

# FAREHAM

BOROUGH COUNCIL

## COUNCIL MEETING SUMMONS

Members of Fareham Borough Council are hereby summoned to attend a meeting of the Council to be held at Waypoint Church, on **THURSDAY, 12 MAY 2022**, commencing at **10.30 am**.

The meeting will adjourn for lunch and reconvene at 3pm in the Council Chamber, Civic Offices, Fareham

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The Mayor: Councillor Pamela Bryant

The Deputy Mayor: Councillor Michael Ford, JP

Councillor Fred Birkett

Councillor Joanne Bull

Councillor Louise Clubley

Councillor Malcolm Daniells

Councillor Tina Ellis

Councillor Nick Gregory

Councillor Tiffany Harper

Councillor Pal Hayre

Councillor Jean Kelly

Councillor Kay Mandry

Councillor Simon Martin

Councillor Sarah Pankhurst

Councillor Katrina Trott

Councillor Nick Walker

**Also in attendance:** Those Councillors who were elected on the 5<sup>th</sup> May 2022.



**1. Prayers**

The meeting will commence with a short service of prayers.

**2. Presentation of Awards**

There will be a presentation of awards for the Citizen of Honour and the Young Citizen of Honour.

**3. Apologies for Absence - morning session**

**4. Election of Mayor**

To elect the Mayor of Fareham for the municipal year 2022/23. (The Order of Proceedings to be observed is set out in the programme, which will be available at the meeting.

**5. Election of Deputy Mayor**

To elect the Deputy Mayor for the Municipal Year 2022/23 in accordance with Standing Order 1.2.2.

**6. Mayor's Cadet**

To present the Mayor's Cadet for 2022/23 with the badge of service.

**7. Adjournment until 3pm**

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

**8. Apologies for absence - afternoon session**

**9. Minutes (Pages 7 - 18)**

To confirm as a correct record the minutes of the Council Meeting held on 21 April 2022.

**10. Mayor's Announcements**

**11. Declarations of Interest**

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

**12. Appointment of the Executive**

(1) Executive Leader

Members are reminded that at the annual meeting in May 2021, Councillor S D T Woodward was elected to be the Executive Leader for a term of 3 years from 2021/22 to the end of the 2024/25 municipal year.

(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 the appointment of two or more (but no more than nine) Members to form the Executive.

(3) **Appointment 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 the appointments.

(4) **Areas of Executive Responsibility**

In accordance with Standing Order 1.5, the Executive Leader is invited to determine the separate areas of responsibility to be allocated to the Executive Members for the following year. Members are advised that following the Executive Leader's decision, the following are the areas of responsibility:

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

The Executive Leader is invited to confirm the areas of responsibility for 2022/23. Members are reminded that the allocation of these portfolios to the Executive Member is a matter for the Executive Leader.

**13. Appointment of Committees and Allocation of Seats (Pages 19 - 26)**

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.

**14. Appointments to Outside Bodies (Pages 27 - 54)**

Standing Order 1.9 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.

**15. Executive Leader's Announcements**

**16. Executive Members' Announcements**

**17. 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.*

## 18. Deputations

To receive any deputations of which notice has been given.

## 19. Questions under Standing Order 2.12

To answer questions pursuant to Standing Order 2.12 for this meeting.

## 20. Motions under Standing Order 2.6

Members will be informed, prior to the meeting, of any motion duly notified in accordance with Standing Order 2.6 but received after print and dispatch of the agenda.

## 21. Policy Framework

Standing Order 1.8 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 2022/23 as comprising those plans and strategies identified in the table below:

<b>Policy/Strategy</b>	<b>Last adopted or approved by</b>	<b>Date</b>
Sustainable Community Strategy	Council	01 February 2010
Affordable Housing Strategy	Executive	19 November 2019
Licensing Policy	Council	26 February 2021
Development Plan <ul style="list-style-type: none"><li>• Fareham Local Plan Part 1: Core Strategy</li><li>• Fareham Local Plan Part 2: Development Site and Policies</li><li>• Fareham Local Plan Part 3: The Welborne Plan</li></ul>	Council Council Council	04 August 2011 08 June 2015 08 June 2015
Community Safety Strategy	Council	29 May 2014
Corporate Strategy	Council	14 December 2017
Statement of Gambling Policy	Council	25 February 2022



P GRIMWOOD  
Chief Executive Officer

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

04 May 2022

**For further information please contact:  
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# FAREHAM

## BOROUGH COUNCIL

### Minutes of the Council

**Date:** Thursday, 21 April 2022

**Venue:** Council Chamber - Civic Offices

**PRESENT:**

Mrs P M Bryant  
(Mayor)

M J Ford, JP  
(Deputy Mayor)

**Councillors:** I Bastable, Mrs S M Bayford, F Birkett, Miss J Bull, T M Cartwright, MBE, Mrs L E Clubley, M R Daniells, P J Davies, T Davies, Mrs T L Ellis, J M Englefield, G Fazackarley, J S Forrest, N R Gregory, Miss T G Harper, Mrs P Hayre, Mrs C L A Hockley, L Keeble, Mrs J Kelly, G Kelly, Mrs K Mandry, S D Martin, Ms S Pankhurst, R H Price, JP, N J Walker, Mrs S M Walker and S D T Woodward



At the commencement of the meeting, a minute's silence was observed in memory of former Councillor John Wilson who sadly passed away on the 9<sup>th</sup> April. Members also took a moment of reflection for the ongoing crisis in Ukraine where five million people have fled the country and another seven million are displaced internally due to the war.

## **1. PRAYERS**

The meeting commenced with a short service of prayers led by the Mayor's Chaplain, Father Jackson.

## **2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor S Dugan and Councillor Mrs K K Trott.

## **3. MINUTES**

An amendment to the minutes was agreed to note that following the observation of a minute's silence in memory of former Councillor Eric Dunn, Councillor Mrs Trott spoke in memory of former Councillor Dunn.

RESOLVED that the Mayor be authorised to sign as a correct record the minutes of the meeting held on 25 February 2022.

## **4. MAYOR'S ANNOUNCEMENTS**

The Mayor advised members that she would be varying the order of proceedings for the meeting by bringing forward item 16 – Councillor Long Standing Service Awards to be heard after item 5 – Executive Leader Announcements. The Mayor stated that regrettably there would not be an opportunity for members to speak in response to the presentations of Awards but invited members to meet in the Parlour after the meeting to pass on congratulations and share stories.

The Mayor also advised that she would be changing the order of proceedings in response to the deputations which would be heard regarding the height restriction barriers in Portchester and stated that she would be bringing the update on that motion forward to be heard after the deputations.

Turning to recent Mayoral engagements, the Mayor announced that she and the Mayoress have continued to have a steady flow of engagements since the last Council meeting, including the tree planting in various locations to commemorate the Queen's Platinum Jubilee.

The Mayor stated that it had been a great pleasure to be invited last month to Portsmouth Cathedral with the Executive Leader to attend the installation of



the new Bishop of Portsmouth. The Mayor also stated that she had more recently had an opportunity to meet with Bishop Jonathan and his wife in the Parlour and had welcomed them as new residents to Fareham.

The Mayor announced that she and the Mayoress were delighted that at the 4<sup>th</sup> attempt, their major charity fundraiser event of the Mayor's Ball was able to take place in the wardroom at HMS Collingwood. It not only proved to be a financial success but, from comments received, it proved to be a most enjoyable evening too.

