

To: Councillor Hornsby-Smith (Chair)
Councillors Brock, Ayub, Eden, Lanzoni,
McCann and Mitchell

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18 March 2024

Your contact is: **Simon Hill - Committee Services (simon.hill@reading.gov.uk)**

NOTICE OF MEETING - TRUSTEES' SUB-COMMITTEE 26 MARCH 2024

A meeting of the Trustees' Sub-Committee will be held on Tuesday, 26 March 2024 at 6.30 pm in Committee Room 4a/4b, Civic Offices, Reading. The Agenda for the meeting is set out below.

1. **CHAIR'S ANNOUNCEMENTS**
2. **DECLARATIONS OF INTEREST**
3. **INTRODUCTION TO THE REVIEWS OF OUTSIDE BODIES AND MAPLEDURHAM PLAYING FIELDS MANAGEMENT COMMITTEE** **BOROUGH WIDE** **3 - 6**

This report provides a brief introduction to a review of Outside Body appointments and a review of the Mapledurham Playing Fields Management Committee.
4. **AMENDMENT TO THE MAPLEDURHAM PLAYING FIELDS MANAGEMENT COMMITTEE'S TERMS OF REFERENCE AND CHARITY SCHEME** **BOROUGH WIDE** **7 - 32**

This report sets out proposals for amendments to the Mapledurham Playing Fields Management Committee powers, duties and composition.
5. **REVIEW OF OUTSIDE BODY APPOINTMENTS** **BOROUGH WIDE** **33 - 38**

This report sets out a review of appointments and nominations to outside bodies.

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Trustees' Sub-Committee

26 March 2024



Reading
Borough Council
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Title	Introduction to the Reviews of Outside Bodies and Mapledurham Playing Fields Management Committee
Purpose of the report	To note the report for information
Report status	Public report
Report author	Mike Graham
Lead Councillor	Councillor Brock, Leader of the Council & Councillor Hornsby-Smith, Chair of Trustees Sub-Committee
Corporate priority	Thriving Communities
Recommendations	That the report be noted.

1. Executive Summary

- 1.1. This is the first meeting of the Trustees Sub-Committee since it was constituted in May 2022. This report introduces the two substantive items of business for this meeting.
- 1.2. Under its Terms of Reference this Sub-Committee acts as Trustee for the Council and considers and responds to any proposal made by any organisation, including the local authority, which might affect the objectives of a number of charitable trusts including Mapledurham Playing Fields (MPF). Until May 2022 the Mapledurham Playing Fields Trustees Sub-Committee exercised the function of the authority as Trustee of MPF.
- 1.3. The Council is reviewing the powers and duties of the MPF Management Committee as well as its composition and supporting arrangements. Proposals for the Sub-Committee to consider in its role as Trustee are set out in the report elsewhere on the agenda.
- 1.4. The Policy Committee at its meeting on 12 June 2023 authorised the Trustees Sub-Committee to conduct a review of the appointments and nominations to outside bodies and report back to Policy Committee with recommendations. (Minute 6 (4) refers). This report briefly introduces the context and scope of the review, with the findings and recommendations set out in a separate report on the agenda. The appointment of councillors to the MPF Management Committee has been excluded from this review due to the Sub-Committee's specific role as Trustee for MPF.

2. Policy Context

- 2.1. Under its Terms of Reference this Sub-Committee acts as Trustee for the Council and considers and responds to any proposal made by any organisation, including the local authority, which might affect the objectives of a number of charitable trusts including Mapledurham Playing Fields.
- 2.2. Appointing the Council's representatives on outside bodies is a Key Decision reserved to Policy Committee under Part 2 Article 13.3 and Part 3 Section 2(5) of the Council's Constitution. This Sub-Committee has been given a specific delegation to carry out this review. The Monitoring Officer has a delegation to appoint to any vacancies arising mid-year in consultation with the Leader of the Council.

3. The Proposal

3.1. Review of Outside Bodies

- 3.1.1. The Council makes appointments to a large number of outside bodies mainly on an annual basis. Most appointees are serving councillors and this is often a requirement of the organisation.
- 3.1.2. The outside bodies that the Council appoints are [listed on the Council's website](#) under a number of categories: Joint Committees, Council-owned Companies, Other Companies, National and Regional Membership Organisations, Partnership Bodies, NHS Partner Organisations and Voluntary & Community Sector and Other Local Organisations.
- 3.1.3. For the categories of Joint Committees, Council-owned Companies, Other Companies, National and Regional Membership Organisations, Partnership Bodies, NHS Partner Organisations the role of the Council's representative is generally clearly defined and the Council's interest and/or obligation in participating is evident. The review therefore concentrates on the category of VCS and local organisations.
- 3.1.4. There is an absence of written criteria or policies as to which bodies the council appoints to and on what basis and the current list of appointments has developed piecemeal over a long period. The review seeks to establish a clearer and more consistent approach to appointments to outside bodies and ensure that the ongoing arrangements contribute to the priorities set out in the Corporate Plan and are beneficial to both the Council and the external organisation.

4. Contribution to Strategic Aims

- 4.1. Representation on outside bodies gives the Council an opportunity, through its representatives, to work with partner organisations to achieve the priorities set out in the Corporate Plan under the themes of:
 - Healthy Environment
 - Thriving Communities
 - Inclusive Economy
- 4.2. Full details of the Council's Corporate Plan and the projects which will deliver these priorities are published on the [Council's website](#). These priorities and the Corporate Plan demonstrate how the Council meets its legal obligation to be efficient, effective and economical.

5. Environmental and Climate Implications

- 5.1. There are no environmental or climate implications arising from the decision to make appointments to outside bodies.

6. Community Engagement

- 6.1. Representation on outside bodies gives the Council an opportunity, through its representatives, to engage with the community on matters that affect the Borough.

7. Equality Implications

- 7.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2. An Equality Impact Assessment (EIA) is not relevant at this stage of the review of appointments to outside bodies. It will be considered again as and when any potential changes are identified.

8. Legal Implications

- 8.1. The Council cannot legally provide personal liability cover for representatives serving on outside bodies (*Burgoine v Waltham LBC 1996*) and it is the responsibility of the outside body to secure the appropriate insurance and personal liability cover for people on it. Local authorities do not have a legal power to extend their insurance policies to cover the liabilities of third parties.
- 8.2. All Councillors, officers and other people appointed by Reading – and any other local authority – are therefore advised of the need to check directly with the outside body about its insurance cover, and how far it protects them.

9. Financial Implications

- 9.1. Attendance by Councillors appointed to outside bodies will be an approved duty for the purposes of the Council's scheme made in accordance with the provisions of the Local Authorities (Members' Allowances) Regulations 1991. This means that travel and subsistence claims may be made in respect of expenses incurred in attending meetings. Non-Councillors who are appointed to represent the Borough on outside bodies may claim financial loss allowance and travel and subsistence, if applicable.

10. Other Relevant Considerations

- 10.1. There are no other significant issues which are relevant to this report.

11. Timetable for Implementation

- 11.1. Any recommendations made by the Sub-Committee to Policy Committee will be reported alongside the annual consideration of Outside Body appointments in June 2024.

12. Background Papers

- 12.1. There are none.

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Trustees' Sub-Committee

26 March 2024



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Title	Amendment to the Mapledurham Playing Fields Management Committee's Terms of Reference and Charity Scheme
Purpose of the report	To make a decision
Report status	Public report
Report author	Michael Graham, Assistant Director of Legal and Democratic Services
Lead Councillor	Cllr Jason Brock, Leader of the Council
Corporate priority	Not applicable, but still requires a decision
Recommendations	1. That the proposed new Paragraph 5 for the Charity Commission Scheme on the Committee of Management (Appendix 1) and proposed new Mapledurham Management Committee Terms of Reference (Appendix 2) be approved.

