as a correct record the minutes of the meeting of Executive held on 2 March 2015.

3. EXECUTIVE LEADER'S ANNOUNCEMENTS

As this was the final meeting of the Executive for the municipal year, the Executive Leader thanked everyone for their enthusiastic participation throughout the year. He also gave particular thanks to Councillor C L A Hockley as this would be her last Executive meeting as, subject to the Council's agreement, she will become Deputy Mayor for the next municipal year.

4. DECLARATIONS OF INTEREST

Councillor L Keeble declared a non-pecuniary interest for item 10(1) as he is appointed as Fareham Borough Council's representative to Project Integra and is the Chairman of the Strategic Board. Councillor Keeble remained present at the meeting and took part in the discussion of the item.

Councillor S D T Woodward declared a non-pecuniary interest for item 10(1) as he is appointed as a Hampshire County Council representative to the Project Integra Strategic Board. Councillor Woodward remained present at the meeting and took part in the discussion of the item.

Councillor S D T Woodward declared a non-pecuniary interest for item 11(3) as he is the Executive Member for Economy, Transport and Environment. Councillor Woodward remained present at the meeting and took part in the discussion of the item.

Councillor Miss S Bell declared a non-pecuniary interest for item 12(3) as she is a Council appointed Trustee of Portchester Parish Hall which leases space to the scout group. Miss Bell remained present at the meeting.

5. PETITIONS

There were no petitions submitted at this meeting.

6. DEPUTATIONS

The Executive received a written deputation from Dr C Lewis in relation to item 11(1) – River Hamble to Portchester Coastal Flood Risk and Management Strategy proposed for adoption.

7. MINUTES / REFERENCES FROM OTHER COMMITTEES

Planning and Development PDR Panel: 30 March 2015

Minute 6 – River Hamble to Portchester Coastal Flood Risk and Management Strategy Proposed for Adoption

The Panel considered a report by the Director of Planning and Development on the River Hamble to Portchester Coastal Flood & Erosion Risk Management Strategy, which was proposed for adoption by the Executive following the public consultation undertaken in Autumn 2014.

It was AGREED that:-

- (a) the preferred Strategic Management Options for the River Hamble to Portchester Coastal Flood and Erosion Risk Management Strategy, as set out in Appendix A to the report, be commended to the Executive for approval;
- (b) the Executive be advised that the Panel additionally recommended that there is a need to clarify the position with regard to planned and responsive inspections and maintenance works in the interim period prior to the delivery of potential capital schemes outline in the proposed Strategy, to address the concerns expressed in the deputation and by several members during consideration of the item;
- (c) the Director of Planning and Development, in consultation with the Chairman, be requested to prepare a suitable recommendation for inclusion in the report to the Executive as referred to in (b) above;
- (d) when drafted, the proposed recommendation, referred to in (b) and (c) above, be circulated to Panel members before it was included in the report to the Executive.

A report on this matter is considered at item 11(1).

Minute 9 – Public Transport Review: Conclusion and Recommendations

The Panel considered a report by the Director of Planning and Development on the River Hamble to Portchester Coastal Flood & Erosion Risk Management Strategy, which was proposed for adoption by the Executive following the public consultation undertaken in Autumn 2014.

It was AGREED that:-

- (b) the Executive be advised that the Panel recommended that the Council should enter into an agreement with First Bus setting out a Protocol for community involvement in the provision of local bus services;
- (c) the Executive be advised that the Panel recommended that Community Action Fareham be invited to submit an application for part-funding (together with an associated business case) to the Council for its proposed scheme to operate a Sunday bus service between Fareham Town Centre and the Highlands area, replacing a similar service recently withdrawn by Hampshire County Council and to be run as a trial over a three-month period;
- (d) the Executive be advised that the Panel recommended that the officers be asked to undertake a feasibility study for a possible ongoing programme of installation of new and/or relocated bus shelters and associated bus stop infrastructure, and for estimating the associated

capital costs, as these measures would assist in influencing mode choice by enhancing the quality of the public transport offer.

A report on this matter is considered at item 11(3).

8. HEALTH AND HOUSING

(1) Proposed Naming of 16 Flats at Palmerston Avenue

At the invitation of the Executive Leader, Councillor K K Trott addressed the Executive on this item.

RESOLVED that the Executive agrees:

- (a) to approve the proposed name of "Stevenson Court" for the block of 16 flats; and
- (b) to authorise that preparations be made for a naming ceremony to take place in the summer months appropriate to the construction programme, and including an explanatory plaque.

(2) The Future of the Housing Tenancy Board

At the invitation of the Executive Leader, Councillor P J Davies addressed the Executive on this item.

At the invitation of the Executive Leader, Councillor K K Trott addressed the Executive on this item.

RESOLVED that the Executive agrees:-

- (a) to disband the Housing Tenancy Board with effect from the end of this municipal year 2014/15;
- (b) to transfer responsibility for policy development and performance review relating to the management of Council Housing (including leasehold properties) to the Health and Housing Policy Development and Review Panel;
- (c) to extend an open invitation to the Chairman of the Fareham Housing Tenants and Leaseholders Forum to attend and address the Health and Housing Policy Development and Review Panel on any matters relating to the management of Council Housing in the borough;
- (d) to request officers continue to work with tenants and leaseholders and facilitate up to four meetings of the Tenants and Leaseholders Forum per annum (including the Annual General Meeting) and produce two issues per annum of the tenants newsletter (Tenants Voice); and

- (e) to request the Fareham Tenant and Leaseholder Forum extend an open invitation to the Executive Member for Health and Housing and the Chairman of the Health and Housing Policy Development and Review Panel to attend and address the Forum Meetings, and that the Opposition Spokesman for Health and Housing be invited to attend.