The Mayor also announced that her final charity event was an enjoyable evening at Antonio's restaurant with the Mayor's chosen charities likely to benefit from receiving helpful donations.

Following her announcements, the Mayor stated that she would like to thank the Deputy Mayor for standing in the wings for such a long time, especially as it has meant changes to his busy schedule. The Mayor also thanked the Deputy Mayor for attending One Community's Mascot March in West Street as she had sadly not been well enough to attend.

As this was her last council meeting as Mayor, the Mayor paid tribute to Officers for their guidance and assistance during the past three difficult years and stated that their time and advice has been very much appreciated. The Mayor also gave thanks to all members for their forbearance during such difficult times and praised the diligent way that they had all accepted the various ways that meetings had been conducted.

The Mayor announced that the next municipal year will see some changes, and she stated that she would like to take the opportunity to thank those members who were not seeking re-election and wished them all a very happy and healthy retirement. She also wished good luck to all those standing for re-election.

## **5. EXECUTIVE LEADER'S ANNOUNCEMENTS**

The Executive Leader echoed thanks to officers at the end of this municipal year and acknowledged that many Councillors go to the polls in the next couple of weeks to take part in democracy which many people around the world don't have a chance to participate in.

The Executive Leader announced that he was going to speak to the Council's longest serving Councillors each of whom has carried out decades of service: in fact, between them well over a century and a half.

### **Councillor Trevor Cartwright**

The Executive Leader stated it had been an immense pleasure to have served with Councillor Trevor Cartwright for the last 22 years both as a fellow Councillor and friend. Councillor Cartwright has been the longest serving Deputy Executive Leader of this Council and has always been a source of wise counsel to the Executive Leader and he knows to officers too, especially on personnel matters. Most everything that there has been to be Council

Champion for, Councillor Cartwright has done it, whether it be Daedalus, Vanguard or overseeing major projects at Solent Airport @ Daedalus or Holly Hill Leisure Centre. The Executive Leader stated that Warsash and Fareham have been well served by Councillor Cartwright both within the Civic building and outside as the Council's representative and he wished Councillor Cartwright all the best on the water.

### **Councillor Peter Davies**

The Executive Leader stated that Councillor Peter Davies has, on and off, been a Councillor for 36 years and he was pleased that, having tried out every other political party, he found his true home with the Conservatives. Councillor Davies hasn't just been here, he has made a memorable impression with his specialised subjects of buses, council housing and his beloved North-West Ward of Fareham whose residents he has have served admirably. The Executive Leader stated that he and Councillor Davies have enjoyed bus trips together and he will very much miss his contributions to debate. The Executive Leader wished Councillor Davies all the best.

### **Councillor Jim Forrest**

The Executive Leader stated that Councillor Jim Forrest has been a most diligent and honourable Member of this Council. His contributions have never failed to be relevant and, unlike some, Councillor Forrest has supported the administration in many of our major projects because he thinks they are right for Fareham. Councillor Forrest has never chosen the path of opposing for opposition's sake. The Executive Leader stated that Councillor Forrest has dedicated himself to Stubbington matters and those residents to whom he has given great support. The Executive Leader hoped that Councillor Forrest's future will be long and fruitful.

### **Councillor Leslie Keeble**

The Executive Leader stated that he and Councillor Keeble have not always seen eye-to-eye however he has always had the greatest of respect for the service that Councillor Keeble has given to the residents of West Ward which he knows has been beyond compare. The Executive Leader stated the people they represent are the most important to the life of any politician and between us we can make a positive difference. Councillor Keeble has always supported his residents with their issues, and they will always have cause to be grateful to him for his decades of dedicated service to them.

### **Councillor Roger Price**

The Executive Leader stated that Councillor Roger Price has been a Councillor at Fareham consistently longer than any of the Councillors: the Father of the Council. Not just meetings in this building but also in Westbury Manor. The Executive Leader stated that he has generally enjoyed working with Councillor Price and has always known that when they have discussed, and the Leader has shared, issues in confidence they have remained that way. The Executive Leader stated that Councillor Price has always had the greatest respect for this institution and helping to ensure that proper practises and protocols are followed.

The Executive Leader stated that, on a personal level, he has always enjoyed Councillor Price's company and he has never forgotten when he was a very new Leader – 23 years ago – and attended his first Local Government Association Conference in Harrogate Councillor and Mrs Price, knowing he was there on his own in a new environment, took him out for dinner where they enjoyed each other's company. The Executive Leader wished Councillor Price the very best for the future – half a century of dedication to Portchester and Fareham is no mean feat. As Councillor Price will serve the rest of his term on the County Council, they will still meet but he will be missed at the Council.

## **16. COUNCILLOR RECOGNITION AND AWARDS**

This item was brought forward on the agenda and heard after item 5.

The Mayor announced that a number of Councillors were retiring as long serving Ward Councillors this year – Councillor Trevor Cartwright, Councillor Peter Davies, Councillor Geoff Fazackarley, Councillor Jim Forrest, Councillor Leslie Keeble and Councillor Roger Price JP, and that she would be inviting them to receive a long-standing service plaque of recognition.

### **Councillor Trevor Cartwright**

In introducing Councillor T M Cartwright, the Mayor stated that he joined the Council in 2000 when he was elected as ward member for Warsash. Councillor Cartwright served on a variety of committees during his term in office including the Licensing Committee as Vice-Chairman. Councillor Cartwright has been the Deputy Leader of the Council since 2012 and served as Executive Member for Service Performance and Improvement from 2002 to 2010. After serving as Mayor in 2011/12 he served as Executive Member for Health & Public Protection from 2012 until 2022.

The Mayor then presented Councillor T M Cartwright with his long-standing service plaque of recognition following which Councillor T M Cartwright addressed the meeting in reply.

### **Councillor Peter Davies**

In introducing Councillor P J Davies, the Mayor stated that Councillor Davies joined the Council in 1978 as ward member for Fareham North West. Councillor Davies has served on many of the Council's Committees, Boards and Panels, including as Chairman of the Housing Tenancy Board and the Audit Committee and Vice Chairman of the Planning & Development Scrutiny Panel.

The Mayor then presented Councillor P J Davies with his long-standing service plaque of recognition following which Councillor P J Davies addressed the meeting in reply.

### **Councillor Geoff Fazackarley**

In introducing Councillor G Fazackarley, the Mayor stated that Councillor Fazackarley has been a member of the Council since 2012, representing the Portchester East ward from 2012 to 2018 and the Fareham South ward from 2018 to 2022. During his time on the Council, he has sat on several

Committees and Panels including the Health & Public Protection Scrutiny Panel as Chairman and the Streetscene Scrutiny Panel as Vice Chairman. Councillor Fazackarley was Mayor in 2017/18.

The Mayor then presented Councillor G Fazackarley with his long-standing service plaque of recognition following which Councillor G Fazackarley addressed the meeting in reply.

#### **Councillor Jim Forrest**

In introducing Councillor J Forrest, the Mayor stated that Councillor Forrest first joined the Council in 2002 when he was elected as ward Councillor for Stubbington. Councillor Forrest has served on many of the Council's Committees, Panels and Boards including the Scrutiny Board, the Licensing & Regulatory Affairs Committee and the Planning and Development Scrutiny Panel.

The Mayor then presented Councillor J Forrest with his long-standing service plaque of recognition following which Councillor J Forrest addressed the meeting in reply.