1. Executive Summary

1.1. This report sets out proposals for amendments to the Mapledurham Playing Fields Management Committee powers and duties and composition and has attached:

- Appendix 1 – Proposed new Paragraph 5 for the Charity Commission Scheme on the Committee of Management
- Appendix 2 – Proposed new Mapledurham Playing Fields Management Committee Terms of Reference
- Appendix 3 - Current Mapledurham Playing Fields Management Committee Terms of Reference
- Appendix 4 - Current Paragraph 5 for the Charity Commission Scheme on the Committee of Management
- Appendix 5 - The original Charity Scheme

2. Policy Context

2.1. Reading Borough Council holds the playing fields at Mapledurham (the Ground) in its capacity as trustee of the Charity. The Charity is registered with (and therefore regulated by) the Charity Commission. The object of the Charity is:

"the provision and maintenance of a recreation ground for the benefit of the inhabitants of the Parish of Mapledurham and the Borough of Reading without distinction of political, religious or other opinions."

2.2. The beneficiaries of the Charity, therefore, are the inhabitants of the Parish of Mapledurham and the Borough of Reading. The Ground is an asset of the Charity and is held in order to advance the Charity's object.

2.3. The Sub-Committee has delegated authority, with the support of officers, to discharge Reading Borough Council's functions as trustee of the Charity. The Sub-Committee has a duty to make all decisions in what it considers to be the best interests of the Charity and in order to advance the object referred to above and any such decision must be in line with all relevant charity law and other legal restrictions.

3. The Mapledurham Playing Fields Management Committee

3.1. The Mapledurham Playing Fields Charity Scheme (see Appendix 4) specifies in paragraph 5 that:

“The Trustee may delegate to a Committee of Management (the "Committee") such of its powers, duties and functions as relate to the day-to-day administration and management of the Charity and in such manner as the Trustee may from time to time specify in written terms of reference ("Terms of Reference"). Such Terms of Reference shall specify the scope and extent of the authority conferred on the Committee in exercising the powers, duties and functions delegated to it.”

3.2. The Mapledurham Playing Fields Management Committee’s powers and duties are currently as follows (having been amended by the Sub-Committee on 15 October 2019, when the overall terms of reference and membership of the Management Committee were amended):

“1. Duties and Powers of the Management Committee

- The Committee will exercise a general supervision over the activities at the playing fields.
- The Committee shall conform to the regulations and practices of Reading Borough Council with regard to finance and the conditions of service of employees.
- Subject to the objects of the charity and to the Reading Borough Council’s statutory and financial requirements, the Management Committee shall determine the charges to be applied to the hire of the Pavilion.
- The Committee shall review on a regular basis the terms and conditions for lettings and monitor the bookings received and the use of the Pavilion.”

3.3. The current full terms of reference and membership (as amended in 2019) are set out in Appendix 3, and the committee membership within that is as follows:

“2. Membership of the Management Committee

2.1 The Committee shall be made up of a minimum of [7] and a maximum of [9] individuals (each a "Member") who shall be appointed as follows:

- (a) up to [2] individuals appointed in writing by Reading Borough Council (the "Borough Council");
- (b) [1] individual appointed in writing by the Borough Council who shall also be a Borough Council member elected for the electoral ward in which the recreation ground belonging to the Charity is from time to time situated;
- (c) [1] individual appointed in writing by Mapledurham Parish Council;
- (d) [1] individual appointed in writing by the Caversham Trents Football Club;
- (e) [1] Individual appointed in writing by the Mapledurham Lawn Tennis Club;
- (f) [1] individual appointed in writing by the Major Users in accordance with paragraph 5(3) of the Charity Scheme;
- (g) [1] individual appointed in writing by the Warren and District Residents Association; and
- (h) [1] individual appointed in writing by The Heights Primary School (an exempt charity and registered company number 08334593).

2.2 The Trustee shall from time to time confirm such organisations, clubs and other groups (whether formally constituted or not) which it regards as major users (the "Major Users") of the facilities and amenities at the recreation ground referred to

in paragraph 6 of the Charity Scheme. The Chair of the management committee shall invite Major Users to appoint the [1] individual referred to in paragraph 5(2)(f) of the Charity Scheme in accordance with rules set out in the Terms of Reference.”

The Proposal

- 3.4. The other recreation grounds or playing fields for which the Council is Trustee (e.g. Albert Road Recreation Ground and Sol Joel Playing Fields) are managed by the Council, in line with the way that other parks in the Borough are managed, with decisions being made by the Council through established Council processes, such as fees and charges being set as part of the Council budget-setting process.
- 3.5. Mapledurham unlike other Parks has an endowment fund derived from the disposal of part of the site for The Heights Primary School. Spending from this capital fund is subject to approval of the Trustee. No change to this process is proposed.
- 3.6. Some of the current powers and duties of the Management Committee are inconsistent with the powers and duties of the Council and with the reality of how the site is managed day to day.
- 3.7. It is proposed that the powers and duties of the Mapledurham Management Committee are amended to remove the determination of charges to be applied to hire of the pavilion, and that the Management Committee’s remit be amended accordingly to advise the Council generally on changes to fees and charges by way of its minutes to the Trustee Sub-Committee. Legally, the Council must set the fees and charges for the site. As councillors will be aware the fees and charges are set annually by Council and is not permitted to delegate a Council function to a Management Committee such as this. The Council is only lawfully permitted to delegate its functions to a Committee of the Council, an officer of the Council, another local authority, or a joint committee with another local authority.
- 3.8. It is also proposed to amend the current powers and duties to remove references to the employment of staff. The Management Committee does not employ staff, all human resources for the upkeep of the Ground are provided via the Council or via contracts let by the Council.
- 3.9. It is also proposed that the membership of the Management Committee be amended to remove the three individuals set out in 2.1 (a) and (b) of the terms of reference appointed by the Council. The individual in (b) has to be a Councillor from the local Ward, and the two individuals in (a) appointed by the Council are currently the other two Ward Councillors from Caversham Heights. The terms of reference and paragraph 5 of the Charity Scheme would be amended accordingly and the membership would reduce to six. There is nothing to stop councillors attending the Management Committee if they feel it is helpful to them in a ward capacity. Consultation with current councillors suggests that an obligation to have three councillors and for the Management Committee only to be quorate with them, is excessive.
- 3.10. Historically, the Management Committee has been heavily dependent on council officers for the production of agendas and minutes, items of business and general organisation. This is inappropriate. The resources devoted to the Management Committee are out with the support provided to any other community organisation and it is an inefficient use of Council Tax Payers’ resource. It is proposed to withdraw the resource of the officer from Committee Services and the officer from Leisure Services.
- 3.11. Consequential amendments are also proposed for the quorum of the Management Committee, and where minutes of the Committee should be reported.

4. Contribution to Strategic Aims

- 4.1. The Council's new Corporate Plan has established three themes for the years 2022/25. These themes are:
- Healthy Environment
 - Thriving Communities
 - Inclusive Economy
- 4.2. These themes are underpinned by "Our Foundations" explaining the ways we work at the Council:
- People first
 - Digital transformation
 - Building self-reliance
 - Getting the best value
 - Collaborating with others
- 4.3. Full details of the Council's Corporate Plan and the projects which will deliver these priorities are published on the [Council's website](#). These priorities and the Corporate Plan demonstrate how the Council meets its legal obligation to be efficient, effective and economical.
- 4.4. Ensuring a proper use of Council resources supports the Foundations element of the Corporate Plan.

5. Environmental and Climate Implications

- 5.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 5.2. There is nothing in this report which is relevant for Climate Change.

6. Community Engagement

- 6.1. The Council will consult the current Management Committee who will be invited to address the Trustee Sub-Committee. No further consultation is proposed, nor is it required.

7. Equality Implications

- 7.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2. An Equality Impact Assessment (EIA) is not relevant to the decision. The recommended decision will not have a differential impact on people with protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (gender) or sexual orientation.

8. Other Relevant Considerations

- 8.1. There are no other relevant considerations.

9. Legal Implications

- 9.1. Under section 280 of the Charities Act 2011, the Council (as charity trustee of the Charity) has the power to amend the administrative provisions of the Scheme dated 20 September 1985 (as amended in 2019) which presently governs the Charity.