9. LEISURE AND COMMUNITY

- (1) Proposed Funding Arrangements for Citizens Advice Bureau 2015-2018

In introducing the item, Councillor Mrs C L A Hockley expressed her thanks for the excellent work carried out by Fareham Citizens Advice Bureau.

RESOLVED that the Executive:

- (a) notes that Fareham Citizens Advice Bureau has continued to provide regular and robust performance figures for the period 2012-2015, showing further increases in demand for their support and services;
- (b) supports the recommendation to fund Citizens Advice Bureau for their core work for a period of three years. If agreed, financial support will result in a payment of £110,000 for 2015/16; £115,000 for 2016/17 and £120,000 for 2017/18;
- (c) agrees that in addition to the SLA payment for core support, the Council makes an additional grant of £35,000 per annum (for 2015-2016 initially), to fund the provision of combined, full time equivalent post, for Housing Debt Advice and Budgeting and Council Tax advice; and
- (d) agrees that the Council's Community Development Manager continues to support Fareham Citizens Advice Bureau to identify potential external funding streams which may assist with their plans to extend their operation and outreach services within the local community, in line with their Business Plan 2015-2018.

10. STREETSCENE

- (1) Project Integra Action Plan 2015-2018

Councillor L Keeble declared a non-pecuniary interest for item 10(1) as he is appointed as Fareham Borough Council's representative to Project Integra and is the Chairman of the Strategic Board. Councillor Keeble remained present at the meeting and took part in the discussion of the item.

Councillor S D T Woodward declared a non-pecuniary interest for item 10(1) as he is appointed as a Hampshire County Council representative to the Project Integra Strategic Board. Councillor Woodward remained present at the meeting and took part in the discussion of the item.

RESOLVED that the Executive approves the 2015-18 Project Integra partnership action plan and minor changes to the constitution, as detailed in the briefing paper and appendices.

11. PLANNING AND DEVELOPMENT

- (1) River Hamble to Portchester Coastal Flood Risk & Management Strategy proposed for Adoption

The comments of the deputation were taken into account in considering this item (see minute 6).

The comments of the Planning and Development Performance Development and Review Panel were taken into account in considering this item (see minute 7).

RESOLVED that the Executive adopts the preferred strategic management options for the Strategy as set out below and detailed in Appendix A to the report:

- Strategy Management Zone 1 (North Portsmouth Harbour)
Hold the Line - Delay Sustain. Maximise life of existing defences and then sustain minimum 1:100 year Standard of Protection (phased) from 2030, with environmental improvements to currently eroding former landfill sites
- Strategy Management Zone 2 (Fareham and Gosport, Portsmouth Harbour West):
Hold the Line – Sustain. Sustain a minimum 1:100 year Standard of Protection (phased)
- Strategy Management Zone 3 (Lee-on-the-Solent and Stokes Bay)
Hold the Line - Maintain Protection – Scheduled maintenance and beach recycling to prevent erosion and maintain beaches through the development of a BMP. Accept that the flood risk Standard of Protection is likely to fall in the longer term.
- Strategy Management Zone 4 (Hook Lake to Titchfield Haven)
Environmental Enhancement - Allow natural processes to continue but sustain protection to environmentally important sites at Titchfield Haven and at Hook Lake (with regulated tidal exchange)
- Strategy Management Zone 5 (River Hamble East Bank)
Do Minimum until 2060, but with Solent Way footpath adaptation from 2030, then sustain a minimum 1:100 flood Standard of Protection at key flood risk locations – Maximise life of existing defences managing flood risk with local measures and footpath adaptation from 2030, then provide minimum 1:100 year SoP.

- (2) Building Control Partnership Arrangements

RESOLVED that the Executive:

- (a) agrees to enter into agreement with Portsmouth City Council and Gosport Borough Council using a modified Building Control Partnership legal agreement and Memorandum of Understanding (MOU), for the delivery of Building Control functions as detailed in the report;

- (b) agrees to deliver the Building Control function to all three Councils (Fareham Borough Council, Gosport Borough Council and Portsmouth City Council) through the Building Control Partnership;
- (c) delegates authority to the Director of Planning and Development after consultation with the Executive Member for Planning and Development to enter into such agreements and undertake all ancillary matters as necessary and on such terms as are reasonable; and
- (d) that the Executive Member-level Building Control Partnership Panel meets on a biannual basis, but with quarterly Panel meetings over the next municipal year to oversee the integration of Portsmouth City Council's building control functions into the Partnership's work.

(3) Public Transport Review: Conclusions and Recommendations

Councillor S D T Woodward declared a non-pecuniary interest for item 11(3) as he is the Executive Member for Economy, Transport and Environment. Councillor Woodward remained present at the meeting and took part in the discussion of the item.

At the invitation of the Executive Leader, Councillor P J Davies addressed the Executive on this item.

At the invitation of the Executive Leader, Councillor K K Trott addressed the Executive on this item.

The comments of the Planning and Development Performance Development and Review Panel were taken into account in considering this item (see minute 7).

During the debate on this item, it was agreed that the recommendation of the Planning and Development Performance Development and Review Panel regarding inviting Community Action Fareham to submit an application for part-funding for its proposed scheme (see minute 7), would not be supported by the Executive. This is because it would not be appropriate for the Council to promote a particular scheme for a particular area. It was accepted that should Community Action Fareham submit an application of their own accord, this would be considered on its merits at that time.

RESOLVED that the Executive:

- (a) notes the contents of the Final Report relating to the findings and conclusions from the Public Transport Review; and
- (b) approves the following recommendations arising from the Public Transport Review:
 - that the Council should enter into an agreement with First Bus setting out a Protocol for community involvement in the provision of local bus services;
 - that Officers be asked to undertake a feasibility study for a possible on-going programme of installation of new and/or re-located bus shelters and associated bus stop infrastructure, and for estimating the associated capital costs; these measures would assist in

influencing mode choice by enhancing the quality of the public transport offer.