#### **Councillor Leslie Keeble**

In introducing Councillor L Keeble, the Mayor stated that Councillor Keeble has been a member of the Council since 2000 when he was elected as ward councillor for Fareham West. During his time on the Council, Councillor Keeble has served on many Committees Boards and Panels, including as Chairman of the Audit Committee and the Scrutiny Board.

From 2002-2004 Leslie was the Executive Member for Health & the Environment. Councillor Keeble served as Mayor in 2005/06 and was the Executive Member for Performance and Improvement from 2010 to 2011 and Executive Member for Streetscene from 2011 - 2015.

The Mayor then presented Councillor L Keeble with his long-standing service plaque of recognition following which Councillor L Keeble addressed the meeting in reply.

#### **Councillor R H Price, JP**

In introducing Councillor R H Price, JP, the Mayor stated that Councillor Price had been a member of Fareham Borough Council since 1972, and before that was a member of Fareham Urban District Council in 1971. Councillor Price has represented the wards of Portchester West, Portchester Central and Portchester East. Roger has served on numerous Committees, Boards and Panels including the Policy & Resources Committee as Chairman. Councillor Price was Leader of the Council from 1995 to 1999 and is the long-standing County Councillor for Portchester. Councillor Price was Mayor in 1982/83 and then again in 1999/2000.

The Mayor then presented Councillor R H Price, JP with his long-standing service plaque of recognition following which Councillor R H Price, JP addressed the meeting in reply.

## **6. EXECUTIVE MEMBERS' ANNOUNCEMENTS**

### **Executive Member for Health and Public Protection**

#### **Police & Crime Panel**

At the last Police & Crime Panel, the Commissioner announced that she is introducing a new operating model for her office by re-organising management roles and operational functions to make her office leaner, more focused and better equipped to meet current and future demands. The Commissioner is also moving her office to Fareham which will provide better value for money. The changes will enhance the Commissioner's oversight and scrutiny functions to drive performance improvements in policing and the wider criminal justice system whilst providing budget savings to invest in police and crime prevention.

The new office will be located just off Junction 10 of the M27 in the Long Barn building, Fareham, and it is anticipated that the move will be completed by the summer. The commissioner stated that she had already started the process with savings that will total approximately £700K a year. The savings are coming from staff costs and re-locating the office to a cheaper location. The present office in Winchester costs approximately £220K per year including business rates, rent and parking. By moving the office to Fareham, the rent will be £65K a year and on costs of £97K.

#### **Partnership Action Group**

The outgoing Chief Inspector, Mark Lewis, contacted the Community Safety Team to say that the Force Review of district working has highlighted a constructive and positive working relationship between Fareham Borough Council's Community Safety Team and the Police.

One of the quotes from the Report was that each matter was looked at to explore the detail allowing both police and other agencies to participate fully which they did with confidence. The district within the police command have interwoven relationships with their community safety partnership agencies and the police managed by the Chief Inspector, to be in synergy with them. The positive interactions between the internal partners and the external partners were clear to see.

Chief Inspector Lewis stated that from reading the rest of the report he was told that every year the Fareham Partnership Action Group, chaired and put together by the Council's Community Safety Manager Narinder Baines, is one of, if not, the best in the Force when they review down to the way it is managed, the breadth of partners involved, how active partners are and how constructive the meetings are. The Executive Member stated that he would like to put forward his congratulations to Narinder for this excellent report.

### **Executive Member for Planning and Development**

#### **Salterns Seawall**

The Executive Member for Planning and Development stated, as previously reported to Council, during storm Barra significant damage was caused to the sea wall running along the Salterns Recreation ground. There is a need to address this damage and officers have recommended building a pre-cast concrete "lego" block wall for the repairs. The "lego" blocks are the lowest cost option and the quickest method to restore the sea wall. Officers are currently

working through the consenting and procurement process for the repairs and expect to start construction during summer 2022.

The Executive Member for Planning and Development stated that a longer-term strategic solution to reduce flood and coastal erosion is also being worked on for the area. £487,500 of levy funds have been secured to undertake a coastal defence study in the coming months.

### **Local Plan update**

The Executive Member for Planning and Development stated that he was sure every member who has listened into the Local Plan Inquiry could not fail to have been impressed with the knowledge, understanding and professionalism of Richard Jolley's team headed up by Gayle Wootton.

The Executive Member for Planning and Development stated that now the inquiry has ended there is still a significant amount of work to do in responding to requests for information and in taking the plan through to the next phase. The Executive Member for Planning and Development took the opportunity to thank the team for their work on the massive project and looks forward to keeping Members informed of the progress.

## **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**

Deputations were made by local residents Verity Fair, Rob Lipsham and Mr Colin & Mrs Susan Banks in respect of item 14(1) of the agenda – update on the Motion presented by Councillor R H Price, JP to the meeting of the Council held on 21 October 2021.

Following the deputations, the Mayor announced that as the deputations referred to the Motion originally raised in October 2021, she would now bring item 14(1) forward and asked the Head of Democratic Services to provide the meeting with an update on that Motion.

The Head of Democratic Services reminded Members that the original Motion was received on the 21 October 2021 and had been referred to the Health and Public Protection Scrutiny Panel, as minuted at page 96 of the Council agenda packs. In those minutes, it is confirmed that the Motion was presented by Councillor R H Price, JP and debated by the Panel. The Executive Member for Health and Public Protection addressed the Panel on the item and following the debate, the Panel resolved that “it would not be reasonable, proportionate, cost effective or affordable to install height restriction barriers”.

Members' attention was drawn to the recommendation (b) on page 96 of the Council agenda pack which indicated that the Panel's recommendations will be received by the Council. This was an error as this issue falls under an Executive function and the recommendation should read that the Panel's comments will be received by the Executive. The minutes from the Health and Public Protection Scrutiny Panel will be rectified at the next Panel meeting.

The Mayor announced that as the Motion related to an Executive Function, it could not be debated by Council today and would be deferred to the Executive for decision. However, to enable Councillor R H Price, JP as the original proposer of the Motion to speak on this item, the Mayor advised that there was a motion to suspend Standing Orders. The Mayor further advised that members must be aware that this suspension would not allow for any wider debate to take place.

On having been proposed by Councillor S D T Woodward and seconded by Councillor T M Cartwright it was unanimously RESOLVED that Standing Orders 2.14 to 2.21 be suspended for the duration of this item of business to allow Councillor R H Price, JP as the mover of the original motion to which the deputations relate, to speak on the item for up to 5 minutes, with the Executive Member for Health and Public Protection and the Executive Leader able to respond to any points raised by the said proposer.

After Councillor R H Price, JP had addressed the Council on the Motion and Councillor T M Cartwright and Councillor S D T Woodward had responded, the Mayor advised the meeting that this matter now stood referred to the Executive for decision.

At the end of this item Councillor Mrs C L A Hockley left the meeting.

## **10. REPORTS OF THE EXECUTIVE**

- (1) Minutes of meeting Monday, 7 March 2022 of Executive

RESOLVED that the minutes of the meeting of the Executive held on Monday 07 March 2022 be received.

- (2) Minutes of meeting Monday, 4 April 2022 of Executive

RESOLVED that the minutes of the meeting of the Executive held on Monday 04 April 2022 be received.