- 9.2. This statutory power can be exercised by way of a resolution of the Trustee Sub-Committee since all powers of the Council as Trustee are vested in your Sub-Committee. The consent of the Charity Commission is not required, although a copy of the resolution must be filed with the Commission once it has been passed.

10. Financial Implications

- 10.1. There are no financial implications arising from changing the composition and terms of reference of the management committee. There will be a saving in officer time from Democratic Services and from Leisure Services.

11. Timetable for Implementation

- 11.1. After consideration by the Trustee Sub-Committee the relevant paperwork will be filed with the Charity Commission.

12. Background Papers

- 12.1. There are none.

Appendices

1. Proposed new Paragraph 5 for the Charity Commission Scheme on the Committee of Management
2. Proposed new Mapledurham Management Committee Terms of Reference
3. Current Mapledurham Management Committee Terms of Reference
4. Current Paragraph 5 for the Charity Commission Scheme on the Committee of Management.
5. The original Charity Scheme

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Appendix 1

suggested changes to new Paragraph 5 for the Charity Commission Scheme on the Committee of Management

~~Agreed at Mapledurham Playing Fields Trustees Sub-Committee on 15 October 2019~~

5. Committee of Management

- (1) The Trustee may delegate to a Committee of Management (the "**Committee**") such of its powers, duties and functions as relate to the day to day administration and management of the Charity and in such manner as the Trustee may from time to time specify in written terms of reference ("**Terms of Reference**"). Such Terms of Reference shall specify the scope and extent of the authority conferred on the Committee in exercising the powers, duties and functions delegated to it.

Composition of the Committee

- (2) The Committee shall be made up of ~~a minimum of [7] and a maximum of [9]~~ [6] individuals (each a "**Member**") who shall be appointed as follows:
- ~~(a) up to [2] individuals appointed in writing by Reading Borough Council (the "**Borough Council**");~~
 - ~~(b) [1] individual appointed in writing by the Borough Council who shall also be a Borough Council member elected for the electoral ward in which the recreation ground belonging to the Charity is from time to time situated;~~
 - (ae) [1] individual appointed in writing by Mapledurham Parish Council;
 - (bd) [1] individual appointed in writing by the Caversham Treants Football Club;
 - (ce) [1] Individual appointed in writing by the Mapledurham Lawn Tennis Club;
 - (df) [1] individual appointed in writing by the Major Users in accordance with paragraph 5(3) of this Scheme;
 - (eg) [1] individual appointed in writing by the Warren and District Residents Association; and
 - (fh) [1] individual appointed in writing by The Heights Primary School (an exempt charity and registered company number 08334593);
- (3) The ~~Committee Trustee~~ shall from time to time confirm such organisations, clubs and other groups (whether formally constituted or not) which it regards as major users (the "**Major Users**") of the facilities and amenities at the recreation ground referred to in paragraph 6 of this Scheme. The Chair of the management committee shall invite Major Users to appoint the [1] individual referred to in paragraph 5(2)(df) of this Scheme in accordance with rules set out in the Terms of Reference.

Term of office

- (4) Subject to the provisions of paragraph 5(5) of this Scheme, each Member shall hold office for a term of three years from the date of his or her appointment and shall be eligible for re-appointment following the end of their period of office.

Termination of office

- (5) A Member's term of office automatically terminates if he or she:
- (a) is absent from [two] consecutive meetings of the Committee without the consent of the other Members of the Committee and those Members resolve that his or her office is vacated;
 - (b) resigns by written notice to the Trustee and the Committee;
 - (c) is convicted of an offence and the Trustee shall resolve that it is undesirable in the interests of the Charity that he or she remains a Member of the Committee;
 - (d) conducts him or herself in a way which in the reasonable opinion of the Trustee will or may damage the reputation or other assets of the Charity and the Trustees resolves that it is undesirable in the interests of the Charity that he or she remains a Member of the Committee. ~~;~~ ~~or~~
 - ~~(e) — being an individual appointed pursuant to paragraph 5(2)(b) of this Scheme, ceases to hold office as a Borough Council member elected for the electoral ward in which the recreation ground belonging to the Charity is from time to time situated.~~
- (6) All acts and proceedings of the Committee shall be reported to the Trustee by sending a copy to the designated officer appointed by the Council for these purposes. ~~in the manner specified in the Terms of Reference.~~

Proceedings of the Committee

- (7) The Committee must hold at least [2] meetings in each year.
- (8) The quorum necessary at a meeting of the Committee may be determined from time to time by the Trustee and specified in the Terms of Reference but unless and until so determined shall be the greater of [3] and one-half of the total number of Members.
- (9) The Members shall appoint one of their number to act as chair of the Committee (the "Chair") for a term of 1 year, by secret ballot. A retiring Chair shall be eligible for reappointment as Chair.
- (10) A meeting of the Committee may be held either in person or by suitable electronic means agreed by the Members in which all Members participating in the meeting may communicate with all the other participants. The provision to allow electronic meetings to be kept under review to ensure that transparency is maintained.

- (11) The Chair or (if the Chair is unable or unwilling to act) some other Member chosen by the Members present at the meeting will preside as Chair at each meeting.
- (12) Every decision of the Committee shall be by a simple majority of the votes cast at a meeting.
- (13) Every Member has one vote on each issue except for the Chair of the meeting who, in the event of an equality of votes, has a second or casting vote (unless the Chair of the meeting is not to be counted as participating in the decision-making process for quorum or voting purposes because of any Conflict of Interest).
- (14) Members of the public may attend Management Committee meetings as observers.

Conflicts of interest

- (15) Each Member must avoid any situation or matter (including a transaction or arrangement with the Charity) in which he or she has, or can have, a Conflict of Interest. For the purposes of this Scheme, a "**Conflict of Interest**" means any interest of a Member (or any person connected to a Member) that conflicts, or may conflict, with the interests of the Charity and includes a conflict of interest and duty and a conflict of duties.
- (16) Each Member must declare the nature and extent of any interest at the beginning of any meeting at which the authorisation is to be discussed (or, at the latest, before such discussion begins).
- (17) The Committee may authorise a transaction or arrangement or situation or matter in which a Member (or any person connected to that Member) has, or may have, a Conflict of Interest provided that the relevant Member must:
 - (a) withdraw from that part of the meeting at which the authorisation is to be discussed unless expressly invited to remain in order to provide information;
 - (b) not be counted in the quorum for that part of the meeting during which the authorisation is discussed; and
 - (c) withdraw during the vote and have no vote on the authorisation for that part of the meeting.
- (18) In giving the authorisation referred to in paragraph 5(16) of this Scheme, the Members will decide:
 - (a) whether or not the relevant Member should withdraw from that part of any meeting at which the relevant transaction or arrangement or situation or matter is to be discussed unless expressly invited to remain in order to provide information;
 - (b) whether or not the relevant Member should be counted in the quorum for that part of any meeting during which the relevant transaction or arrangement or situation or matter is discussed; and

- (c) whether or not the relevant Member should withdraw during the vote and have no vote on the relevant transaction or arrangement or situation or matter at the relevant part of any meeting; and

the relevant Member shall comply with the decisions of the Committee.

- (19) The Committee may also exclude the relevant Member from the receipt of information in relation to the relevant transaction, arrangement, situation or matter.

- ~~(20) The Trustee may from time to time determine in writing the manner in which any Conflict of Interest should be addressed and any such determination shall be binding on the Committee.~~

Appendix 2
suggested changes to

MAPLEDURHAM PLAYING FIELDS MANAGEMENT COMMITTEE TERMS OF REFERENCE

~~Agreed at Mapledurham Playing Fields Trustees Sub-Committee on 15 October 2019~~

1. Duties and Powers of the Management Committee

- a) The Committee will exercise a general oversight and supervision over the activities at the playing fields
- b) The Committee shall conform to the regulations and practices of Reading Borough Council with regard to financial matters affecting the operation of the playing fields e and the conditions of service of employees.
- c) ~~Subject to the objects of the charity and to the Reading Borough Council's statutory and financial requirements, the Management Committee shall determine the charges to be applied to the hire of the Pavilion.~~
- d) The Committee shall review on a regular basis the terms and conditions for lettings and monitor the bookings received and the use of the Pavilion and make recommendations to Reading Borough Council through the designated officer appointed by the Council for these purposes.