12. POLICY AND RESOURCES

(1) Business Rate Discretionary Rate Relief

RESOLVED that the Executive agrees:

- (a) to vary the Charitable Relief Policy to allow relief to be granted in the specific circumstances as detailed in the report; and
- (b) to delegate the award of the discretionary relief, as detailed in the report, to officers in accordance with relevant guidance issued by Government.

(2) Vanguard Progress

RESOLVED that the Executive agrees:

- (a) to waive Contract Procedure Rules in order to extend the existing contract with the Vanguard Consultancy; and
- (b) to fund the extension of the existing contract from the spending reserve surplus to be replenished by subsequent savings from the new interventions.

(3) Matched Funding - Quarterly Report

At the invitation of the Executive Leader, Councillor Miss S Bell addressed the Executive on this item.

Councillor Miss S Bell declared a non-pecuniary interest for item 12(3) as she is a Council appointed Trustee of Portchester Parish Hall which leases space to the scout group. Miss Bell remained present at the meeting.

RESOLVED that the Executive:

- (a) agrees to defer the item on the matched funding bid of up to £20,000 for the 3rd Portchester Scout Group until issues regarding conditions of use of the hall are resolved; and
- (b) approves a funding award of £8,000 for the provision of Play Rangers services for a further 12 months.

(4) Proposals for the Provision of Internal Audit

RESOLVED that the Executive agrees that this item be deferred to a later meeting of the Executive.

13. EXCLUSION OF PUBLIC AND PRESS

RESOLVED that it is in the public interest to exclude the public and representatives of the Press from the remainder of the meeting on the grounds that the matters to be dealt with involve the likely disclosure of exempt

information, as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

14. LEISURE AND COMMUNITY

(1) Western Wards Leisure Centre - Funding and Progress Update

RESOLVED that the Executive:

- (a) approves an additional capital budget of £2,000,000 to construct the new leisure centre at Coldeast (including the road junction, access road, and car park);
- (b) approves expenditure of £110,000 from the Open Spaces Improvement programme to construct the new sports pitches;
- (c) approves the award of the construction contract (as the second phase of the design and build contract) to Balfour Beatty Regional Construction Limited to build the new leisure centre, the new road junction, access road, car park and sports pitches;
- (d) agrees that the new Leisure Centre be named the “Holly Hill Leisure Centre”;
- (e) requests officers bring forward a report detailing the costs, options and sources of funding to build a new cemetery in the Western Wards; and
- (f) agrees that the minute of the decision for this item be no longer treated as exempt information and be open for public inspection.

(The meeting started at 6.00 pm
and ended at 7.26 pm).

FAREHAM

BOROUGH COUNCIL

SCHEDULE OF EXECUTIVE MEMBER & OFFICER DELEGATED DECISIONS

The following decisions have been made by individual Executive Members since those reported at the last ordinary meeting of Council:-

Executive Leader

- (1) **Attendance at Seminar - The Better Care Fund 2015/16: Delivering Integrated Care** (Decision 2014/15-610)

RESOLVED that approval is given for the Executive Member for Health and Housing to attend The Better Care Fund 2015/16: Delivering Integrated Care, to be held on 17 March 2015 in Central London.

Leisure and Community

- (2) **Community Fund Application - Crofton Judo Club** (Decision 2014/15-611)

RESOLVED that the application for £4,903.20 from Fareham Borough Council's Community Funding Programme, submitted by Mr Barnes of Crofton Judo Club for the purchase of judo mats, be approved, subject to the following conditions:

- (a) Crofton Judo Club must submit to Fareham Borough Council, the original receipts for a previous grant of £4,787.94 awarded on 2 December 2013, and also a full set of accounts, prior to the payment of £4,903.20 being made; and
- (b) Crofton Judo Club must submit to Fareham Borough Council, receipts for the mats when they have been purchased.
- (3) **Community Fund Application - Fareham North West Community Centre** (Decision 2014/15-623)

RESOLVED that the application for £1562.92 from Fareham Borough Council's Community Funding Programme, submitted by Mr Bull of Fareham North West Community Centre for the purchase of furniture and equipment, be approved.

- (4) Community Fund Application - Fareham Wheelers Cycling Club** (Decision 2014/15-624)

RESOLVED that the application for £4999.30 from Fareham Borough Council's Community Funding Programme, submitted by Mr Emmott of Fareham Wheelers Cycling Club for the purchase of equipment, be approved.

- (5) Community Fund Application - Fareham and Crofton Cricket club** (Decision 2014/15-625)

RESOLVED that the application for £2000.00 from Fareham Borough Council's Community Funding Programme, submitted by Mr Stubbs of Fareham & Crofton Cricket Club for the purchase of a cricket machine, be approved.

- (6) Community Fund Application - Age Concern Hampshire** (Decision 2014/15-626)

RESOLVED that the application for £1250.00 from Fareham Borough Council's Community Funding Programme, submitted by Jemma Saunders of Age Concern Hampshire for the purchasing of sewing machine equipment, be approved.

- (7) Community Fund Application - The Abbeyfield Fareham Society** (Decision 2014/15-627)

RESOLVED that the application for £1000.00 from Fareham Borough Council's Community Funding Programme, submitted by Mr Taylor of The Abbeyfield Fareham Society for the purchase of a potting shed, be approved.

- (8) Community Fund Application - St Columba Church of England Primary Academy/South Coast Choi Kwang Do** (Decision 2014/15-628)

RESOLVED that the application for £500.00 from Fareham Borough Council's Community Funding Programme, submitted by Jane Hoggarth-Allen of St Columba Church of England Primary Academy for the purchase of uniforms and safety equipment, be approved.

- (9) Community Fund Application - Lockwood Indoor Petanque Academy** (Decision 2014/15-629)

RESOLVED that the application for £396.00 from Fareham Borough Council's Community Funding Programme, submitted by Mr Hewitt of Lockwood Indoor Petanque Academy, be approved.