- (3) Schedule of Individual Executive Member and Officer Delegated Decisions

RESOLVED that the Schedule of Individual Executive Member and Officer Delegated Decisions be received.

## **11. REPORTS OF OTHER COMMITTEES**

- (1) Minutes of meeting Wednesday, 16 February 2022 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday 16 February 2022 be received.

- (2) Minutes of meeting Wednesday, 2 March 2022 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday 02 March 2022 be received.

- (3) Minutes of meeting Wednesday, 23 March 2022 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday 23 March 2022 be received.

- (4) Minutes of meeting Monday, 14 March 2022 of Audit and Governance Committee

RESOLVED that the minutes of the meeting of the Audit and Governance Committee held on Monday 14 March 2022 be received.

- (5) Minutes of meeting Tuesday, 29 March 2022 of Licensing and Regulatory Affairs Committee

RESOLVED that the minutes of the meeting of the Licensing & Regulatory Affairs Committee held on Tuesday 29 March 2022 be received.

## **12. REPORTS OF THE SCRUTINY PANELS**

- (1) Minutes of meeting Tuesday, 1 March 2022 of Daedalus Scrutiny Panel

RESOLVED that the minutes of the meeting of the Daedalus Scrutiny Panel held on Tuesday 01 March 2022 be received.

- (2) Minutes of meeting Thursday, 3 March 2022 of Policy and Resources Scrutiny Panel

RESOLVED that the minutes of the meeting of the Policy and Resources Scrutiny Panel held on Thursday 03 March 2022 be received.

- (3) Minutes of meeting Wednesday, 9 March 2022 of Climate Change Scrutiny Panel

RESOLVED that the minutes of the meeting of the Climate Change Scrutiny Panel held on Wednesday 09 March 2022 be received.

- (4) Minutes of meeting Tuesday, 22 March 2022 of Health and Public Protection Scrutiny Panel

RESOLVED that the minutes of the meeting of the Health & Public Protection Scrutiny Panel held on Tuesday 22 March 2022 be received.

- (5) Minutes of meeting Thursday, 24 March 2022 of Streetscene Scrutiny Panel



RESOLVED that the minutes of the meeting of the Streetscene Scrutiny Panel held on Thursday 24 March 2022 be received.

**13. QUESTIONS UNDER STANDING ORDER 2.12**

There were no questions submitted for this meeting.

**14. MOTIONS UNDER STANDING ORDER 2.6**

- (1) Update on the Motion presented to Council on 21 October 2021 by Councillor R H Price, JP

This item had been moved forward on the agenda and dealt with at item 9.

- (2) Update on the Motion presented to Council on 21 October 2021 by Councillor J Forrest

The Council received an update by the head of Democratic Services on the motion presented by Councillor J Forrest at the meeting of the Council held on 21 October 2021 in respect of the live streaming of Council meetings.

The Head of Democratic Services advised that the Policy & Resources Scrutiny Panel received a presentation at its meeting on the 03 March 2022 and took part in debate on this item. The Head of Democratic Services stated that members would have seen the minutes from this item and the discussion that took place at page 86 of their agenda packs.

The Head of Democratic Services confirmed that a report would be taken back to the Policy & Resources Scrutiny Panel later in the year detailing options available for live streaming of meetings and that deputations could be made at that meeting.

**15. COMMITTEE WORK PROGRAMMES 2022/23**

RESOLVED that the Panel endorses the proposed Work Programmes for all the Committee meetings scheduled for the next municipal year as set out in Appendix A to the report.

(The meeting started at 6.00 pm  
and ended at 7.33 pm).



# FAREHAM

## BOROUGH COUNCIL

### Report to Council

Date: **12 May 2022**

Report of: **Head of Democratic Services**

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.

#### RECOMMENDATIONS

It is recommended that the Council approves:

- (a) the committee functions and number of seats on each committee for the municipal year 2022/23, as listed at paragraphs 8, 9 and 10 of the report;
- (b) the allocation of seats to political groups for the municipal year 2022/23, as set out in Appendix A to this report;
- (c) the nominations of the political groups to seats on committees, deputies and spokesmen, for the municipal year 2022/23, as set out in Appendix B to this report (to be tabled at the meeting following the receipt of nominations); and
- (d) the appointment of a Chairman and Vice-Chairman for each committee for the municipal year 2022/23, as set out in Appendix B to this report.

## **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 2022/23. Such appointments will take effect from 13 May 2022.

## **FUNCTIONS AND NUMBER OF SEATS**

### **Overview and Scrutiny**

3. The Council is required by Standing Order 1.6 to appoint such committee or committees to undertake the function of overview and scrutiny as provided for in the Council's Constitution. Standing Order 1.6.3 similarly requires the Council to determine the number of members and standing deputies to be appointed.
4. The Council is reminded that following a Vanguard Intervention in Committee Services in 2018, it was resolved at the meeting of the Council held on 11 October 2018 that the Scrutiny Board and the 5 Policy Development and Review Panels be disbanded, and in their place, 6 Scrutiny Panels be created to undertake the scrutiny function of the Executive Portfolios and to assist the Council and Executive in delivering the corporate priorities.
5. The Council is also reminded that in acknowledgment of the work being undertaken by the Council around climate change, a new Scrutiny Panel was created at the Council meeting held on 20 May 2021. This Scrutiny Panel considers the progress of the Carbon Reduction Plan in the delivery of the service and improvement actions identified in the Council's Corporate Priorities and Corporate Vision.
6. The Council is further reminded that there was also the creation of the Daedalus Scrutiny Panel at the Council meeting held on 20 May 2021. Since our acquisition of Daedalus airfield in 2015, the Council has been working on the delivery of the Daedalus Vision and Outline Strategy. Developed in 2015 and updated in 2018, the Strategy is comprehensive and extends across the whole 369-acre site, incorporating not only the airport itself but also unlocking the potential of the airfield's land and infrastructure assets for new commercial development, providing clusters for aviation and non-aviation employment and skills, training and innovation activity areas alongside our partners in the Solent Enterprise Zone. While many of the Strategy objectives have been achieved at Daedalus, there is much still to do on this dynamic strategic site with its wide-ranging opportunities and challenges.
7. A Member Working Group has been in place for some time and has been invaluable in steering the Council's direction at Daedalus. However, the strategic importance of the site to the local economy, and the ongoing commitment that is required by the Council to continue to lead on its development, makes it an excellent candidate for ongoing formal scrutiny.

8. It is recommended that the Council agrees to appoint a non-voting co-opted person to the Daedalus Scrutiny Panel with background knowledge and experience of operational activities at Solent Airport, Daedalus over many years to provide some perspective and general aviation expertise for the Members of the Panel. Former Councillor Jon Butts is the recommended to be re-appointed as the co-opted person. This is in accordance with Part 1, Chapter 7, of the Council's Constitution.
9. The Council is therefore invited to confirm that the Scrutiny Panels to be appointed for 2022/23 will be as set out below and that the number of members to be appointed is also as shown:
  - Policy and Resources Scrutiny Panel: 7 members + deputies;
  - Leisure and Community Scrutiny Panel: 7 members + deputies;
  - Planning and Development Scrutiny Panel: 7 members + deputies;
  - Health and Public Protection Scrutiny Panel: 7 members + deputies;
  - Housing Scrutiny Panel: 7 members + deputies;
  - Streetscene Scrutiny Panel: 7 members + deputies;
  - Daedalus Scrutiny Panel: 7 members with 1 co-opted representative + deputies; and
  - Climate Change Scrutiny Panel: 7 members + deputies.