2. Membership of the Management Committee

2.1 The Committee shall be made up ~~of a minimum of [7] and a maximum of [9] (6)~~ individuals (each a "Member") who shall be appointed as follows:

- ~~(a) up to [2] individuals appointed in writing by Reading Borough Council (the "Borough Council");~~
- ~~(b) [1] individual appointed in writing by the Borough Council who shall also be a Borough Council member elected for the electoral ward in which the recreation ground belonging to the Charity is from time to time situated;~~
- (ac) [1] individual appointed in writing by Mapledurham Parish Council;
- (bd) [1] individual appointed in writing by the Caversham Trents Football Club;
- (ce) [1] Individual appointed in writing by the Mapledurham Lawn Tennis Club;
- (df) [1] individual appointed in writing by the Major Users in accordance with paragraph 5(3) of the Charity Scheme;
- (eg) [1] individual appointed in writing by the Warren and District Residents Association; and
- (fh) [1] individual appointed in writing by The Heights Primary School (an exempt charity and registered company number 08334593).

2.2 The ~~Committee Trustee~~ shall from time to time confirm such organisations, clubs and other groups (whether formally constituted or not) which it regards as major users (the "Major Users") of the facilities and amenities at the recreation ground referred to in paragraph 6 of the Charity Scheme. The Chair of the management committee shall invite Major Users to appoint the [1] individual referred to in paragraph 5(2)(~~df~~) of the Charity Scheme in accordance with rules set out in the Terms of Reference.

Term of office

- 2.3 Subject to the provisions of paragraph 5(5) of the Charity Scheme, each Member shall hold office for a term of three years from the date of his or her appointment and shall be eligible for re-appointment following the end of their period of office.

Termination of office

- 2.4 A Member's term of office automatically terminates if he or she:
- (a) is absent from [two] consecutive meetings of the Committee without the consent of the other Members of the Committee and those Members resolve that his or her office is vacated;
 - (b) resigns by written notice to the Trustee and the Committee;
 - (c) is convicted of an offence and the Trustee shall resolve that it is undesirable in the interests of the Charity that he or she remains a Member of the Committee;
 - (d) conducts him or herself in a way which in the reasonable opinion of the Trustee will or may damage the reputation or other assets of the Charity and the Trustees resolves that it is undesirable in the interests of the Charity that he or she remains a Member of the Committee. ~~or~~
 - ~~(e) being an individual appointed pursuant to paragraph 5(2)(b) of the Charity Scheme, ceases to hold office as the Borough Council member elected for the electoral ward in which the recreation ground belonging to the Charity is from time to time situated.~~
- 2.5 All acts and proceedings of the Committee shall be reported to the Trustee in the manner specified in the Terms of Reference.

3. Meetings of the Management Committee

- 3.1 The Committee must hold at least [2] meetings in each year.
- 3.2 The quorum necessary at a meeting of the Committee may be determined from time to time by the Trustee and specified in the Terms of Reference but unless and until so determined shall be the greater of [3] and one-half of the total number of Members.
- 3.3 The Members shall appoint one of their number to act as chair of the Committee (the "**Chair**") for a term of 1 year, by secret ballot. A retiring Chair shall be eligible for reappointment as Chair.
- 3.4 A meeting of the Committee may be held either in person or by suitable electronic means agreed by the Members in which all Members participating in the meeting may communicate with all the other participants. The provision to allow electronic meetings to be kept under review to ensure that transparency is maintained.
- 3.5 The Chair or (if the Chair is unable or unwilling to act) some other Member chosen by the Members present at the meeting will preside as chair at each meeting.

- 3.6 Every decision of the Committee shall be by a simple majority of the votes cast at a meeting.
- 3.7 Every Member has one vote on each issue except for the chair of the meeting who, in the event of an equality of votes, has a second or casting vote (unless the chair of the meeting is not to be counted as participating in the decision-making process for quorum or voting purposes because of any Conflict of Interest).
- 3.8 Members of the public may attend Management Committee meetings as observers.

Conflicts of interest

- 3.9 Each Member must avoid any situation or matter (including a transaction or arrangement with the Charity) in which he or she has, or can have, a Conflict of Interest. For the purposes of this Scheme, a "Conflict of Interest" means any interest of a Member (or any person connected to a Member) that conflicts, or may conflict, with the interests of the Charity and includes a conflict of interest and duty and a conflict of duties.
- 3.10 Each Member must declare the nature and extent of any interest at the beginning of any meeting at which the authorisation is to be discussed (or, at the latest, before such discussion begins).
- 3.11 The Committee may authorise a transaction or arrangement or situation or matter in which a Member (or any person connected to that Member) has, or may have, a Conflict of Interest provided that the relevant Member must:
- (a) withdraw from that part of the meeting at which the authorisation is to be discussed unless expressly invited to remain in order to provide information;
 - (b) not be counted in the quorum for that part of the meeting during which the authorisation is discussed; and
 - (c) withdraw during the vote and have no vote on the authorisation for that part of the meeting.
- 3.12 In giving the authorisation referred to in paragraph 5(16) of the Charity Scheme, the Members will decide:
- (a) whether or not the relevant Member should withdraw from that part of any meeting at which the relevant transaction or arrangement or situation or matter is to be discussed unless expressly invited to remain in order to provide information;
 - (b) whether or not the relevant Member should be counted in the quorum for that part of any meeting during which the relevant transaction or arrangement or situation or matter is discussed; and
 - (c) whether or not the relevant Member should withdraw during the vote and have no vote on the relevant transaction or arrangement or situation or matter at the relevant part of any meeting; and
- the relevant Member shall comply with the decisions of the Committee.
- 3.13 The Committee may also exclude the relevant Member from the receipt of information in relation to the relevant transaction, arrangement, situation or matter.

3.14 The Trustee may from time to time determine in writing the manner in which any Conflict of Interest should be addressed and any such determination shall be binding on the Committee.

4. Consultation with Users

The Management Committee shall ensure that adequate consultation is carried out with the major users of the playing fields by liaison with the Users' Organisations, a meeting with whom shall be organised at least once a year. ~~The major users identified will be reported to the Trustee for confirmation.~~

5. Reports to Reading Borough Council

The proceedings of each meeting of the Management Committee shall be reported to the ~~Mapledurham Playing Fields Trustee's~~ Sub Committee of Reading Borough Council ~~(meeting as Trustees).~~ by sending the minutes to the designated officer appointed by the Council for these purposes.

Appendix 3

MAPLEDURHAM PLAYING FIELDS MANAGEMENT COMMITTEE TERMS OF REFERENCE

Agreed at Mapledurham Playing Fields Trustees Sub-Committee on 15 October 2019

1. Duties and Powers of the Management Committee

- a) The Committee will exercise a general supervision over the activities at the playing fields.
- b) The Committee shall conform to the regulations and practices of Reading Borough Council with regard to finance and the conditions of service of employees.
- c) Subject to the objects of the charity and to the Reading Borough Council's statutory and financial requirements, the Management Committee shall determine the charges to be applied to the hire of the Pavilion.
- d) The Committee shall review on a regular basis the terms and conditions for lettings and monitor the bookings received and the use of the Pavilion.

