

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, 11 MAY 2023, commencing at **10.30 am**.

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

The Mayor: Councillor Michael Ford, JP

The Deputy Mayor: Councillor Fred Birkett

Councillor Chrissie Bainbridge

Councillor Ian Bastable

Councillor Susan Bayford

Councillor Roger Bird

Councillor Pamela Bryant

Councillor Frair Burgess

Councillor Joanne Burton

Councillor Louise Clubley

Councillor Malcolm Daniells

Councillor Harry Davis

Councillor Steve Dugan

Councillor Tina Ellis

Councillor Jack Englefield

Councillor David Foot

Councillor Nick Gregory

Councillor David Hamilton

Councillor Tiffany Harper

Councillor Pal Hayre

Councillor Connie Hockley

Councillor Stephen Ingram

Councillor Kay Mandry

Councillor Simon Martin

Councillor Jacquie Needham

Councillor Paul Nother

Councillor Sarah Pankhurst

Councillor Katrina Trott

Councillor Nick Walker

Councillor Mrs Susan Walker

Councillor Seán Woodward



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 2023/24. 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 2023/24 in accordance with Standing Order 1.2.2.

6. Mayor's Cadet

To present the Mayor's Cadet for 2023/24 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 - 14)

To confirm as a correct record the minutes of the Council Meeting held on 20 April 2023.

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 2023/24. 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 15 - 24)

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 25 - 50)

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. 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, 12 April 2023 of Planning Committee

The minutes of the meeting of the Planning Committee held on Wednesday 12 April 2023 will be tabled at the meeting.

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.

Members are asked to note that the Local Government Act 2000 made it a statutory duty for Council's to prepare a sustainable community strategy and hence the Council prepared a strategy, which was approved by Council in 2020 accordingly. However, subsequently the Deregulation Act 2013 removed the requirement to prepare a sustainable community strategy. The Council has not therefore reviewed the strategy and, given that it is now out of date, it is appropriate to remove the reference to the Strategy in the Policy Framework.

The Council is therefore invited to confirm the Policy Framework for 2023/24 as comprising those plans and strategies identified in the table below:

Policy/ Strategy	Last adopted or approved by	Date
Affordable Housing Strategy	Executive	19 November 2019
Licensing Policy	Council	26 February 2021
Fareham Borough Local Plan 2037	Council	05 April 2023
Welborne Plan	Council	08 June 2015
Community Safety Strategy	Council	29 May 2014
Corporate Strategy	Council	14 December 2017
Statement of Gambling Policy	Council	25 February 2022



A WANNELL
Chief Executive Officer

www.fareham.gov.uk

02 May 2023

**For further information please contact:
Democratic Services, Civic Offices, Fareham, PO16 7AZ
Tel:01329 236100
democraticservices@fareham.gov.uk**

FAREHAM

BOROUGH COUNCIL

Minutes of the Council

Date: Thursday, 20 April 2023

Venue: Council Chamber - Civic Offices

PRESENT:

M J Ford, JP
(Mayor)

F Birkett
(Deputy Mayor)

Councillors: Ms C Bainbridge, Mrs S M Bayford, R Bird, Mrs P M Bryant, Miss J Burton, Mrs L E Clublely, M R Daniells, H P Davis, S Dugan, D G Foot, D J Hamilton, Miss T G Harper, Mrs P Hayre, Mrs C L A Hockley, S Ingram, Mrs K Mandry, S D Martin, Mrs J Needham, P Nother, Ms S Pankhurst, Mrs K K Trott, N J Walker, Mrs S M Walker and S D T Woodward



At the start of the meeting, a minute's silence was held for former Councillor and past Mayor Tessa Short who passed away peacefully at her home in Titchfield on Saturday 04 March. Tessa represented Titchfield as a councillor from 1987 to 1999, during which time she served as Mayor in 1994-1995.

1. PRAYERS

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

The Mayor thanked the Reverend Mike Terry for his year of service as Mayor's Chaplain.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors I J Bastable, Mrs F L Burgess, Mrs T L Ellis and N R Gregory.

3. MINUTES

RESOLVED that the Mayor be authorised to sign, as a correct record, the minutes of the meeting of the Council held on 05 April 2023.

4. MAYOR'S ANNOUNCEMENTS

The Mayor welcomed James Praine from Warash Sea Cadets to the meeting. James was thanked for his outstanding service and presented with a certificate to mark the end of his service as the Mayor's cadet.