#### **Appointment of Other Committees**

10. 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 1.7.1 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: 14 members;
  - Planning Committee: 9 members; and
  - Audit and Governance Committee: 7 members.
11. Members are reminded that the Licensing and Regulatory Affairs Committee has determined that a Licensing Panel with rotating membership be appointed to hear and determine various applications under the Licensing Act 2003, applications to drive or operate hackney carriage or private hire vehicles and applications under the Gambling Act 2005. Under the provisions of the Licensing Act 2003, such a Panel may only comprise three Members.
12. Licensing Panels are appointed with those terms of reference and delegated powers previously determined by the Committee on 01 February 2005, as amended on 23 January 2007 and subsequently confirmed by Council on 15 February 2007.
13. Members of the Licensing and Regulatory Affairs Committee are appointed to the Licensing Panel, such that it comprises the Chairman and two other members of the Licensing and Regulatory Affairs Committee, appointed on a rotating basis, subject to their having completed the necessary training.

14. The Chairman of the Licensing and Regulatory Affairs Committee presides at the meetings of the Panel, with the Vice Chairman of the Committee deputising as occasion requires.
15. 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.
16. 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.
17. Members are also reminded that the Council has previously appointed an Appeals Committee to determine appeals from the Chief Executive Officer or Directors of the Council under the Council's procedures relating to disciplinary action and unresolved grievances; and such other statutory rights of appeal against determinations of Council as may be referred to the Committee by Council from time to time.
18. As the Appeals Committee had not needed to be convened over the previous 10 years and in response to the proposal to create two new Scrutiny Panels, it was agreed at the meeting of the Council held on 20 May 2021 that the functions of the Appeals Committee be subsumed into the functions of the Audit & Governance Committee. This would keep the costs of creating two new Scrutiny Panels to a minimum and would provide extra flexibility to convene a 5 seat Appeals Panel from amongst the members of the 7 seat Audit & Governance Committee.

## **ALLOCATION OF SEATS**

19. 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.
20. 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**

21. The political balance of the Council for the municipal year 2022/23 will be tabled at the meeting as Appendix A to this report.

22. The allocation of seats between the political groups for each committee shall be in accordance with the figures in Appendix A.

### **ADJUSTMENTS FOLLOWING CALCULATIONS**

23. 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.
24. There are a total of 86 seats to be allocated and the strict entitlement to seats on committees for each political group is shown as detailed in Appendix A.
25. 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.
26. 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, the strict entitlement.
27. The manual adjustments required are confirmed in the notes as detailed in Appendix A.
28. To assist the Council in this matter and in exercise of powers delegated to the Chief Executive Officer, the Head of Democratic Services will consult with the leaders of the political groups prior to the meeting, with a view to agreeing the allocation of seats for 2022/23. 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.
29. 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**

30. The Council is required by Standing Order 1.7.4 to appoint a Chairman and Vice-Chairman for each committee appointed.
31. The nominations are set out in Appendix B (indicated by the letters Ch and VC), to be tabled at the meeting.

### **OPPOSITION SPOKESMEN**

32. The minority group Leaders 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 is set out in Appendix B (marked as Xs), to be tabled at the meeting.

**Appendices:** Appendix A – Allocation of Seats to Committees (to be tabled at the meeting)  
Appendix B – Committee Nomination Schedule (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)



**APPENDIX A- Allocation of Seats to Committees**

**To be tabled at the meeting**

**APPENDIX B – Committee Nomination Schedule**

**To be tabled at the meeting**

# FAREHAM

## BOROUGH COUNCIL

### Report to Council

Date: **12 May 2022**

Report of: **Head of Democratic Services**

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.

Details of the current bodies to which the Council has made appointments are set out in the Schedule attached as Appendix A to this report. For Members' information, appointments made for the 2021/22 municipal year are also shown in the Schedule.

Guidance on appointments to outside bodies is provided and attached as Appendix B.

#### RECOMMENDATION

It is recommended that the Council:

- (a) notes those Outside Bodies that have not met within the 2021/22 municipal year and agrees that these be deleted from the Schedule;
- (b) agrees the addition to the Schedule of any new Outside Bodies to which an appointment needs to be made for the 2022/23 municipal year;
- (c) where necessary, appoints representatives for the 2022/23 municipal year to those organisations set out in the Schedule; and
- (d) notes the guidance to Members on their duties and responsibilities as appointees to outside bodies.

## **INTRODUCTION**

1. The Council is required, or has agreed to make, a number of appointments to Outside Bodies. Many of the appointments are made annually, however it should be noted that some appointments are made for a longer term and may therefore have already been dealt with for the forthcoming municipal year.

## **CURRENT APPOINTMENTS TO OUTSIDE BODIES**

2. Details of the current Bodies to which the Council has made appointments are set out in the Schedule of Outside Body Appointments attached as Appendix A to this report. 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.
3. The Schedule covers the appointments made at the Annual Council Meeting held on 20 May 2021 and takes account of any subsequent amendments or additional appointments made by the Council during the 2021/22 municipal year.

## **PROPOSED CHANGES TO OUTSIDE BODIES FOR 2022/23**

4. It is recommended that any Outside Body that did not meet within the 2021/22 municipal year, be deleted from the Schedule. It is also recommended that any new Outside Bodies requiring the appointment of a representative for the 2022/23 municipal year be added.
5. Members are asked to note that, as a result of changes to the terms and conditions of The Moving On Project Charitable Trust, the charity no longer requires the Council to appoint a representative to serve on its Board of Trustees. This Outside Body will therefore be removed from the Schedule.

## **APPOINTMENTS FOR THE MUNICIPAL YEAR 2022/23**

6. A revised draft Schedule highlighting any proposed changes to Outside Bodies for consideration will be tabled at the meeting as Appendix C to this report and it is recommended that the Schedule be updated accordingly.
7. Appointments for the 2022/23 municipal year should now be made to those organisations set out in the revised Schedule, unless an existing term of office is still in force which will not expire before the next meeting of the Council.

## **GUIDANCE FOR MEMBERS ON OUTSIDE BODIES**

8. Members are reminded that Council has approved guidance for Members on their duties and responsibilities when acting as an appointee to an Outside Body.
9. The guidance was updated and approved by Council in December 2011. A copy of the guidance is provided to Members and is attached as Appendix B to this report.