2. Membership of the Management Committee

2.1 The Committee shall be made up of a minimum of [7] and a maximum of [9] individuals (each a "**Member**") who shall be appointed as follows:

- (a) up to [2] individuals appointed in writing by Reading Borough Council (the "**Borough Council**");
- (b) [1] individual appointed in writing by the Borough Council who shall also be a Borough Council member elected for the electoral ward in which the recreation ground belonging to the Charity is from time to time situated;
- (c) [1] individual appointed in writing by Mapledurham Parish Council;
- (d) [1] individual appointed in writing by the Caversham Trents Football Club;
- (e) [1] Individual appointed in writing by the Mapledurham Lawn Tennis Club;
- (f) [1] individual appointed in writing by the Major Users in accordance with paragraph 5(3) of the Charity Scheme;
- (g) [1] individual appointed in writing by the Warren and District Residents Association; and
- (h) [1] individual appointed in writing by The Heights Primary School (an exempt charity and registered company number 08334593).

2.2 The Trustee shall from time to time confirm such organisations, clubs and other groups (whether formally constituted or not) which it regards as major users (the "**Major Users**") of the facilities and amenities at the recreation ground referred to in paragraph 6 of the Charity Scheme. The Chair of the management committee shall invite Major Users to appoint the [1] individual referred to in paragraph 5(2)(f) of the Charity Scheme in accordance with rules set out in the Terms of Reference.

Term of office

- 2.3 Subject to the provisions of paragraph 5(5) of the Charity Scheme, each Member shall hold office for a term of three years from the date of his or her appointment and shall be eligible for re-appointment following the end of their period of office.

Termination of office

- 2.4 A Member's term of office automatically terminates if he or she:
- (a) is absent from [two] consecutive meetings of the Committee without the consent of the other Members of the Committee and those Members resolve that his or her office is vacated;
 - (b) resigns by written notice to the Trustee and the Committee;
 - (c) is convicted of an offence and the Trustee shall resolve that it is undesirable in the interests of the Charity that he or she remains a Member of the Committee;
 - (d) conducts him or herself in a way which in the reasonable opinion of the Trustee will or may damage the reputation or other assets of the Charity and the Trustees resolves that it is undesirable in the interests of the Charity that he or she remains a Member of the Committee; or
 - (e) being an individual appointed pursuant to paragraph 5(2)(b) of the Charity Scheme, ceases to hold office as the Borough Council member elected for the electoral ward in which the recreation ground belonging to the Charity is from time to time situated.
- 2.5 All acts and proceedings of the Committee shall be reported to the Trustee in the manner specified in the Terms of Reference.

3. Meetings of the Management Committee

- 3.1 The Committee must hold at least [2] meetings in each year.
- 3.2 The quorum necessary at a meeting of the Committee may be determined from time to time by the Trustee and specified in the Terms of Reference but unless and until so determined shall be the greater of [3] and one-half of the total number of Members.
- 3.3 The Members shall appoint one of their number to act as chair of the Committee (the "**Chair**") for a term of 1 year, by secret ballot. A retiring Chair shall be eligible for reappointment as Chair.
- 3.4 A meeting of the Committee may be held either in person or by suitable electronic means agreed by the Members in which all Members participating in the meeting may communicate with all the other participants. The provision to allow electronic meetings to be kept under review to ensure that transparency is maintained.
- 3.5 The Chair or (if the Chair is unable or unwilling to act) some other Member chosen by the Members present at the meeting will preside as chair at each meeting.
- 3.6 Every decision of the Committee shall be by a simple majority of the votes cast at a meeting.

3.7 Every Member has one vote on each issue except for the chair of the meeting who, in the event of an equality of votes, has a second or casting vote (unless the chair of the meeting is not to be counted as participating in the decision-making process for quorum or voting purposes because of any Conflict of Interest).

3.8 Members of the public may attend Management Committee meetings as observers.

Conflicts of interest

3.9 Each Member must avoid any situation or matter (including a transaction or arrangement with the Charity) in which he or she has, or can have, a Conflict of Interest. For the purposes of this Scheme, a "**Conflict of Interest**" means any interest of a Member (or any person connected to a Member) that conflicts, or may conflict, with the interests of the Charity and includes a conflict of interest and duty and a conflict of duties.

3.10 Each Member must declare the nature and extent of any interest at the beginning of any meeting at which the authorisation is to be discussed (or, at the latest, before such discussion begins).

3.11 The Committee may authorise a transaction or arrangement or situation or matter in which a Member (or any person connected to that Member) has, or may have, a Conflict of Interest provided that the relevant Member must:

- (a) withdraw from that part of the meeting at which the authorisation is to be discussed unless expressly invited to remain in order to provide information;
- (b) not be counted in the quorum for that part of the meeting during which the authorisation is discussed; and
- (c) withdraw during the vote and have no vote on the authorisation for that part of the meeting.

3.12 In giving the authorisation referred to in paragraph 5(16) of the Charity Scheme, the Members will decide:

- (a) whether or not the relevant Member should withdraw from that part of any meeting at which the relevant transaction or arrangement or situation or matter is to be discussed unless expressly invited to remain in order to provide information;
- (b) whether or not the relevant Member should be counted in the quorum for that part of any meeting during which the relevant transaction or arrangement or situation or matter is discussed; and
- (c) whether or not the relevant Member should withdraw during the vote and have no vote on the relevant transaction or arrangement or situation or matter at the relevant part of any meeting; and

the relevant Member shall comply with the decisions of the Committee.

3.13 The Committee may also exclude the relevant Member from the receipt of information in relation to the relevant transaction, arrangement, situation or matter.

3.14 The Trustee may from time to time determine in writing the manner in which any Conflict of Interest should be addressed and any such determination shall be binding on the Committee.

4. Consultation with Users

The Management Committee shall ensure that adequate consultation is carried out with the major users of the playing fields by liaison with the Users' Organisations, a meeting with whom shall be organised at least once a year. The major users identified will be reported to the Trustee for confirmation.

5. Reports to Reading Borough Council

The proceedings of each meeting of the Management Committee shall be reported to the Mapledurham Playing Fields Trustee Sub Committee of Reading Borough Council (meeting as Trustees).

new Paragraph 5 for the Charity Commission Scheme on the Committee of Management

Agreed at Mapledurham Playing Fields Trustees Sub-Committee on 15 October 2019

5. Committee of Management

- (1) The Trustee may delegate to a Committee of Management (the "**Committee**") such of its powers, duties and functions as relate to the day to day administration and management of the Charity and in such manner as the Trustee may from time to time specify in written terms of reference ("**Terms of Reference**"). Such Terms of Reference shall specify the scope and extent of the authority conferred on the Committee in exercising the powers, duties and functions delegated to it.

Composition of the Committee

- (2) The Committee shall be made up of a minimum of [7] and a maximum of [9] individuals (each a "**Member**") who shall be appointed as follows:
 - (a) up to [2] individuals appointed in writing by Reading Borough Council (the "**Borough Council**");
 - (b) [1] individual appointed in writing by the Borough Council who shall also be a Borough Council member elected for the electoral ward in which the recreation ground belonging to the Charity is from time to time situated;
 - (c) [1] individual appointed in writing by Mapledurham Parish Council;
 - (d) [1] individual appointed in writing by the Caversham Trents Football Club;
 - (e) [1] Individual appointed in writing by the Mapledurham Lawn Tennis Club;
 - (f) [1] individual appointed in writing by the Major Users in accordance with paragraph 5(3) of this Scheme;
 - (g) [1] individual appointed in writing by the Warren and District Residents Association; and
 - (h) [1] individual appointed in writing by The Heights Primary School (an exempt charity and registered company number 08334593);
- (3) The Trustee shall from time to time confirm such organisations, clubs and other groups (whether formally constituted or not) which it regards as major users (the "**Major Users**") of the facilities and amenities at the recreation ground referred to in paragraph 6 of this Scheme. The Chair of the management committee shall invite Major Users to appoint the [1] individual referred to in paragraph 5(2)(f) of this Scheme in accordance with rules set out in the Terms of Reference.

Term of office

- (4) Subject to the provisions of paragraph 5(5) of this Scheme, each Member shall hold office for a term of three years from the date of his or her appointment and shall be eligible for re-appointment following the end of their period of office.