The Mayor noted that this was his final meeting of the municipal year as his Mayoral year comes to a close. In doing so he thanked the Council for going about its business with the usual quiet efficiency.

5. EXECUTIVE LEADER'S ANNOUNCEMENTS

The Executive Leader paid tribute to the retiring Chief Executive Officer, Peter Grimwood who joined Fareham Borough Council as Head of Community Development in 1996. He was the Director of Leisure & Environment and then Director of Corporate Policy & Performance before being appointed as Chief Executive Officer in 2009.

The Executive Leader noted that Peter has provided the most sound advice to all Members which has helped the Borough Council move forward and successfully carry out major projects such as the 6,000 home development in Welborne, the running of Solent Airport at Daedalus and the provision of first class Leisure facilities.

The Executive Leader presented Peter with a gift and card which has been signed by all elected Members as a token of appreciation.

It was proposed by Councillor S D T Woodward and seconded by Councillor S D Martin "that the best thanks of Fareham Borough Council be accorded to Peter Grimwood for his service to the Council between 1996 and 2023." On being put to the meeting the motion was declared CARRIED unanimously.

RESOLVED that the best thanks of the Council be accorded to Peter Grimwood for his service to the Council between 1996 and 2023.

6. EXECUTIVE MEMBERS' ANNOUNCEMENTS

The Executive Member for Housing announced that she had earlier visited the 2 smashing new houses built in Queens Road by Fareham Housing. She was delighted to say that both homes will be occupied within the week and that they are a welcome addition to the housing stock. In giving praise to the officers involved, the Executive Member stated that Fareham Housing is going from strength to strength and that these new houses are something for the whole Council to be proud of.

7. DECLARATIONS OF INTEREST

Councillor P M Nother declared a personal interest for item 8(2) as he lives in close proximity to the car park site.

8. PRESENTATION OF PETITIONS

(1) Use of Glyphosate on Public Land

The Council received a petition submitted by Councillor Ms C Bainbridge on behalf of Conserving Habitats in Portchester (C.H.I.P) which requested that Fareham Borough Council ensure that, in public areas, it replaces the use of Glyphosate with chemical free weed removal methods, which are better for the environment and pose no risk to humans, wildlife and pets.

Members were advised that whilst this petition was being formally submitted today, it would not be debated at this meeting and would, instead, be considered at a later meeting of the Council following a formal report being presented to the Executive in June so that Members could be furnished with all the facts before debating the issue. Members were further advised that the lead petitioner has been advised of this and will be invited to give a deputation at the meeting of the Executive.

(2) Introduction of Car Parking Charges at Wicor Recreation Ground

A deputation was made in respect of this item by Graeme Moir from AFC Portchester.

Councillor P M Nother declared a personal interest for this item as he lives in close proximity to the car park site

The Council received a petition of 1796 signatures which requests that the Council immediately scrap the proposals to introduce car parking charges at Wicor Recreation Ground in Portchester.

Members were advised that this decision was considered by the Executive at its meeting on 3 April where this petition was referenced and taken into account when considering a report on the Extension of Coastal Car Parking Charges.

Members were further advised that the petition triggers a Council debate by virtue of the number of petitioners and was therefore being presented today. Members were advised that if the Council accepted the petition as valid, a debate could take place. Members were reminded that in debating the item, the Council cannot over-ride or reverse decisions already properly taken by the Executive but may refer the petition back to the Executive to ensure that it is taken into account when any further decisions are made on this subject.

During a debate on this item, it was proposed by Councillor S D T Woodward that the Executive Member for Health and Public Protection take comments raised by the petition, and in the deputation received, when considering future Traffic Regulation Orders. Having been properly seconded, the motion was agreed.

RESOLVED that the Executive Member for Health and Public Protection be asked to take comments raised by the petition and in the deputation received when considering future Traffic Regulation Orders.

9. DEPUTATIONS

A deputation was made by Graeme Moir from AFC Portchester in respect of item 8(2) – Introduction of car parking charges at Wicor Recreation Ground.

10. REPORTS OF THE EXECUTIVE

(1) Minutes of meeting Monday, 6 March 2023 of Executive

RESOLVED that the minutes of the meeting of the Executive held on Monday 06 March 2023 be received.

(2) Minutes of meeting Monday, 3 April 2023 of Executive

RESOLVED that the minutes of the meeting of the Executive held on Monday 03 April 2023 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.