## **RISK ASSESSMENT**

10. 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**

11. The Council is invited to proceed with the making of appointments to Outside Bodies for the 2022/23 municipal year.

### **Appendices**

- Appendix A:** Schedule of appointments made for, or during, the 2021/22 Municipal Year.
- Appendix B:** Guidance to Members on their duties and responsibilities as appointees to outside bodies.
- Appendix C:** Draft Schedule of appointments for the 2022/23 Municipal Year (to be tabled at the meeting)

**Background Papers:** None

**Reference Papers:** None

**Enquiries:** For further information please contact Leigh Usher (Ext. 4553).



**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

.	Title	Description	Representative	Role	Political Party	Terms of Office
1	<b>Abshot Community Association Management Committee</b>	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. <b>Meets:</b> Monthly. <b>Status:</b> 1 Representative (non-voting), 1 deputy	Councillor Sarah Pankhurst  Councillor Jack Englefield	Appointed Representative  Deputy	Conservative  Independent	1 year
2	<b>Burridge Community Association Management Committee</b>	Maintains and supports the use of Burridge Village Hall for the benefit of the local community. <b>Meets:</b> Six to seven times per year. <b>Status:</b> 1 Trustee (voting)	Councillor Joanne Bull	Trustee	Conservative	1 year
3	<b>Citizens' Advice Fareham</b>	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. <b>Meets:</b> Quarterly (with monthly sub-group meetings) <b>Status:</b> 1 Representative (non-voting), 1 Deputy	Councillor Louise Clubley  Councillor Sarah Pankhurst	Appointed Representative  Deputy	Conservative  Conservative	1 year
4	<b>Community Safety Partnership</b>	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. <b>Meets:</b> 2 meetings per year <b>Status:</b> 1 Representative, 1 Deputy	Councillor Trevor Cartwright, MBE  Councillor Joanne Bull	Appointed Representative  Deputy	Conservative  Conservative	1 year

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

5	<b>Consultation with Businesses</b>	This is a consultation arrangement with representatives of local businesses, Federation of Small Businesses, Hampshire Chamber of Commerce and the Institute of Directors. <b>Meets:</b> Once annually <b>Status:</b> 2 Representatives	Councillor Seán Woodward	Appointed Representative	Conservative	1 year
			Councillor Trevor Cartwright, MBE	Appointed Representative	Conservative	1 year
6	<b>Crofton Community Association</b>	Promotes benefits for the inhabitants of the Stubbington and Hill Head wards by providing recreation and leisure time facilities. <b>Meets:</b> Monthly <b>Status:</b> 1 Managing Trustee (voting), 1 Deputy	Councillor Steve Dugan	Trustee	Conservative	1 year
			Councillor Pal Hayre	Deputy	Conservative	
7	<b>Earl of Southampton Trust</b>	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. <b>Meets:</b> Monthly <b>Status:</b> 4 Trustees (4 year terms)	Cllr Connie Hockley	Fareham Borough Council Trustee	Conservative	4-year term ends 09/22
			F C Knight	Earl of Southampton Trustee		4-year term ends 09/22
			Annette Devoil	Earl of Southampton Trustee		4-year term ends 09/23
			Ian Brewerton	Earl of Southampton Trustee		4-year term ends 10/24
8	<b>Fareham / Pulheim Twinning Association</b>	Promotes and fosters friendship and understanding between the peoples of Fareham and Pulheim, including the encouragement of visits, fund raising and financial assistance.	Councillor Roger Price, JP	Appointed Representative	Liberal Democrats	1 year
			Councillor Connie Hockley	Appointed Representative	Conservative	1 year



**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

		<p><b>Meets:</b> Monthly  <b>Status:</b> 2 Representatives (voting)</p>				
9	<b>Fareham / Vannes Twinning Committee</b>	<p>The Committee exists to progress the “entente cordiale” between Fareham and Vannes. Main groups are sporting exchanges, cultural exchanges and family exchanges. Council to Council formal exchanges are arranged directly between the Borough Council and the Marie.  <b>Meets:</b> monthly plus 1 major exchange visit (several social and fundraising events also occur)  <b>Status:</b> 2 Representatives (voting)</p>	<p>Councillor Katrina Trott  Councillor Pamela Bryant</p>	<p>Appointed Representative  Appointed Representative</p>	<p>Liberal Democrats  Conservative</p>	<p>1 year  1 year</p>
10	<b>Fareham and Gosport Clinical Commissioning Group – Community Engagement Committee</b>	<p>The Community Engagement Committee provides a two-way flow of information from interested parties (including local councils, voluntary sector, patients and practices) to the CCG and back.  <b>Meets:</b> quarterly  <b>Status:</b> 1 Representative</p>	<p>Councillor T M Cartwright, MBE</p>	<p>Appointed Representative</p>	<p>Conservative</p>	<p>1 year</p>
11	<b>Fareham Fairtrade Borough Working Group</b>	<p>This is the steering group for Fairtrade in the Borough. Efforts are directed towards maintaining the Borough's Fairtrade status by promoting Fairtrade, encouraging its wider availability and convincing people who live and work in the Borough of the benefits and importance of Fairtrade.  <b>Meets:</b> four times per year and additionally organises events to promote Fairtrade.  <b>Status:</b> 1 Representative (voting)</p>	<p>Councillor Pamela Bryant</p>	<p>Appointed Representative</p>	<p>Conservative</p>	<p>1 year</p>

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

12	<b>Fareham North West Community Association Management Committee</b>	Supports the local community by maintaining the centre, maximising its occupancy and making it accessible for local residents. <b>Meets:</b> Four times per year <b>Status:</b> 2 Representatives (voting)	Councillor Fred Birkett	Appointed Representative	Conservative	1 year
			Councillor Peter Davies	Appointed Representative	Conservative	1 year
13	<b>Fareham Welfare Trust</b>	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. <b>Meets:</b> Twice annually plus an AGM. <b>Status:</b> 2 Trustees (voting) with 4-year terms	Councillor Fred Birkett	Trustee	Conservative	4-year term ends 07/24
			Councillor Louise Clubley;	Trustee	Conservative	4-year term ends 10/24
14	<b>Genesis Advisory Committee</b>	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, 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. <b>Meets:</b> 6 times per year <b>Status:</b> 2 Representatives	Councillor Sarah Pankhurst;	Appointed Representative	Conservative	1 year
			Councillor Susan Bayford	Appointed Representative	Conservative	1 year
15	<b>Hammond Memorial Hall Trust</b>	A charitable Trust formed in 1971 from the proceeds of the sale of the of the former Hammond Hall. Funds are invested and distributed as grants for recreational purposes, for social welfare and to improve the lives of residents in the Stubbington and Hill Head area. The ward councillors for Stubbington and Hill Head are ex-officio	Councillor Steve Dugan	Trustee	Conservative	Ex-Officio
			Councillor Jim Forrest	Trustee	Liberal Democrat	Ex-Officio
			Councillor Kay Mandry	Trustee	Conservative	Ex-Officio
			Councillor Pal Hayre	Trustee	Conservative	Ex-Officio
			Roy Parker	Trustee		4 year term ends 02/25

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

		Trustees. Council appoints 3 additional Trustees to administer the charitable scheme. <b>Meets:</b> As and when required. <b>Status:</b> 7 Trustees	Sarah Coles  Rev Richard England	Trustee  Trustee		4 year term ends 05/23  4 year term ends 05/23
16	<b>Hampshire and Isle of Wight Community Safety Alliance</b>	Chaired by the Police and Crime Commissioner, this group looks at the risks, priorities and emerging issues for Community Safety Partnerships and also influences the commissioning of funding and opportunities for collaborative working. <b>Meets:</b> quarterly. <b>Status:</b> 1 Representative	Councillor Trevor Cartwright, MBE	Appointed Representative	Conservative	1 year
17	<b>Hampshire and Isle of Wight Local Government Association (HIOWLGA)</b>	Leading Members and Chief Executives of Hampshire and Isle of Wight local authorities meet to discuss matters of mutual interest. <b>Meets:</b> Six times per year <b>Status:</b> 1 Representative (Executive Leader), 2 Deputies	Councillor Seán Woodward  Councillor Trevor Cartwright, MBE  Councillor Fred Birkett	Appointed Representative  Deputy  Deputy	Conservative  Conservative  Conservative	1 year
18	<b>Hampshire County Council South Area Road Safety Council</b>	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. <b>Meets:</b> Three times per year <b>Status:</b> 1 Representative (non-voting)	Councillor Joanne Bull	Appointed Representative	Conservative	1 year
19	<b>Hampshire 2050 Partnership</b>	The Partnership drives forward an agenda for partnership working that recognises the important role of the County Council and	Councillor Simon Martin	Appointed Representative	Conservative	1 year