Termination of office

- (5) A Member's term of office automatically terminates if he or she:
- (a) is absent from [two] consecutive meetings of the Committee without the consent of the other Members of the Committee and those Members resolve that his or her office is vacated;
 - (b) resigns by written notice to the Trustee and the Committee;
 - (c) is convicted of an offence and the Trustee shall resolve that it is undesirable in the interests of the Charity that he or she remains a Member of the Committee;
 - (d) conducts him or herself in a way which in the reasonable opinion of the Trustee will or may damage the reputation or other assets of the Charity and the Trustees resolves that it is undesirable in the interests of the Charity that he or she remains a Member of the Committee; or
 - (e) being an individual appointed pursuant to paragraph 5(2)(b) of this Scheme, ceases to hold office as a Borough Council member elected for the electoral ward in which the recreation ground belonging to the Charity is from time to time situated.
- (6) All acts and proceedings of the Committee shall be reported to the Trustee in the manner specified in the Terms of Reference.

Proceedings of the Committee

- (7) The Committee must hold at least [2] meetings in each year.
- (8) The quorum necessary at a meeting of the Committee may be determined from time to time by the Trustee and specified in the Terms of Reference but unless and until so determined shall be the greater of [3] and one-half of the total number of Members.
- (9) The Members shall appoint one of their number to act as chair of the Committee (the "**Chair**") for a term of 1 year, by secret ballot. A retiring Chair shall be eligible for reappointment as Chair.
- (10) A meeting of the Committee may be held either in person or by suitable electronic means agreed by the Members in which all Members participating in the meeting may communicate with all the other participants. The provision to allow electronic meetings to be kept under review to ensure that transparency is maintained.
- (11) The Chair or (if the Chair is unable or unwilling to act) some other Member chosen by the Members present at the meeting will preside as Chair at each meeting.
- (12) Every decision of the Committee shall be by a simple majority of the votes cast at a meeting.

- (13) Every Member has one vote on each issue except for the Chair of the meeting who, in the event of an equality of votes, has a second or casting vote (unless the Chair of the meeting is not to be counted as participating in the decision-making process for quorum or voting purposes because of any Conflict of Interest).
- (14) Members of the public may attend Management Committee meetings as observers.

Conflicts of interest

- (15) Each Member must avoid any situation or matter (including a transaction or arrangement with the Charity) in which he or she has, or can have, a Conflict of Interest. For the purposes of this Scheme, a "**Conflict of Interest**" means any interest of a Member (or any person connected to a Member) that conflicts, or may conflict, with the interests of the Charity and includes a conflict of interest and duty and a conflict of duties.
- (16) Each Member must declare the nature and extent of any interest at the beginning of any meeting at which the authorisation is to be discussed (or, at the latest, before such discussion begins).
- (17) The Committee may authorise a transaction or arrangement or situation or matter in which a Member (or any person connected to that Member) has, or may have, a Conflict of Interest provided that the relevant Member must:
- (a) withdraw from that part of the meeting at which the authorisation is to be discussed unless expressly invited to remain in order to provide information;
 - (b) not be counted in the quorum for that part of the meeting during which the authorisation is discussed; and
 - (c) withdraw during the vote and have no vote on the authorisation for that part of the meeting.
- (18) In giving the authorisation referred to in paragraph 5(16) of this Scheme, the Members will decide:
- (a) whether or not the relevant Member should withdraw from that part of any meeting at which the relevant transaction or arrangement or situation or matter is to be discussed unless expressly invited to remain in order to provide information;
 - (b) whether or not the relevant Member should be counted in the quorum for that part of any meeting during which the relevant transaction or arrangement or situation or matter is discussed; and
 - (c) whether or not the relevant Member should withdraw during the vote and have no vote on the relevant transaction or arrangement or situation or matter at the relevant part of any meeting; and

the relevant Member shall comply with the decisions of the Committee.

- (19) The Committee may also exclude the relevant Member from the receipt of information in relation to the relevant transaction, arrangement, situation or matter.
- (20) The Trustee may from time to time determine in writing the manner in which any Conflict of Interest should be addressed and any such determination shall be binding on the Committee.

Sealed 20th September 1985

288(S)
85County - Oxfordshire
Parish - MapledurhamRoyal)
County) - Berkshire
Former)
County) - Reading
Borough)Charity - Playing Field and
Recreation GroundL5
304,328 A/IAdjudged not chargeable
with stamp dutyScheme including appointment of
Trustee

C H A R I T Y C O M M I S S I O N

In the matter of the Charity for a Playing Field and Recreation Ground, for the Parish of Mapledurham, in the County of Oxfordshire, and the former County Borough of Reading, in the Royal County of Berkshire, regulated by conveyance dated the 24th December 1938; and
In the matter of the Charities Act 1960.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established as the Scheme for the regulation of the above-mentioned Charity:-

S C H E M E

1. Administration of Charity. The above-mentioned Charity and the property thereof specified in the schedule hereto and all other the property (if any) of the Charity shall be administered and managed subject to and in conformity with the provisions of this Scheme under the title of the Recreation Ground Charity by the Trustee hereinafter appointed.

2. Vesting. The land specified in the said schedule is hereby vested in the Official Custodian for Charities for all the estate and interest therein belonging to or held in trust for the Charity.

3. Investment of cash. Sums of cash at any time belonging to the Charity and not needed for immediate working purposes shall be invested in the name of the said Official Custodian unless the Charity Commissioners otherwise direct.

475-29-3-84x(1)

4. Trustee. The Reading Borough Council shall be the Trustee of the Charity.

5. Committee of Management. (1) The Trustee may delegate such of its powers, duties and functions as relate to the day to day administration and management of the Charity, in such manner and subject to such rules as the Trustee prescribes, to a Committee of Management (hereinafter referred to as the Committee) consisting when complete of five persons (hereinafter referred to as Members) who shall be appointed as follows:-

Three by the Reading Borough Council at least one of whom shall be a member of that Council elected for the Electoral Ward in which the land belonging to the Charity is from time to time situated;

One by the Mapledurham Parish Council and

One jointly by the members of the governing bodies of such associations as are approved by each of the said councils:

Provided that if a person who has been appointed to be a Member by the Borough Council was appointed by reason of qualification as aforesaid but subsequently ceases to be so qualified then that person shall cease to be a Member if no other Member appointed by the Borough Council is so qualified.

(2) Each appointment of a Member shall be made for a term of three years. Any competent Member may be re-appointed.

(3) All acts and proceedings of the Committee shall be reported in due course to the Trustee.

6. Object of Charity. (1) The object of the Charity shall be the provision and maintenance of a recreation ground for the benefit of the inhabitants of the Parish of Mapledurham and the Borough of Reading without distinction of political, religious or other opinions.

(2) The said land shall be held upon trust for use for the object of the Charity.

7. Rules and management. Within the limits prescribed by this Scheme the Trustee shall have power to make, alter and revoke rules for the regulation and management of the property of the Charity.

8. Use by other bodies or persons. (1) Subject and without prejudice to any use by the Trustee for the object of the Charity, the property of the Charity may be used for the said object by such bodies or persons as the Trustee determines, free of rent, but subject to a payment in respect of the expenses of and incidental to the maintenance and use thereof and otherwise upon such terms as are agreed.

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(2) The Trustee may permit the property of the Charity or any part thereof to be used otherwise than for the object of the Charity subject to a payment sufficient at least to defray the expenses incidental to the use in each case but so as not substantially to interfere with its use for the said object.

9. Accounts. Books of account in relation to the Charity shall be provided and kept by the Trustee.

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10. Insurance. The Trustee shall insure all buildings and effects from time to time belonging to the Charity to the full value thereof against fire and other usual risks and shall suitably insure against risks arising out of the ownership of property and the employment of persons.

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11. Expenses of management. The Trustee shall first defray out of the income of the Charity the cost of repairs, upkeep and insurance and all other charges and outgoings payable in respect of the property of the Charity and all the proper costs, charges and expenses of and incidental to the administration and management of the Charity.