- (4) Schedule of Urgency Provisions

RESOLVED that the Schedule of Urgency Provisions be received.

11. REPORTS OF OTHER COMMITTEES

- (1) Minutes of meeting Tuesday, 07 March 2023 of Appointments Sub-Committee

RESOLVED that the minutes of the meeting of the Appointments Sub-Committee held on Tuesday 07 March 2023 be received.

- (2) Minutes of meeting Thursday, 06 April 2023 of Appointments Sub-Committee

RESOLVED that the minutes of the meeting of the Appointments Sub-Committee held on Thursday 06 April 2023 be received.

- (3) Minutes of meeting Tuesday, 18 April 2023 of Appointments Sub-Committee

This item was deferred until later in the meeting and heard directly before item 18.

The minutes of the meeting of the Appointments Sub-Committee held on Tuesday 18 April 2023 were tabled at the meeting for consideration.

RESOLVED that:

- (a) the Appointments Sub-Committee agrees that the minutes of the meeting held on 18 April 2023 be confirmed and signed as a correct record; and
 - (b) Council agrees that the minutes of the meeting of the Appointments Sub-Committee held on Tuesday 18 April 2023 be received.
- (4) Minutes of meeting Monday, 13 March 2023 of Audit and Governance Committee

RESOLVED that the minutes of the meeting of the Audit and Governance Committee held on Monday 13 March 2023 be received.

- (5) Minutes of meeting Tuesday, 14 March 2023 of Licensing and Regulatory Affairs Committee

RESOLVED that the minutes of the meeting of the Licensing and Regulatory Affairs Committee held on Tuesday 14 March 2023 be received.

- (6) Minutes of meeting Wednesday, 15 March 2023 of Planning Committee

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday 15 March 2023 be received.

12. REPORTS OF THE SCRUTINY PANELS

- (1) Minutes of meeting Wednesday, 22 February 2023 of Planning and Development Scrutiny Panel

RESOLVED that the minutes of the meeting of the Planning and Development Scrutiny Panel held on Wednesday 22 February 2023 be received.

- (2) Minutes of meeting Thursday, 30 March 2023 of Planning and Development Scrutiny Panel

RESOLVED that the minutes of the meeting of the Planning and Development Scrutiny Panel held on Thursday 30 March 2023 be received.

- (3) Minutes of meeting Tuesday, 28 February 2023 of Leisure and Community Scrutiny Panel

RESOLVED that the minutes of the meeting of the Leisure and Community Scrutiny Panel held on Tuesday 28 February 2023 be received.

- (4) Minutes of meeting Thursday, 23 March 2023 of Leisure and Community Scrutiny Panel

RESOLVED that the minutes of the meeting of the Leisure and Community Scrutiny Panel held on Thursday 23 March 2023 be received.

- (5) Minutes of meeting Monday, 27 March 2023 of Daedalus Scrutiny Panel

RESOLVED that the minutes of the meeting of the Daedalus Scrutiny Panel held on Monday 27 March 2023 be received.

- (6) Minutes of meeting Wednesday, 29 March 2023 of Health and Public Protection Scrutiny Panel

RESOLVED that the minutes of the meeting of the Health and Public Protection Scrutiny Panel held on Wednesday 29 March 2023 be received.

13. QUESTIONS UNDER STANDING ORDER 2.12

There were no questions submitted at this meeting.

14. MOTIONS UNDER STANDING ORDER 2.6

There were no Motions submitted at this meeting.

15. COMMITTEE WORK PROGRAMMES 2023/24

The Council received a report by the Head of Democratic Services which set out the proposed Work Programmes for the Council's Committee meetings for 2023/24.

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

16. APPOINTMENTS TO COMMITTEES

There were no changes to the appointments to Committees.

17. 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 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

18. APPOINTMENT OF A CHIEF EXECUTIVE OFFICER

The Council considered the recommendation of the Appointments Sub-Committee as contained in the confidential minutes of its meeting held on 18 April 2023.

In presenting the minutes, the Executive Leader gave a summary of the recruitment and interview process which was necessarily demanding and challenging for the applicants.

The Executive Leader placed on record his thanks to Sarah Robinson, Director of Support Services, and her team who have put an incredible amount of preparatory work to create a seamless and successful recruitment process. He also thanked Councillors S Martin and K Trott for their work with the Appointments Sub Committee and thanked the other Members who contributed by attending the informal sessions with the applicants.