- (10) Community Fund Application - Live Art Local CIC** (Decision 2014/15-636)

RESOLVED that the application for £4249.32 from Fareham Borough Council's Community Funding Programme, submitted by Ms Davis-Hofbauer of Live Art Local CIC for the purchase of equipment and printing and advertising costs, be approved.

(11) Community Fund Application – Hill Head Sailing Club (Decision 2014/15-638)

RESOLVED that the application for £734.85 from Fareham Borough Council's Community Funding Programme, submitted by Ms Hyde of Hill Head Sailing Club, be approved.

(12) Community Fund Application – Titchfield Community Centre (Decision 2014/15-651)

RESOLVED that the application for £4,994.00 from Fareham Borough Council's Community Funding Programme, submitted by Mrs Whyntie of Titchfield Community Association to carry out refurbishment works, be approved. (This decision is subject to call in which will end on 12 May 2015.)

(13) Community Fund Application – Titchfield Abbey Women's Institute (Decision 2014/15-652)

RESOLVED that the application for £975.00 from Fareham Borough Council's Community Funding Programme, submitted by Mrs Jones of Titchfield Abbey Women's Institute to purchase a picnic bench, be approved. (This decision is subject to call in which will end on 12 May 2015.)

(14) Community Fund Application – Titchfield Remembers (Decision 2014/15-653)

RESOLVED that the application for £690.55 from Fareham Borough Council's Community Funding Programme, submitted by Ms Laws of Titchfield Remembers for the production and printing of Titchfield Remembers – The Book, be approved. (This decision is subject to call in which will end on 12 May 2015.)

Public Protection

(15) Traffic Regulation Order - Proposed Waiting Restrictions, Watersmeet, Fareham (Decision 2014/15-630)

RESOLVED that the waiting restrictions as shown at Appendix A are introduced.

(16) Traffic Regulation Order - Proposed Waiting Restrictions, Cornaway Lane, Portchester (Decision 2014/15-631)

RESOLVED that the waiting restrictions as shown at Appendix A are introduced and monitored over a 12 month period.

(17) Attendance at Seminar - Proposed Waiting Restrictions, The Square, Titchfield (Decision 2014/15-632)

RESOLVED that the waiting restrictions as shown at Appendix A are introduced.

(18) Traffic Regulation Order - Proposed Waiting Restrictions, Linden Lea, Portchester (Decision 2014/15-633)

RESOLVED that the waiting restrictions as shown at Appendices A and B are introduced.

(19) Traffic Regulation Order - Proposed Loading Restrictions, Harper Way, Fareham (Decision 2014/15-634)

RESOLVED that the loading restrictions as shown at Appendix A are introduced.

(20) Review of Experimental Traffic Regulation Order - South Street, Titchfield (Decision 2014/15-635)

RESOLVED that the Experimental Traffic Regulation Order as shown at Appendix A is made permanent.

Planning and Development

(21) Confirmation of Article 4 Directions - Castle Street, Portchester : Conservation Area (Decision 2014/15-654)

RESOLVED that the Article 4 Direction for Portchester (Castle Street) Conservation Area is confirmed in accordance with the procedure set out in The Town and Country Planning (General Permitted Development) Order 1995 (as amended) to come into force on the 18th June 2015.

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning Committee

(to be confirmed at the next meeting)

Date: Wednesday, 22 April 2015

Venue: Collingwood Room - Civic Offices

PRESENT:

N J Walker (Chairman)

A Mandry (Vice-Chairman)

Councillors: B Bayford, T M Cartwright, MBE, K D Evans, M J Ford, JP,
R H Price, JP, D C S Swanbrow and P J Davies

**Also
Present:**



1. APOLOGIES FOR ABSENCE

There were no apologies of absence.

2. MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on 25 March 2015 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

The Committee received a deputation from the following in respect of the applications indicated and were thanked accordingly.

Name	Spokesperson representing the persons listed	Subject	Supporting or Opposing the Application	Minute No/ Application No/Page No
ZONE 1 - 2.30				
Mr N Ellis		67 Church Road, Locks Heath – Demolition of existing bungalow and erection of 2 no. two storey semi-detached garage and associated access and parking	Supporting	Item (1) P/15/0168/FP Page 9
Ms J Coleman		Plot 4, 67 Church Road, Locks Heath – Erection of a detached chalet bungalow style dwelling with garage and driveway	Opposing	Item (2) P/15/0207/FP Page 16
Mr N Westbrook		-ditto-	Supporting	-ditto-

ZONE 2 - 2.30				
Mr Ford		13 Longfield Avenue, Fareham – Detached timber outbuilding to rear (retrospect application)	Opposing	Item (4) P/14/1127/FP Page 29
Mr A Tondeur		-ditto-	Supporting	-ditto-
Mrs M North		80 – 84 Fareham Park Road, Fareham – Construction of access road (as a partial alternative to permission P/13/0059/OA)	Opposing	Item (5) P/15/0074/VC Page 34
Mr R Tutton (Agent)		94 Arundel Drive, Fareham – Proposed change of use from retail (class A1) to hot food takeaway (class A5), together with the provision of an extraction duct on the side elevation	Supporting	Item (6) P/15/0191/FP Page 39
ZONE 3 - 2.30				

6. PLANNING APPLICATIONS AND MISCELLANEOUS MATTERS INCLUDING AN UPDATE ON PLANNING APPEALS

The Committee noted a report by the Director of Planning and Development on development control matter applications and miscellaneous matters, including information on Planning Appeals. An Update Report was tabled at the meeting.