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12. Application of income. Subject to payment of the expenses aforesaid the Trustee shall apply the income of the Charity in furthering the object of the Charity.

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13. Donations. The Trustee may accept any donation or property for the general purposes of the Charity and for any special objects connected with the Charity not inconsistent with the provisions of this Scheme.

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14. Questions under Scheme. Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined by the Commissioners upon such application made to them for the purpose as they think sufficient.

SCHEDULE

scheme
or the

The following land situate in the Borough of Reading in the Royal County of Berkshire and known as the Playing Field and Recreation Ground being part of the land comprised in the above-mentioned conveyance dated the 24th December 1938 and made between Charles Ernest Hewett of the one part and The National Playing Fields Association of the other part:

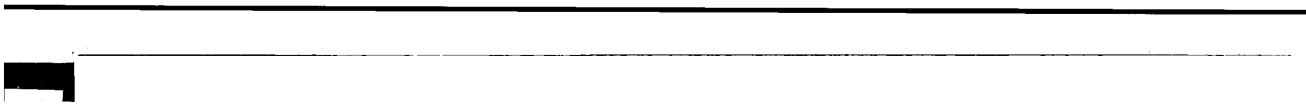
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1. Land containing 24 acres 1 rood 27 perches or thereabouts situate at Mapledurham having a frontage on the south to Chazey Road.

2. Land containing 2 acres 1 rood 35 perches or thereabouts situate at Caversham having a frontage on the south to Chazey Road.

Sealed by Order of the Commissioners this 20th day of September 1985.

L.S.
475



Trustees' Sub-Committee

26 March 2024



Reading
Borough Council
Working better with you

Title	Review of Outside Body Appointments
Purpose of the report	To make a recommendation to another Committee
Report status	Public report
Report author	Mike Graham
Lead Councillor	Councillor Brock, Leader of the Council & Councillor Hornsby-Smith, Chair of Trustees Sub-Committee
Corporate priority	Thriving Communities
Recommendations	<ol style="list-style-type: none"> 1. That Policy Committee be recommended to: <ol style="list-style-type: none"> 1.1. Take the proposed actions to continue or discontinue outside body appointments as set out in Appendix 1. 1.2. Authorise the Monitoring Officer, in consultation with the Leader of the Council, to consider any requests to continue or reinstate appointments and to make mid-year appointments as required. 1.3. Agree that representatives be requested to report back annually to ensure that information on appointments is kept up to date and provide reassurance that relationships with outside bodies continue to promote the Corporate Plan priorities and are of benefit to both the Council and the external body. 2. That officers be authorised to seek further information from outside bodies as set out in Appendix 1 and to update the recommendations to Policy Committee based on the responses. 3. That the Outside Bodies Guidance be refreshed for submission with the annual Outside Bodies report to Policy Committee and that a briefing be offered to the appointed representatives.

1. Executive Summary

- 1.1. This report sets out a review of appointments and nominations to outside bodies. The review aims to clarify the purpose and benefits of the Council's appointments and nominations to a range of outside bodies, with a focus on the Voluntary and Community Sector and other independent local organisations. The Policy Committee commissioned the Trustees Sub-Committee to conduct the review and make recommendations (see the separate report on this agenda for further background and context).

2. Policy Context

- 2.1. Appointing the Council's representatives on outside bodies is a Key Decision reserved to Policy Committee under Part 2 Article 13.3 and Part 3 Section 2(5) of the Council's Constitution. The Monitoring Officer has a delegation to appoint to vacancies arising mid-year in consultation with the Leader of the Council.

3. The Proposal

- 3.1. The Council makes appointments to a large number of outside bodies mainly on an annual basis in June each year. Most appointees are serving councillors and this is often a requirement of the organisation.
- 3.2. The outside bodies that the Council appoints to are [listed on the Council's website](#) under a number of categories: Joint Committees, Council-owned Companies, Other Companies, National and Regional Membership Organisations, Partnership Bodies, NHS Partner Organisations and Voluntary & Community Sector and Other Local Organisations. This review concentrates on the latter category of VCS and local organisations.
- 3.3. The Council's representatives on VCS/local organisations have a variety of different duties, obligations and liabilities depending upon the type of organisation and the role appointed to. These can bring challenges for the representative and the organisation particularly where there is a formal role as Trustee/Director and/or a funding or contractual relationship between the Council and the Outside Body.
- 3.4. The review seeks to establish a clearer and more consistent approach to appointments and nominations to outside bodies, ensure that appointees have access to appropriate advice and support for their role, and provide reassurance that there is a contribution to the Council's priorities set out in the Corporate Plan and a benefit to both the Council and the organisation.
- 3.5. Councillor representatives on outside bodies were asked to complete a questionnaire on their involvement in the outside bodies to which they have been appointed. The questions covered the nature of the role and organisation, the information/training provided to support the role, and the provision of insurance where required.
- 3.6. The questionnaire also sought Councillors' views on the benefits to the Council and organisation of their appointment and whether there were other ways the Council could provide support, which did not involve direct appointment.
- 3.7. The responses to the questionnaire and some additional desktop research have been used to make recommendations on whether to continue or discontinue each of the appointments included in the review. A summary of the findings and the recommendations are set out in Appendix 1.
- 3.8. For some appointments it is proposed that officers seek further information or discuss specific matters with the organisation. Subject to receiving timely responses this can be completed in time to make recommendations to Policy Committee at the annual round of appointments in June.
- 3.9. Where organisations have not been in contact with the Council's current appointee/nominee, or councillors have suggested that direct membership is no longer required, the recommendation is not to continue making appointments. However it is recognised that organisations might seek to continue the arrangement and may be willing to adjust the role to meet any concerns expressed. It is recommended that a delegation to the Monitoring Officer be agreed to consider any such representations in consultation with the Leader of the Council and make appointments mid-year if appropriate.
- 3.10. The review highlighted that councillors are rightly concerned about issues such as conflicts of interest and personal liability. Where there is a formal role such as Trustee Outside Bodies will be asked to confirm insurance arrangements for representatives upon appointment and councillors advised to seek advice if they have any concerns about this or other aspects of their role. The 'Guidance for Council Representatives on Outside Bodies' which includes discussion of these issues will be updated and re-issued to all representatives.
- 3.11. It is also proposed to improve some of the other procedures around outside body appointments including:

- 3.11.1. Councillors to receive briefings on outside Body appointments as part of the new councillor induction and a member training session after the appointments have been made.
- 3.11.2. Improved communication when there is a change of representative, to help ensure that the formal appointment of the outgoing representative as a Trustee or Director (i.e. registering with the Charity Commission or Companies House) is terminated by the external organisation, and that the incoming representative receives the information required to carry out their role, in a timely fashion.
- 3.11.3. Introducing an efficient process for representatives to report back on an annual basis to monitor that the organisation is still active and that the arrangements continue to be of benefit to both the organisation and the Council.

4. Contribution to Strategic Aims

- 4.1. Representation on outside bodies gives the Council an opportunity, through its representatives, to work with partner organisations to achieve the priorities set out in the Corporate Plan under the themes of:
 - Healthy Environment
 - Thriving Communities
 - Inclusive Economy
- 4.2. Full details of the Council's Corporate Plan and the projects which will deliver these priorities are published on the [Council's website](#). These priorities and the Corporate Plan demonstrate how the Council meets its legal obligation to be efficient, effective and economical.

5. Environmental and Climate Implications

- 5.1. There are no environmental or climate implications arising from the decision to make appointments to outside bodies.

6. Community Engagement

- 6.1. Representation on outside bodies gives the Council an opportunity, through its representatives, to engage with the community on matters that affect the Borough.

7. Equality Implications

- 7.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2. An Equality Impact Assessment (EIA) is not relevant at this stage of the review of appointments to outside bodies. It will be considered again as and when any potential changes are considered by Policy Committee.

8. Legal Implications

- 8.1. The Council cannot legally provide personal liability cover for representatives serving on outside bodies (*Burgoine v Waltham LBC 1996*) and it is the responsibility of the outside body to secure the appropriate insurance and personal liability cover for people on it. Local authorities do not have a legal power to extend their insurance policies to cover the liabilities of third parties.