Having been duly proposed and seconded, and on having been put to the meeting, the recommendation of the Appointments Sub-Committee was declared CARRIED unanimously.

RESOLVED that:

- (a) following a robust recruitment and selection process in accordance with the Council's Constitution, Andrew Wannell be appointed on a permanent basis as the Chief Executive Officer (Head of Paid Service) with effect from 6 May 2023; and
- (b) in order to ensure continuity of provision of the designation of Proper Officer, that Andrew Wannell be designated as Acting Chief Executive

Officer, Acting Returning Officer (all elections) and Acting Electoral Returning Officer with effect from 24 April 2023 pending the formal commencement date of the substantive roles from 6 May 2023.

(The meeting started at 6.00 pm
and ended at 7.21 pm).

FAREHAM

BOROUGH COUNCIL

Report to Council

Date: **11 May 2023**

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 2023/24, as listed at paragraphs 8, 9 and 10 of the report;
- (b) the allocation of seats to political groups for the municipal year 2023/24, 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 2023/24, 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 2023/24, 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 2023/24. Such appointments will take effect from 12 May 2023.

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 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 2023/24 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: 13 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 2023/24 is attached at 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 85 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 2023/24. 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 are 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
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 (01329 824553)

Appendix A: Political Balance Calculation

		Conservative 25 80.65%		Liberal Democrat 4 12.90%		Independent 2 6.45%	
Seats to be allocated		Strict Entitlement	Rounded	Strict Entitlement	Rounded	Strict Entitlement	Rounded
	85	68.55	69	10.97	11	5.48	5
Policy & Resources Scrutiny Panel	7	5.42	6	1.13	1	0.23	0
Leisure & Community Scrutiny Panel	7	5.42	6	1.13	1	0.23	0
Planning & Development Scrutiny Panel	7	5.42	6	1.13	1	0.23	0
Health & Public Protection Scrutiny Panel	7	5.42	6	1.13	1	0.23	0
Housing Scrutiny Panel	7	5.42	6	1.13	1	0.23	0
Streetscene Scrutiny Panel	7	5.42	6	1.13	1	0.23	0
Climate Change Scrutiny Panel	7	5.42	6	1.13	1	0.23	0
Daedalus Scrutiny Panel	7	5.42	6	1.13	1	0.23	0
Licensing & Regulatory Affairs	13	10.06	10	2.26	2	0.45	0
Planning Committee	9	6.97	7	1.45	1	0.29	0
Audit & Gov	7	5.42	6	1.13	1	0.23	0
Notional allocation			71		12		0
Adjustment Required			-2		-1		(+5)

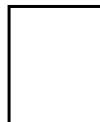
Notes:

- (i) Following the calculation rules as set out in the Local Government and Housing Act 1989 (and listed at paragraph 18 of the report) the Licensing & Regulatory Affairs Committee has notionally been allocated 12 seats across the political groups. This is 1 short of its 13 seats and so a manual adjustment of +1 is required for this committee.
- (ii) Similarly, the Planning Committee has notionally been allocated 8 seats across the political groups. This is 1 short of its 9 seats and so a manual

adjustment of +1 is required for this committee.

- (iii) Under the calculation, the Conservative Group has notionally been allocated 71 seats on committees which is 2 more than the strict entitlement of 69 and therefore a manual adjustment of -2 is required.
- (iv) The Liberal Democrat Group has notionally been allocated 12 seats on committees which is 1 more than the strict entitlement of 11 and therefore a manual adjustment of -1 is required.
- (v) There are two 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 member to any seats not otherwise allocated. In doing this, the Council may allocate seats from those committees requiring a balancing adjustment.

APPENDIX B – Committees Nomination Schedule 2023/24
To be tabled at the meeting



Report to Council

Date: **11 May 2023**

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 2022/23 municipal year are also shown in the Schedule.

Details of any proposed changes to Outside Body appointments for 2023/24 are highlighted at Appendix B to this report, to be tabled at the meeting for consideration.

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

RECOMMENDATION

It is recommended that the Council:

- (a) notes those Outside Bodies that have not met within the 2022/23 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 2023/24 municipal year;
- (c) where necessary, appoints representatives for the 2023/24 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 12 May 2022 and takes account of any subsequent amendments or additional appointments made by the Council during the 2022/23 municipal year.