(1) P/15/0168/FP - 67 CHURCH ROAD LOCKS HEATH FAREHAM SO31 6LS

The Committee received the deputation referred to in minute 5 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

**(2) P/15/0207/FP - 67 CHURCH ROAD - PLOT 4 - LOCKS HEATH
FAREHAM HAMPSHIRE SO31 6LS**

The Committee received the deputations referred to in minute 5 above.

The Committee's attention was drawn to the Update Report which contained the following information:- *Amended plans were received 14th April 2015 removing the proposed south facing balcony and replacing it with a dormer window only.*

As such Condition 02 is updated to reflect the amended plans received:

02. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location Plan

1693-01a – Site Layout

0299/15 – Hedge Survey Plan

X01 Revision G – Proposed Elevations

X02 Revision I – Proposed Floor and Roof Plans

Ecological Survey – Roslyne Ecological (Nov.2013)

Hedge Method Statement – N J Trowell (20th February 2015)

Planning Design and Access Statement January 2015

Reason: For the avoidance of doubt and in the interests of proper planning.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to:-

- (i). the conditions in the report;
- (ii). the revised condition in the update report; and
- (iii). an additional condition for the retention of and strengthening of the southern boundary planting.

Was voted on and CARRIED.

(Voting: 7 in favour; 0 against and 2 abstentions)

RESOLVED that, subject to:-

- (i). the conditions in the report;
- (ii). the revised condition in the update report; and
- (iii). an additional condition for the retention of and strengthening of the southern boundary planting.

PLANNING PERMISSION be granted.

(3) P/15/0256/TO - 181A SEGENSWORTH ROAD WEST FAREHAM HAMPSHIRE PO15 5EH

At the Invitation of the Chairman, Councillor Mrs Hockley addressed the Committee on this item.

Upon being proposed and seconded the officer recommendation to refuse the felling of one Monkey Puzzle tree, was voted on and CARRIED.

(Voting: 8 in favour; 1 against)

RESOLVED that PLANNING PERMISSION be REFUSED to fell one Monkey Puzzle tree.

Reasons for Refusal:

The proposed felling is considered to be contrary to Policy DG4 of the Fareham Borough Local Plan Review and Policy CS4 of the Fareham Borough Core Strategy in that it would represent poor arboricultural practice for which there is insufficient justification. Furthermore felling the tree would be detrimental to the public amenity value, harmful to the visual amenities and to the character of the area.

(4) P/14/1127/FP - 13 LONGFIELD AVENUE FAREHAM PO14 1DA

The Committee received the deputations referred to in minute 5 above.

The Committee's attention was drawn to the update report which provided the following information:- *5 letters of support from neighbours in Longfield Avenue have been received.*

The Committee were informed that there was an error in the report under the description of the proposal in paragraph two which should be read 'the section nearest to the house is 6.16m wide with a shallow pitched roof. The section which is further away from the house is 3.1m wide and also has a pitched roof'.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 8 in favour; 1 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

(5) P/15/0074/VC - 80 & 84 FAREHAM PARK ROAD FAREHAM HAMPSHIRE PO15 6LW

The Committee received the deputation referred to minute 5 above.

Upon being proposed and seconded, the officer recommendation to grant planning permission subject to:-

- (i). the conditions in the report; and

- (ii). an additional condition stating that three parking spaces be provided for the property at 80 Fareham Park Road.

Was voted on and CARRIED.
(Voting: 8 in favour; 1 against)

RESOLVED that subject to:-

- (i). the conditions in the report; and
- (ii). an additional condition stating that three parking spaces be provided for the property at 80 Fareham Park Road.

PLANNING PERMISSION be granted.

(6) P/15/0191/FP - 94 ARUNDEL DRIVE FAREHAM HAMPSHIRE PO16 7NU

The Committee received the deputation referred to in minute 5 above.

The Committee's attention was drawn to the Update Report which contained the following information:- *6 further objections received from 3 households raising similar issues to those already reported but adding:*

- *concern that food scraps could encourage vermin*
- *with schools nearby Fareham should be promoting healthy eating*
- *possible increase in early morning deliveries with consequent disturbance*
- *adverse impact on improved recreation park to the rear*

The applicant has requested that the application be amended to be for a takeaway use specifically for Chinese food only and has indicated that a planning condition could be imposed to this effect. The applicant also advises that the submitted extraction equipment would be adequate for the cooking of oriental food and that customers using Chinese takeaways are less likely to linger around the site and cause a nuisance to local residents as a result of the type of packaging of the food generally used being less suitable for facilitating instant consumption. The applicant has further provided details of acoustic insulation between the unit and the flat above.

It is considered that the Use Classes have been defined by Government to allow free movement of users within specified Classes; Government advice in the Planning Practice Guidance is that freedoms granted by statute should be constrained by condition only in 'exceptional circumstances'. Officers are not only of the view that the circumstances at the application site are not sufficiently 'exceptional' to consider granting permission with such a restriction but also that insufficient evidence has been provided to demonstrate that the proposed extraction equipment would indeed be adequate to prevent unacceptable nuisance by reason of smells even for the single specified food type. In short, it is considered that if the site is unsuitable for a takeaway use then it is unsuitable for all takeaway food types.

The applicant's views concerning the likely habits of customers of different types of takeaway food outlet is moot if Members agree with the Officers view

concerning a restriction of the type of food sold; further, the 2002 Appeal inspector did not consider there to be any difference and did not propose to grant permission subject to conditions but rather to dismiss the appeal.

Noise disturbance between the unit and the flat above has not been highlighted by the Director of Community (Environmental Health) as an issue in this case; it would be expected that the internal acoustic insulation with the flat above would be a matter for the Building Regulations.

Upon being proposed and seconded the officer recommendation to refuse planning permission, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that PLANNING PERMISSION be REFUSED.