- 8.2. All Councillors, officers and other people appointed by Reading – and any other local authority – are therefore advised of the need to check directly with the outside body about its insurance cover, and how far it protects them.

9. Financial Implications

- 9.1. Attendance by Councillors appointed to outside bodies will be an approved duty for the purposes of the Council's scheme made in accordance with the provisions of the Local Authorities (Members' Allowances) Regulations 1991. This means that travel and subsistence claims may be made in respect of expenses incurred in attending meetings. Non-Councillors who are appointed to represent the Borough on outside bodies may claim financial loss allowance and travel and subsistence, if applicable.

10. Other Relevant Considerations

- 10.1. There are no other significant issues which are relevant to this report.

11. Timetable for Implementation

- 11.1. Recommendations made by the Sub-Committee will be taken into account by the Policy Committee in the annual consideration of Outside Body appointments in June 2024. Where further information is requested it is intended to report the findings to Policy Committee subject to receiving timely responses from the relevant organisations.

12. Background Papers

- 12.1. There are none.

Appendices

1. **Review of Outside Bodies – summary of findings and recommendations**

Extent of activity	Title	Representatives	Active Contact from organisation	Role(s)	Findings of review	Recommendation	Corporate Plan priority
A - Borough wide bodies particularly those receiving RBC funding or that distribute funds	Reading Community Welfare Rights Unit	(Councillors Ayub, McEwan & O'Connell)	Yes	Trustee	Three councillors have been appointed in a personal capacity by the organisation and not by RBC. There were previously concerns regarding liability insurance but this may no longer be an issue.	Contact organisation to discuss formalising appointments	Thriving Communities
A - Borough wide bodies particularly those receiving RBC funding or that distribute funds	Reading Sports Aid Fund	Councillors Barnett-Ward & Gittings (plus Mayor ex-officio)	Yes	Trustee	RBC is Corporate Trustee supporting the independent Trust. RSAF now working in partnership with GLL to coordinate support for athletes in the Borough with their larger scheme	Continue	Thriving Communities
A - Borough wide bodies particularly those receiving RBC funding or that distribute funds	South East Reserve Forces and Cadets' Association	Councillor Hoskin	Yes	Council representative	Contact has recently resumed after several years	Continue	Thriving Communities
A - Borough wide bodies particularly those receiving RBC funding or who distribute funds	Citizens' Advice Reading Trustee Board	Councillor Griffith	Yes	Trustee	Confirmation required of insurance arrangements and some concerns remain about managing conflicts of interest. Second Trustee position is vacant.	Continue but contact organisation for more information	Thriving Communities
A - Borough wide bodies particularly those receiving RBC funding or who distribute funds	Earley Charity	Councillor Terry & David Sutton	Yes	Trustee	Clear contribution to Corporate Plan and benefits identified for both organisation and RBC	Continue	Thriving Communities
A - Borough wide bodies particularly those receiving RBC funding or who distribute funds	Launchpad Reading	Councillor Eden	Yes	Observer	RBC previously nominated candidates for Trustee but there is now no formal or defined role for a Council representative	Remove subject to officers seeking further information	Thriving Communities
A - Borough wide bodies particularly those receiving RBC funding or who distribute funds	Readibus Board of Directors	Councillors Ayub, Hornsby-Smith, Lanzoni & McEwan	Yes	Directors (4)	Key partner for delivering Corporate Plan, other LAs also represented on Board. Suggestion of reducing to three appointments	Continue and reduce to three appointments	Thriving Communities
A - Borough wide bodies particularly those receiving RBC funding or who distribute funds	Reading Voluntary Action	Councillor Barnett-Ward	Yes	Board observer	Key VCS partner for delivering Corporate Plan - no formal role but helps maintain relationship	Continue	Thriving Communities
B - : borough round bodies that offer an important service	Queen Victoria Institute	Councillor Rowland (plus one vacancy)	Yes	Trustees (2) - one position vacant	QVI is reviewing future activity after ending foot care services in 2023. They may benefit from support/advice but appears to be limited benefit to RBC	Continue	Thriving Communities
B - borough round bodies that offer an important service	Age UK Berkshire		(no appointment made in 2023)	Observer	Potential councillor involvement would be limited to the AGM	Remove and liaise with organisation through OPWG	Thriving Communities
B - borough round bodies that offer an important service	Berkshire Music Trust	Councillor Gittings	Yes	Council representative	Local Authority Trustee roles ended in 2020 - some continuing involvement as representatives	Continue	Thriving Communities
B - borough round bodies that offer an important service	Conservation Area Advisory Committee	Councillor Griffith	Yes	Committee Member	CAAC was constituted by RBC SEPT Committee as an independent non-statutory advisory committee. There were previously two councillors appointed. Councillor role is not specifically defined and may be of limited benefit.	Continue	Healthy Environment

Extent of activity	Title	Representatives	Active Contact from organisation	Role(s)	Findings of review	Recommendation	Corporate Plan priority
B - borough round bodies that offer an important service	Reading Community Energy Society	Councillors Eden & Terry	Yes	Directors (2)	RBC involved since setup as a shareholder - clear contribution to Corporate Plan. Roles are formal and defined with one Director appointed to represent RBC as a shareholder and the other a co-opted Board member.	Continue	Healthy Environment
B - borough round bodies that offer an important service	Reading Deaf Centre	Councillor Cross	No		Organisation has not contacted current representative	Remove	Thriving Communities
B - borough round bodies that offer an important service	Reading Dispensary Trust	(Rose Williams)	Unknown	Trustee	Representative is no longer a councillor. They are listed as Trustee and organisation is still active.	Continue but contact organisation for more information	Thriving Communities
B - borough round bodies that offer an important service	St Laurence Relief in Need Trust	(vacant / Rose Williams)	Unknown	Trustee	Representative is no longer a councillor. They are listed as Trustee and organisation is still active.	Continue but contact organisation for more information	Thriving Communities
C - bodies that serve a local community within the borough	Kennet and Avon Canal Trust	Councillor Gittings	No	Unknown	Organisation has not contacted current representative	Remove	Healthy Environment
C - bodies that serve a local community within the borough	Caversham Park Village Association	Councillor Goss	Unsure	Unknown	Representative newly appointed at time of questionnaire.	TBC - officers to liaise with representative and organisation	Thriving Communities
C - bodies that serve a local community within the borough	Mapledurham Playing Fields Management Committee	Councillors Ballsdon, Juthani & Kitchingham	Yes	Committee Member (3)	Reviewed separately due to the Sub-Committee's role as Trustee - see report elsewhere on agenda	n/a	Healthy Environment
C - bodies that serve a local community within the borough	Pakistani Community Association	Councillor Griffith	No	Unknown	Organisation has not contacted current representative	Remove	Thriving Communities
C - bodies that serve a local community within the borough	Weller Centre Advisory Board	Councillor Gavin	Yes	Council representative on Advisory Board	Contribution to Corporate Plan and benefits identified for both organisation and RBC	Continue	Thriving Communities
C - bodies that serve a local community within the borough	Kenavon Drive Management Company	Councillor Davies	Yes	Director	Council has a position on the Board due to owning a property within the development	Continue	Healthy Environment
D - other/unknown	Reading College Business Advisory Board	Councillor Brock	No	Unknown	Organisations has not contacted current representative	Remove	Inclusive Economy
D - other/unknown	Hexham Community Association Management Committee	Councillor Cross	No	Unknown	Organisation has not contacted current representative	Remove	Thriving Communities
D - other/unknown	Tilehurst People's Local Charity	(vacant)	(no appointment made in 2022 or 2023)	Trustee	Vacant since 2022 due to concerns about conflict of interest.	Remove	Thriving Communities
D - other/unknown	Kennet Day Nursery Association	Councillor McEwan	No	Unknown	Association no longer exists and has been removed from the schedule of appointments.	Remove	Our Foundations