PROPOSED CHANGES TO OUTSIDE BODIES FOR 2023/24

4. It is recommended that any Outside Body that did not meet within the 2022/23 municipal year, be deleted from the Schedule. It is also recommended that any new Outside Bodies requiring the appointment of a representative for the 2023/24 municipal year be added.

APPOINTMENTS FOR THE MUNICIPAL YEAR 2023/24

5. A revised draft Schedule highlighting any proposed changes to Outside Bodies will be tabled at the meeting as Appendix B to this report for consideration and it is recommended that the Schedule be agreed and updated accordingly.
6. Appointments for the 2023/24 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

7. Members are reminded that Council has approved guidance for Members on their duties and responsibilities when acting as an appointee to an Outside Body.
8. 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 C to this report.

RISK ASSESSMENT

9. 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

10. The Council is invited to proceed with the making of appointments to Outside Bodies for the 2023/24 municipal year.

Appendices

Appendix A: Schedule of appointments made for, or during, the 2022/23 Municipal Year.

Appendix B: Draft Schedule of appointments for the 2023/24 Municipal Year (To be Tabled at the meeting)

Appendix C: 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 Leigh Usher (01329 824553).

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

	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 (non-voting), 1 deputy	Councillor Sarah Pankhurst Councillor Jack Englefield	Appointed Representative Deputy	Conservative Independent	1 year
2	Burrige Community Association Management Committee	Maintains and supports 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 Joanne Burton	Trustee	Conservative	1 year
3	Citizens' Advice Fareham	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 Louise Clubley Councillor Sarah Pankhurst	Appointed Representative Deputy	Conservative Conservative	1 year
4	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: 2 meetings per year Status: 1 Representative, 1 Deputy	Councillor Joanne Burton Councillor Fred Birkett	Appointed Representative Deputy	Conservative Conservative	1 year

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

5	Consultation with Businesses	This is a consultation arrangement with representatives of local businesses, Federation of Small Businesses, Hampshire Chamber of Commerce and the Institute of Directors. Meets: Once annually Status: 2 Representatives	Councillor Seán Woodward	Appointed Representative	Conservative	1 year
			Councillor Simon Martin	Appointed Representative	Conservative	1 year
6	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 Steve Dugan	Trustee	Conservative	1 year
			Councillor Pal Hayre	Deputy	Conservative	
7	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 (4 year terms)	Cllr Connie Hockley	Fareham Borough Council Trustee	Conservative	4-year term ends 09/26
			Frances Knight	Earl of Southampton Trustee		4-year term ends 09/26
			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	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)	Councillor Katrina Trott	Appointed Representative	Liberal Democrat	1 year
			Councillor Connie Hockley	Appointed Representative	Conservative	1 year

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

9	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: monthly plus 1 major exchange visit (several social and fundraising events also occur). Status: 2 Representatives (voting)	Councillor Katrina Trott	Appointed Representative	Liberal Democrats	1 year
			Councillor Pamela Bryant	Appointed Representative	Conservative	1 year
10	Fareham and Gosport Clinical Commissioning Group – Community Engagement Committee	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. Meets: quarterly Status: 1 Representative	Councillor Joanne Burton	Appointed Representative	Conservative	1 year
11	Fareham Fairtrade Borough Working Group	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. Meets: four times per year and additionally organises events to promote Fairtrade. Status: 1 Representative (voting)	Councillor Pamela Bryant	Appointed Representative	Conservative	1 year
12	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 Representatives (voting)	Councillor Fred Birkett	Appointed Representative	Conservative	1 year
			Councillor David Foot	Appointed Representative	Conservative	1 year

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

13	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 AGM. Status: 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	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, 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 Sarah Pankhurst;	Appointed Representative	Conservative	1 year
			Councillor Susan Bayford	Appointed Representative	Conservative	1 year
15	Hammond Memorial Hall Trust	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 Trustees. Council appoints 3 additional Trustees to administer the charitable scheme. Meets: As and when required. Status: 7 Trustees	Councillor Steve Dugan	Trustee	Conservative	Ex-Officio
			Councillor Jacquie Needham	Trustee	Conservative	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
			Sarah Coles	Trustee		4 year term ends 05/23
			Rev Richard England	Trustee		4 year term ends 05/23