Reasons for Refusal:

The proposed development is contrary to Policy CS17 of the Fareham Borough Core Strategy, Policy S12 of the adopted Fareham Borough Local Plan Review and draft Policies DSP2 (previously DSP3) and DSP 39 of the Fareham Borough Local Plan Part 2: Development Sites and Policies and is otherwise unacceptable in that the proposed use would not respond positively to the character of the area and would be likely to give rise to smells, noise and disturbance particularly in the evenings to the detriment of the residential amenities of the occupiers of adjacent residential properties.

(8) P/15/0201/FP - 32A SOLENT ROAD FAREHAM HAMPSHIRE PO14 3LD

The Committee's attention was drawn to the Update Report which contained the following information:- *Four further letters have been received following the receipt of revised drawings on the 2nd April.*

The letters are from residents of Osborne View Road who previously wrote in to object to the application. The residents remain concerned over the appearance of the rear dormer window, the potential for obscure glazing to be replaced at some point in the future with clear glass and the precedent that the development might set.

Upon being proposed and seconded the officer recommendation to grant planning permission, subject to the conditions in the report, was voted on and CARRIED.

(Voting: 9 in favour; 0 against)

RESOLVED that, subject to the conditions in the report, PLANNING PERMISSION be granted.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that it is in the public interest to exclude the public and representatives of the Press from the remainder of the meeting on the grounds that the matters to be dealt with involve the likely disclosure of exempt information, as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

(7) P/15/0238/OD - 70 TRINITY STREET FAREHAM PO16 7SJ

Upon being proposed and seconded the officer recommendation to vary the terms of the Section 106 Planning Obligation completed in connection with affordable housing and open space obligations relating to planning application P/07/0848/FP, was voted on and CARRIED.

(Voting: 6 in favour; 1 against; 2 abstentions)

RESOLVED that the request to vary the terms of the Section 106 Planning Obligation completed in connection with affordable housing and open space obligations relating to planning application P/07/0848/FP be APPROVED.

(9) Planning Appeals

The Committee noted the information in the report.

(10) UPDATE REPORT

The Update Report was tabled at the meeting and considered with the relevant agenda item.

7. TREE PRESERVATION ORDERS

The Committee considered the confirmation of the following Fareham Tree Preservation Order(s), which had been made by officers under delegated powers and to which no formal objections had been received.

(a) Fareham Tree Preservation Order No 643 (2015) – Inwood House, The Thatched House, Tanglemere and Broomhill, Holly Hill Lane, Sarisbury.

Order made in 20 February 2015 for which no objections were made.

RESOLVED that Fareham Tree Preservation Order No 643 be confirmed and made and served.

(b) Fareham Tree Preservation Order no 646 (2015) – Byeways, Woodpeckers, Dunnotar, Sarisbury Lodge. Holly Hill Lane and land to the north of Hook Nature Reserve, Sarisbury.

Order made on 20 February 2015 for which no objections were made.

RESOLVED that Fareham Tree Preservation Order No 646 be confirmed and made and served.

(c) Fareham Tree Preservation Order No 703 (2014) – 26 Ranvilles Lane, Titchfield.

Order made on 1 December 2014 for which no objections were made.

RESOLVED that Fareham Tree Preservation Order No 703 be confirmed and made and served.

(d) Fareham Tree Preservation Order No 704 (2015) – Three Oaks, Duneagle, Ashwick House, Otterholme, Hamble View, The Walled Garden and land fronting the River Hamble, Holly Hill Lane, Sarisbury.

Order made on 20 February 2015 for which no objections were made.

RESOLVED that Fareham Tree Preservation Order No 704 be confirmed and made and served, with the following modifications; the addition of 'Three Oaks' in the title and to amended the position of T14, T15 and T16.

(The meeting started at 2.30 pm
and ended at 5.20 pm).

FAREHAM

BOROUGH COUNCIL

Report to Council

Date: **14 May 2015**

Report of: **Head of Democratic Services**

Subject: **Revised Standing Orders With Respect to the Appointment,
Dismissal and Discipline of Employees**

SUMMARY

This report provides details of recently introduced legislation which removes statutory protections afforded to the Head of Paid Service, Monitoring Officer and Chief Financial Officer

The report asks the Council to approve the required changes to Part 4: Section 2 of the Constitution - Standing Orders With Respect to the Appointment, Dismissal and Discipline of Employees.

RECOMMENDATION

That the Council notes the required amendments to the Standing Orders with Respect to the Appointment, Dismissal and Discipline of Employees and adopts the revised version, attached at Appendix A to the report.

INTRODUCTION

1. The Government has very recently introduced revised secondary legislation to remove the statutory protections afforded to the Head of Paid Service, Monitoring Officer and Chief Financial Officer.
2. The revised Standing Order Regulations come into force on 11 May 2015.
3. Accordingly, the Council is now required to adopt the amendments to its Standing Orders.

BACKGROUND

4. The most senior officers of a council i.e. the Head of Paid Service, the Monitoring Officer, and the Chief Finance Officer, have statutory responsibilities to discharge to the Council. As they work with and report to the elected members, they discharge these responsibilities in a political environment. As a result, statutory protection requiring an appointment of a Designated Independent Person (DIP) to investigate any allegation of misconduct against these senior officers was introduced in the 2001 Regulations.
5. There have been for some time concerns that the DIP process in its application to councils is in practice complex and expensive. It has placed councils as the employer at a great disadvantage in comparison to the position of the employee, particularly given that the recommendation of the DIP must be followed.
6. The new Regulations simplify, as well as localise, the disciplinary process for the most senior officers by removing the bureaucratic and mandatory requirement that a DIP should be appointed. In place of the DIP process, the decision will be taken transparently by full Council, who must consider any advice, views or recommendations from an independent panel, the conclusions of any investigation into the proposed dismissal or other disciplinary action, and any representations from the officer concerned. This means that councils can consider and decide the best disciplinary process that will deliver value for money for their local taxpayers, whilst retaining independent scrutiny.
7. In the case of a proposed disciplinary action against one of the most senior officers, the council is required to invite independent persons who have been appointed for the purposes of the members' conduct regime under section 28(7) of the Localism Act 2011 to form an independent panel.
8. The Regulations also make a provision limiting the remuneration that should be paid to independent persons on the panel to the level of the remuneration which they would normally receive as an independent person in the conduct regime.
9. The Regulations are to be given effect by councils modifying their standing orders. Provision is made for councils to make this modification no later than at the first council meeting held after the 7 May 2015 elections. To achieve this, the Regulations will be in effect from 11 May 2015.