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

	<b>(previously the Hampshire Partnership)</b>	District/Borough Councils working together with other organisations on matters of interest and service delivery within the county of Hampshire. <b>Meets:</b> Quarterly. <b>Status:</b> 1 Representative, 1 Deputy	Councillor Trevor Cartwright, MBE;	Deputy	Conservative	
<b>20</b>	<b>Historic Environment Champion (English Heritage)</b>	Promotes the historic environment and ensures 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. <b>Status:</b> 1 Representative (non-voting)	Councillor Nick Walker	Appointed Representative	Conservative	1 year
<b>21</b>	<b>Joint Gypsy and Traveller Panel for Hampshire</b>	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. <b>Status:</b> 1 Representative, 1 Deputy <b>Meets:</b> Quarterly	Councillor T M Cartwright, MBE  Councillor Joanne Bull	Appointed Representative  Deputy	Conservative	1 year
<b>22</b>	<b>Local Government Association - General Assembly and Annual Meeting</b>	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. <b>Meets:</b> Annually <b>Status:</b> 1 Representative	Councillor Seán Woodward	Appointed Representative	Conservative	Indefinite

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

23	<b>Local Government Association - Group Leaders' Briefings</b>	Briefing meetings organised by the Local Government Association for local leaders of political groups, on a national basis. <b>Meets:</b> Two or three times a year <b>Status:</b> Representatives (All group leaders of a registered political group)	Councillor Seán Woodward;	Appointed Representative	Conservative	Indefinite
			Councillor Roger Price	Appointed Representative	Liberal Democrats	Indefinite
24	<b>Local Government Association Coastal Issues Special Interest Group</b>	The Group's purpose is to increase awareness of issues affecting coastal, estuarine, and maritime communities; act as a focus for liaison between local authorities and other bodies and secure improved cross-departmental co-ordination within central government on coastal issues. <b>Meets:</b> Three to four times per year <b>Status:</b> 1 Representative, 1 Deputy	Councillor Simon Martin	Appointed Representative	Conservative	1 year
			Councillor Malcolm Daniells	Deputy	Conservative	
25	<b>Lockswood Community &amp; Sports Association</b>	Provides sports and social facilities to its members who are in the main, local to the club. <b>Meets</b> quarterly <b>Status:</b> 1 Representative (non-voting)	Councillor Susan Bayford	Appointed Representative	Conservative	1 year
26	<b>North Whiteley Development Forum</b>	Informal advisory body to Winchester City Council, advising on the major development north of Whiteley. <b>Meets:</b> Approximately four times per year <b>Status:</b> 1 Representative (voting) and 1 Deputy	Councillor Joanne Bull	Appointed Representative	Conservative	1 year
			Councillor Simon Martin	Deputy	Conservative	
27	<b>One Community, Eastleigh</b>	This is a not-for-profit organisation which has been appointed by Fareham Borough Council to provide help and support for voluntary and community groups and organisations in the Borough of Fareham. <b>Status:</b> 1 Representative	Councillor Susan Walker	Appointed Representative	Conservative	1 year

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

28	<b>Parking and Traffic Regulations Outside London</b>	The joint committee provides an opportunity for local member input into the national parking adjudication service. <b>Meets:</b> Annually <b>Status:</b> 1 Representative and 1 Deputy	Councillor Trevor Cartwright, MBE  Councillor Simon Martin	Appointed Representative  Deputy	Conservative  Conservative	1 year
29	<b>Partnership Action Group (sub-group of the Community Safety Partnership)</b>	Operational, multi-agency group which deals with crime and disorder problems in the Borough by looking at Victims, Offenders and problematic locations. Tasks are set and each organisation attending is held accountable for completing tasks in a timely manner. Chaired jointly by Community Safety and the Police. <b>Meets:</b> monthly. <b>Status:</b> 1 Representative	Councillor Trevor Cartwright, MBE	Appointed Representative	Conservative	1 year
30	<b>Partnership for South Hampshire - Overview and Scrutiny Committee</b>	Established to scrutinise and call-in decisions of the PfSH Joint Committee and to review delivery of the PfSH business plan. <b>Meets:</b> four times per year, when decisions are called-in or as the committee determines. <b>Status:</b> 1 Representative, 1 Deputy	Councillor Malcolm Daniells  Councillor Peter Davies	Appointed Representative  Deputy	Conservative  Conservative	1 year
31	<b>Police and Crime Panel</b>	The Police Reform & Social Responsibility Act 2011 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 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 <b>Meets:</b> quarterly	Councillor Trevor Cartwright, MBE  Councillor Joanne Bull	Appointed Representative  Deputy	Conservative  Conservative	4 years (2019-2023)

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

		<b>Status:</b> 1 Representative, 1 Deputy				
<b>32</b>	<b>Portchester Community Centre Ltd</b>	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 <b>Status:</b> 2 Trustees	Councillor Susan Walker Councillor Nick Walker	Trustee Trustee	Conservative Conservative	1 year 1 year
<b>33</b>	<b>Portchester Parish Hall Board of Trustees</b>	Provides facilities for user groups of all ages and a wide variety of other functions. <b>Meets:</b> Quarterly <b>Status:</b> 2 Trustees	Councillor Gerry Kelly Councillor Jean Kelly	Trustee Trustee	Liberal Democrats Liberal Democrats	1 year 1 year
<b>34</b>	<b>Portsmouth City Council Health Overview &amp; Scrutiny Panel</b>	Portsmouth City Council invites a Representative from Fareham Borough Council to attend meetings of this Panel which scrutinises and comments on any proposed significant changes in health service provision. <b>Meets:</b> Bi-monthly <b>Status:</b> 1 Representative, 1 Deputy	Councillor Trevor Cartwright, MBE Councillor Joanne Bull	Appointed Representative Deputy	Conservative Conservative	1 year
<b>35</b>	<b>Priory Park Community Association Management Committee</b>	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. <b>Meets:</b> Six times per year <b>Status:</b> 2 Representatives (non-voting)	Councillor Ian Bastable Councillor Simon Martin	Appointed Representative Appointed Representative	Conservative Conservative	1 year 1 year
<b>36</b>	<b>Project Integra – Strategic Board</b>	Project Integra is a mature partnership of all the 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,	Councillor Simon Martin Councillor Ian Bastable	Appointed Representative Deputy	Conservative Conservative	1 year