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

16	Hampshire and Isle of Wight Community Safety Alliance	<p>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.</p> <p>Meets: quarterly. Status: 1 Representative</p>	Councillor Joanne Burton	Appointed Representative	Conservative	1 year
17	Hampshire and Isle of Wight Local Government Association (HIOWLGA)	<p>Leading Members and Chief Executives of Hampshire and Isle of Wight local authorities meet to discuss matters of mutual interest.</p> <p>Meets: Six times per year Status: 1 Representative (Executive Leader), 2 Deputies</p>	Councillor Seán Woodward Councillor Simon Martin	Appointed Representative Deputy	Conservative Conservative	1 year
18	Hampshire County Council South Area Road Safety Council	<p>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.</p> <p>Meets: Three times per year Status: 1 Representative (non-voting)</p>	Councillor Joanne Burton	Appointed Representative	Conservative	1 year
19	Hampshire 2050 Partnership (previously the Hampshire Partnership)	<p>The Partnership drives forward an agenda for partnership working that recognises the important role of the County Council and District/Borough Councils working together with other organisations on matters of interest and service delivery within the county of Hampshire.</p> <p>Meets: Quarterly. Status: 1 Representative, 1 Deputy</p>	Councillor Simon Martin Councillor Connie Hockley	Appointed Representative Deputy	Conservative Conservative	1 year

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

20	Historic Environment Champion (English Heritage)	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. Status: 1 Representative (non-voting)	Councillor Nick Walker	Appointed Representative	Conservative	1 year
21	Joint Gypsy and Traveller Panel for Hampshire	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. Status: 1 Representative, 1 Deputy Meets: Quarterly	Councillor Joanne Burton Councillor Fred Birkett	Appointed Representative Deputy	Conservative	1 year
22	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: 1 Representative	Councillor Seán Woodward	Appointed Representative	Conservative	Indefinite
23	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 group)	Councillor Seán Woodward; Councillor Katrina Trott	Appointed Representative Appointed Representative	Conservative Liberal Democrats	Indefinite Indefinite

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

24	Local Government Association Coastal Issues Special Interest Group	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. Meets: Three to four times per year Status: 1 Representative, 1 Deputy	Councillor Simon Martin Councillor Malcolm Daniells	Appointed Representative Deputy	Conservative Conservative	1 year
25	Lockwood 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 (non-voting)	Councillor Susan Bayford	Appointed Representative	Conservative	1 year
26	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 Joanne Burton Councillor Simon Martin	Appointed Representative Deputy	Conservative Conservative	1 year
27	One Community, Eastleigh	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. Status: 1 Representative	Councillor Susan Walker	Appointed Representative	Conservative	1 year
28	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: 1 Representative and 1 Deputy	Councillor Joanne Burton Councillor Fred Birkett	Appointed Representative Deputy	Conservative Conservative	1 year

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

29	Partnership Action Group (sub-group of the Community Safety Partnership)	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. Meets: monthly. Status: 1 Representative	Councillor Joanne Burton	Appointed Representative	Conservative	1 year
30	Partnership for South Hampshire - Overview and Scrutiny Committee	Established to scrutinise and call-in decisions of the PFSH Joint Committee and to review delivery of the PFSH business plan. Meets: four times per year, when decisions are called-in or as the committee determines. Status: 1 Representative, 1 Deputy	Councillor Malcolm Daniells Councillor Sarah Pankhurst	Appointed Representative Deputy	Conservative Conservative	1 year
31	Police and Crime Panel	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 Meets: quarterly Status: 1 Representative, 1 Deputy	Councillor Joanne Burton Councillor Fred Birkett	Appointed Representative Deputy	Conservative Conservative	4 years
32	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 Trustees	Councillor Susan Walker Councillor Nick Walker	Trustee Trustee	Conservative Conservative	1 year 1 year

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

33	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	Councillor Susan Walker	Trustee	Conservative	1 year
			Councillor Harry Davis	Trustee	Conservative	1 year
34	Portsmouth City Council Health Overview & Scrutiny Panel	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. Meets: Bi-monthly Status: 1 Representative, 1 Deputy	Councillor Joanne Burton	Appointed Representative	Conservative	1 year
			Councillor Fred Birkett	Deputy	Conservative	
35	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 (non-voting)	Councillor Ian Bastable	Appointed Representative	Conservative	1 year
			Councillor Simon Martin	Appointed Representative	Conservative	1 year
36	Project Integra – Strategic Board	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, synergy and influence. Portfolio holders representing partner organisations. Meets: Three times per year, plus conference Status: 1 Representative (voting), 1 Deputy (voting) (Representative and Deputy must be Executive Members)	Councillor Ian Bastable	Appointed Representative	Conservative	1 year
			Councillor Simon Martin	Deputy	Conservative	