PROPOSAL

10. The Council is asked to adopt the revised Standing Orders With Respect to the Appointment, Dismissal and Discipline of Employees, as set out at Appendix A to the report.

Background Papers:

None

Reference Papers:

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

Enquiries:

For further information on this report please contact Leigh Usher. (Ext 4553)

FAREHAM

BOROUGH COUNCIL

STANDING ORDERS WITH RESPECT TO THE APPOINTMENT, DISMISSAL AND DISCIPLINE OF EMPLOYEES



Revised May 2015

FAREHAM BOROUGH COUNCIL

STANDING ORDERS WITH RESPECT TO THE APPOINTMENT, DISMISSAL AND DISCIPLINE OF EMPLOYEES

1. General

- 1.1. These Standing Orders govern the Council's procedures for the appointment, dismissal and discipline of employees, including the provisions required by statutory Regulation.
- 1.2. Schedule 1 Part II to the Regulations, as set out at Appendix A, are deemed to be part of these Standing Orders.

2. Employee Establishment and Filling of Vacancies

- 2.1. Every appointment of a person to a post or paid office with the Council must be made on merit and in accordance with the provisions of the Disability Discrimination Act 1995 and other legislation, including racial and sexual discrimination legislation, Regulations and Codes of Practice governing the appointment, transfer and/or promotion of employees, particularly in relation to the evidence of unfair discrimination.
- 2.2. The Council will approve the overall permanent employee establishment and structure and the annual employee budget, on the recommendation of the Head of the Paid Service. No change may be made to the structure of the permanent establishment until the Head of the Paid Service has identified the source of any additional funding required.
- 2.3. Unless filled by promotion or transfer, all vacancies will be publicly advertised unless the Head of the Paid Service determines otherwise.
- 2.4. If a similar vacancy occurs within six months of the filling of a vacancy which has been publicly advertised, the appointing Chief Officer may appoint one of the former applicants.
- 2.5. A vacancy for a senior officer (normally graded at local grades 6 or 7) may be advertised in one or more newspapers or in journals circulating primarily among persons who may be expected to meet the person specification for the post.

3. Recruitment and Appointment

3.1. Declarations

- (a) A candidate for appointment as an employee must state in writing whether they are the parent, step parent grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or employee of the Council, or of the

partner of such a person, and such candidate must also state in writing if they are known to any existing councillor or employee of the Council.

- (b) A candidate who fails to disclose such a relationship will be disqualified for the appointment and if appointed will be liable to dismissal without notice.
- (c) No candidate so related to a councillor or an employee will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.
- (d) For the purpose of this Standing Order, a person will be deemed to be a partner of a candidate if they are living together as husband and wife.

3.2 Seeking support for appointment:

- (a) Subject to paragraph (c) above, the Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (b) A member of the Council may not seek support for any person for any appointment with the Council but this will not preclude a member from giving a written reference or testimonial of a candidate's ability, experience or character.

4. Recruitment of the Head of Paid Service and Chief Officers

4.1. Where the Council proposes to appoint a Chief Officer/Director and it is not proposed that the appointment will be made exclusively from among their existing officers, the Council will:

- (a) draw up a statement specifying:
 - the duties of the post concerned; and
 - any qualifications or qualities to be sought in the person to be appointed
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it, and
- (c) make any arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.

5. Appointment of Head of Paid Service/Monitoring Officer/Chief Finance Officer

5.1. The full Council will approve the appointment of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer following the recommendation of such an appointment by a committee or sub-committee of the Council. That committee or sub-committee must include at least one member of the Executive.

6. Appointment of Chief Officers and Deputy Chief Officers

- 6.1. A committee or sub-committee of the Council will appoint Chief Officers/Directors. That committee or sub-committee must include at least one member of the Executive.
- 6.2. Appointment of Deputy Chief Officers shall be made by the Head of the Paid Service or relevant Chief Officer / Director, provided that the Council or a Committee of the Council may make such appointments as it shall require from time to time.
- 6.3. An offer of employment as a Chief Officer or Deputy Chief Officer shall only be made where no well-founded objection from any member of the Executive has been received.

7. Other Appointments

- 7.1. Officers below Deputy Chief Officer

Appointment of officers below Deputy Chief Officer is the responsibility of the Head of Paid Service or his/her nominee and may not be made by councillors.

- 7.2. Assistants to Political Groups

Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

8. Disciplinary Action

- 8.1 The statutory provisions of Schedule 3 to the Regulations, as set out at Appendix B, are deemed to be part of these Standing Orders.

Suspension.

- 8.2 The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.

Independent Person.

- 8.3 No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person.
- 8.4 Councillors will not be involved in the disciplinary action against any officer below Deputy Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct. The Council's disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to the Council's Appeals Committee in respect of disciplinary action.

9. Dismissal

- 9.1. Councillors will not be involved in the dismissal of any officer below Deputy Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct. The Council's disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to the Council's Appeals Committee in respect of dismissals.

10. Definitions

'Regulations' means the Local Authorities (Standing Orders) (England) (Regulations) 2001 and Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

'Chief Officer' and 'Deputy Chief Officer' have the same meaning as within section 2 of the Local Government and Housing Act 1989.

'Head of Paid Service' and 'Monitoring Officer' mean the officers designated by the Council under sections 4 and f5 respectively of the Local Government and Housing Act 1989.