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

		synergy and influence. Portfolio holders representing partner organisations. <b>Meets:</b> Three times per year, plus conference <b>Status:</b> 1 Representative (voting), 1 Deputy (voting) (Representative and Deputy must be Executive Members)				
37	<b>Public Transport Representative</b>	Representatives attend meetings of FARGO (Fareham and Gosport Bus Panel) and HCC Transport Fora for Fareham and Gosport, liaise with bus and train companies on matters relating to public transport and attend Bus Users UK meetings in South Hampshire. <b>Status:</b> 1 Representative, 1 Deputy	Councillor Peter Davies  Councillor Malcolm Daniells	Appointed Representative  Deputy	Conservative  Conservative	1 year
38	<b>Randal Cremer Trust</b>	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. <b>Meets:</b> Twice per year <b>Status:</b> 1 Trustee	Councillor Kay Mandry	Trustee	Conservative	1 year
39	<b>Ranvilles Community Association Management Committee</b>	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. <b>Meets:</b> Four to six times per year <b>Status:</b> 1 Representative	Councillor Tiffany Harper	Appointed Representative	Conservative	1 year
40	<b>River Hamble Harbour Management Committee</b>	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. <b>Meets:</b> Four times per year <b>Status:</b> 1 Representative (voting), 1 Deputy	Councillor Trevor Cartwright, MBE  Councillor Joanne Bull	Appointed Representative  Deputy	Conservative  Conservative	1 year
41	<b>Solent Forum (incorporating the</b>	Since 1992, the Solent Forum has provided a platform to deliver Integrated Coastal Zone	Councillor Mike Ford, JP	Appointed Representative	Conservative	1 year



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	<b>Solent Water Quality Group / Conference)</b>	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. <b>Meets:</b> Twice per year, plus the conference <b>Status:</b> 1 Representative (non-voting), 1 Deputy	Councillor Trevor Cartwright, MBE	Deputy	Conservative	
42	<b>Solent Growth Forum</b>	The Solent Growth Forum provides a complimentary role to the Solent Leaders Forum by carrying out a scrutiny panel function to enable the Solent Local Enterprise Forum to benefit from external scrutiny and expert oversight of local authority partners. <b>Meets:</b> 2 -3 times a year <b>Status:</b> 1 Representative	Councillor Susan Bayford	Representative	Conservative	1 year
43	<b>Solent Local Enterprise Partnership – Joint Leaders Board</b>	The Joint Leaders Board brings together the elected leaders and senior officials of the Councils with the Solent LEP with the purpose of strengthening the local authority engagement to assist in the development and implementation of actions that will deliver the Strategic Economic Plan and Local Industrial Strategy and to collaborate on economic development issues affecting the wider area. The Joint Leaders Board is a forum for engagement for all local authorities with the Solent LEP and, as such, the Board is not decision making. <b>Meets:</b> Quarterly <b>Status:</b> 1 Representative	Councillor Seán Woodward  Councillor Trevor Cartwright, MBE	Appointed Representative  Deputy	Conservative  Conservative	1 year

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

44	<b>Solent Sea Rescue Organisation</b>	Saving of life at sea and rescuing people in danger in the Solent area. <b>Meets:</b> Eight times per year. <b>Status:</b> 1 Representative	Councillor Trevor Cartwright, MBE	Appointed Representative	Conservative	1 year
45	<b>South East Employer's Local Democracy and Accountability Network for Councillors</b>	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. <b>Meets:</b> Twice per year <b>Status:</b> 1 Representative (also 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 Trevor Cartwright, MBE  Councillor Mike Ford, JP	Appointed Representative  Deputy	Conservative  Conservative	1 year
46	<b>South East Employers</b>	Represents the interests of authorities within the region, providing comprehensive employment and industrial relations advice, consultancy, training and information services. <b>Meets:</b> Three times per year. <b>Status:</b> 1 Representative (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 Trevor Cartwright, MBE  Councillor Fred Birkett	Appointed Representative  Deputy	Conservative  Conservative	1 year
47	<b>Standing Conference on Problems Associated with Coastline</b>	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	Councillor Simon Martin  Councillor Malcolm Daniells	Appointed Representative  Deputy	Conservative  Conservative	1 year

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

		SCOPAC and for the development and implementation of its research programme. <b>Status:</b> 1 Representative, 1 Deputy				
48	<b>Stubbington Study Centre Management Committee</b>	The Centre provides the opportunity for children, young people and the wider community to practice learning activities beyond the classroom. The Committee supports, challenges and guides the Head of Centre <b>Meets:</b> three times a year <b>Status:</b> 1 Representative (voting)	Councillor Steve Dugan	Appointed Representative	Conservative	1 year
49	<b>The Louisa Seymour Charity Management Committee</b>	The charity is for provision and upkeep of Sarisbury Parish Rooms. The appointee is as a member of the Management Committee. <b>Meets:</b> Bi-monthly <b>Status:</b> 1 Representative (non-voting)	Councillor Joanne Bull	Appointed Representative	Conservative	1 year
50	<b>The Moving On Project</b>  <b>DELETE</b>	A charity, working in Fareham and Gosport, to provide help for young people aged 11-25 to improve their lives. It offers confidential discrete support, including free counselling and mentoring to local young people. Based at the X- perience Youth Centre in Fareham but also offers counselling in Gosport and co-delivers 6 weekly drop-in health & wellbeing sessions in a number of local youth centres. <b>Status:</b> 1 Representative	Councillor Sarah Pankhurst	Appointed Representative	Conservative	1 year
51	<b>The Solent Transport Joint Committee</b>	Provides enhanced transport delivery arrangements for the South Hampshire area and maximises investment and infrastructure provision in accordance with the South Hampshire sub-regional strategy.	Councillor Simon Martin	Appointed Representative	Conservative	1 year

**Appendix A - Schedule of appointments made at the annual Council meeting on 20 May 2021 plus any in year amendments made by Council**

		<b>Meets:</b> Four times per year <b>Status:</b> 1 Representative (Observer)				
52	<b>Titchfield Community Association</b>	Liaison between Fareham Borough Council and Titchfield Community Association on matters other than routine/administration. <b>Meets:</b> Five times per year <b>Status:</b> 1 Representative (non-voting)	Councillor Tiffany Harper	Appointed Representative	Conservative	1 year
53	<b>Victory Hall Management Committee</b>	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. <b>Meets:</b> Monthly. <b>Status:</b> 1 Trustee	Councillor Michael Ford, JP	Trustee	Conservative	1 year
54	<b>Wallington Village Community Association Executive Committee</b>	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. <b>Meets:</b> Monthly <b>Status:</b> 1 Representative (non-voting), 1 Deputy	Councillor Tom Davies  Councillor Katrina Trott	Appointed Representative  Deputy	Conservative  Liberal Democrats	1 year
55	<b>Whiteley Community Association - General and Executive Committees</b>	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. <b>Meets:</b> General Committee not less than 4 times per year, Executive Committee not less than 6 times per year.	Councillor Seán Woodward	Trustee	Conservative	1 year

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		<b>Status:</b> 1 Trustee				
<b>56</b>	<b>William Price Charitable Trust</b>	<p>Provides special and educational benefits for schools in Fareham. Promotes education by the provision of financial assistance such as bursaries and grants. Promote education in the doctrines of the Church of England among the under-25s.</p> <p>Meets: Six times per year (two general meetings, two grants committee meetings and two finance committee meeting)</p> <p><b>Status:</b> 2 Trustees with 4-year terms of office. One Trustee sits as a member of the Finance committee and one sits as a member of the Grants committee</p>	<p>Councillor Pamela Bryant</p> <p>Councillor Tina Ellis</p>	<p>Trustee (Grants)</p> <p>Trustee (Finance)</p>	<p>Conservative</p> <p>Conservative</p>	<p>4-year term ends 10/2024</p> <p>4-year term ends 10/2024</p>



## **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](http://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*



**APPENDIX C – Outside Bodies Schedule 2022/23**

**To be tabled at the meeting**