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

37	Public Transport Representative	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. Status: 1 Representative, 1 Deputy	Councillor Chrissie Bainbridge Councillor Malcolm Daniells	Appointed Representative Deputy	Liberal Democrats Conservative	1 year
38	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: Twice per year Status: 1 Trustee	Councillor Kay Mandry	Trustee	Conservative	1 year
39	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	Appointed Representative	Conservative	1 year
40	River Hamble Harbour Management Committee	Considers policy and regulatory functions; prepares and maintains a strategic plan for management of the river; Day to day decision making is made by the River Hamble Harbour Board. Meets: Four times per year. Status: 1 Representative (voting), 1 Deputy	Councillor Joanne Burton Councillor Frair Burgess	Appointed Representative Deputy	Conservative Conservative	1 year
41	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. Meets: Twice per year, plus the conference Status: 1 Representative (non-voting), 1 Deputy	Councillor Mike Ford, JP Councillor Frair Burgess	Appointed Representative Deputy	Conservative Conservative	1 year

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

42	Solent Growth Forum	The Solent Growth Forum provides a complementary 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. Meets: 2 -3 times a year Status: 1 Representative	Councillor Susan Bayford	Representative	Conservative	1 year
43	Solent Local Enterprise Partnership – Joint Leaders Board	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. Meets: Quarterly Status: 1 Representative	Councillor Seán Woodward Councillor Simon Martin	Appointed Representative Deputy	Conservative Conservative	1 year
44	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 Mrs Frair Burgess	Appointed Representative	Conservative	1 year
45	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	Councillor Simon Martin Councillor Mike Ford, JP	Appointed Representative Deputy	Conservative Conservative	1 year

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

		<p>Status: 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</p>				
46	South East Employers	<p>Represents the interests of authorities within the region, providing comprehensive employment and industrial relations advice, consultancy, training and information services. Meets: Three times per year. Status: 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</p>	<p>Councillor Simon Martin Councillor Fred Birkett</p>	<p>Appointed Representative Deputy</p>	<p>Conservative Conservative</p>	1 year
47	Standing Conference on Problems Associated with Coastline	<p>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. Status: 1 Representative, 1 Deputy</p>	<p>Councillor Simon Martin Councillor Malcolm Daniells</p>	<p>Appointed Representative Deputy</p>	<p>Conservative Conservative</p>	1 year
48	Strategic Aviation Special Interest Group to the Local Government Association - Chairman's Advisory Group New in 2022/23	<p>The Strategic Aviation Special Interest Group (SASIG) leads for the Local Government Association on aviation policy. With a current membership encompassing nearly 30 Authorities, the SASIG also act as planning authorities for airports with an overall aim to ensure that UK aviation is developed and implemented in a manner that reconciles economic, social and environmental considerations appropriately. Status: 1 Representative</p>	<p>Councillor Seán Woodward Councillor Simon Martin</p>	<p>Appointed Representative Deputy</p>	<p>Conservative Conservative</p>	1 year

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

49	Stubbington Study Centre Management Committee	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 Meets: three times a year Status: 1 Representative (voting)	Councillor Steve Dugan	Appointed Representative	Conservative	1 year
50	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 Representative (non-voting)	Councillor Joanne Burton	Appointed Representative	Conservative	1 year
51	The Solent Transport Joint Committee	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. Meets: Four times per year Status: 1 Representative (Observer)	Councillor Simon Martin	Appointed Representative	Conservative	1 year
52	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	Appointed Representative	Conservative	1 year
53	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	Trustee	Conservative	1 year

Appendix A – Appointments to Outside Bodies made for/during the 2022/23 Municipal Year

54	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 David Hamilton	Appointed Representative Deputy	Liberal Democrats Liberal Democrats	1 year
55	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. Meets: General Committee not less than 4 times per year, Executive Committee not less than 6 times per year. Status: 1 Trustee	Councillor Seán Woodward	Trustee	Conservative	1 year
56	William Price Charitable Trust	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. Meets: Six times per year (two general meetings, two grants committee meetings and two finance committee meeting) Status: 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.	Councillor Pamela Bryant Councillor Tina Ellis	Trustee (Grants) Trustee (Finance)	Conservative Conservative	4-year term ends 10/2024 4-year term ends 10/2024

APPENDIX B – Outside Bodies Schedule 2023/24
To be tabled at the meeting

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