'Chief Finance Officer' means the officer designated under section 151 of the Local Government Act 1972 or section 6 of the Local Government and Housing Act 1989.

**THE LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) REGULATIONS
2001 and (AMENDMENT) 2015**

SCHEDULE 1 PART II

1. In this Part:

“the 1989 Act” means the Local Government and Housing Act 1989
 “the 2000 Act” means the Local Government Act 2000;
 “disciplinary action” has the same meaning as in the Local Authorities (Standing Orders) (England) Regulations 2001 and 2015;
 “Executive” and “Executive Leader” have the same meaning as in Part II of the 2000 Act;
 “member of staff” means a person appointed to or holding a paid office or employment under the authority; and
 “proper officer” means an officer appointed by the authority for the purposes of the provisions in this Part.

2. Subject to paragraphs 3 and 7, the function of appointment and dismissal of, and taking disciplinary action against, a member of staff of the authority must be discharged, on behalf of the authority, by the officer designated under section 4(1) of the 1989 Act (designation and reports of Head of Paid Service) as the head of the authority’s paid service or by an officer nominated by him.

3. Paragraph 2 shall not apply to the appointment or dismissal of, or disciplinary action against:

- (a) the officer designated as the head of the authority’s paid service;
- (b) a statutory chief officer within the meaning of section 2(6) of the 1989 Act (politically restricted posts);
- (c) a non-statutory chief officer within the meaning of section 2(7) of the 1989 Act; or
- (d) a person appointed in pursuance of section 9 of the 1989 Act (assistants for political groups).

4. Where a committee, sub-committee or officer is discharging, on behalf of the authority, the function of the appointment or dismissal of an officer designated as the head of the authority’s paid service, the authority must approve that appointment before an offer of appointment is made to him or, as the case may be, must approve that dismissal before notice of dismissal is given to him.

Where a committee or a sub-committee of the authority is discharging, on behalf of the authority, the function of the appointment or dismissal of any officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3, at least one member of the executive must be a member of that committee or sub-committee.

- 5 (1) In this paragraph “appointor” means, in relation to the appointment of a person as an officer of the authority, the authority or, where a committee, sub-committee or officer is discharging the function of appointment on behalf of the authority, that committee, sub-committee or officer, as the case may be.
- (2) An offer of an appointment as an officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3 must not be made by the appointor until:
- (a) the appointor has notified the proper officer of the name of the person to whom the appointor wishes to make the offer and any other particulars which the appointor considers are relevant to the appointment;
 - (b) the proper officer has notified every member of the executive of the authority of:
 - (i) the name of the person to whom the appointor wishes to make the offer;
 - (ii) any other particulars relevant to the appointment which the appointor has notified to the proper officer; and
 - (i) the period within which any objection to the making of the offer is to be made by the executive leader on behalf of the executive to the proper officer; and
 - (c) either:
 - (i) the Executive Leader has, within the period specified in the notice under sub-paragraph (b) (iii), notified the appointor that neither he nor any other member of the executive has any objection to the making of the offer;
 - (ii) the proper officer has notified the appointor that no objection was received by him within that period from the executive leader; or
 - (iii) the appointor is satisfied that any objection received from the executive leader within that period is not material or is not well-founded.
6. (1) In this paragraph, “dismissor” means, in relation to the dismissal of an officer of the authority, the authority or, where a committee, sub-committee or another officer is discharging the function of dismissal on behalf of the authority, that committee, sub-committee or other officer, as the case may be.
- (2) Notice of the dismissal of an officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3 must not be given by the dismissor until:
- (a) the dismissor has notified the proper officer of the name of the person who the dismissor wishes to dismiss and any other particulars which the dismissor considers are relevant to the dismissal;
 - (b) the proper officer has notified every member of the executive of the authority of:

- (i) the name of the person who the dismissor wishes to dismiss;
 - (ii) any other particulars relevant to the dismissal which the dismissor has notified to the proper officer; and
 - (iii) the period within which any objection to the dismissal is to be made by the executive leader on behalf of the executive to the proper officer; and
- (c) either:
- (i) the Executive Leader has, within the period specified in the notice under sub-paragraph (b) (iii), notified the dismissor that neither he nor any other member of the executive has any objection to the dismissal;
 - (ii) the proper officer has notified the dismissor that no objection was received by him within that period from the executive leader; or
 - (iii) the dismissor is satisfied that any objection received from the executive leader within that period is not material or is not well-founded.
7. Nothing in paragraph 2 shall prevent a person from serving as a member of any committee or sub-committee established by the authority to consider an appeal by:
- (a) another person against any decision relating to the appointment of that other person as a member of staff of the authority; or
 - (b) a member of staff of the authority against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff.

APPENDIX B

1. In paragraph 2, “chief finance officer”, “council manager”, “disciplinary action”, “head of the authority’s paid service” and “monitoring officer”, are Relevant Officers and have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2004–2015 and “~~designated–relevant~~ independent person” has the same meaning as in regulation 7–4 of those Regulations.
2. No disciplinary action in respect of the Head of the authority’s Paid Service (unless ~~they are is~~ also a council manager of the authority), its Monitoring Officer or its Chief Finance Officer, except action described in paragraph 3, may be taken by the authority, or by a committee, a sub-committee, a joint committee on which the authority is represented or any other person acting on behalf of the authority, other than in accordance with ~~a recommendation in a report made by a designated independent person under regulation 7 of~~ the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2004–2015 ~~(investigation of alleged misconduct)~~. This includes the appointment of an Independent Panel and the decision maker having regard to:
 - (i) any advice, views and recommendations of the panel,
 - (ii) the conclusions of any investigation into the proposed dismissal and
 - (iii) any representations from the relevant officer.
3. The action mentioned in paragraph 2 is suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

