

**THE CHARITY COMMISSION FOR ENGLAND AND WALES**

Under the power given in the Charities Act 1993

Orders that from today, the

**13 May 2011**

this

**SCHEME**

will govern the charity

known as

**LOWER CENTRAL GARDENS BOURNEMOUTH (299739)**

at

Bournemouth, Dorset

*Lina Maje*

**Authorised Officer**

1. **Definitions**

In this scheme:

"the charity" means the charity identified at the beginning of this scheme.

"the charity's land" means the land belonging to the charity at the date of this scheme and any land acquired in exchange for or replacement of that land.

"the former trusts" means the Indenture dated 12 August 1873 (made between Owen John Augustus Fuller Meyrick and the Reverend Edward Harland of the first part Sir George Eliot Meyrick Tapps Gervis of the second part and the Boumemouth Commissioners of the third part) and the Boumemouth Borough Council Act 1985 section 29.

"the Commission" means the Charity Commission for England and Wales.

"the trustee" means the trustee of the charity acting under this scheme.

**ADMINISTRATION**

2. **Administration**

The charity is to be administered in accordance with this scheme and the Boumemouth Borough Council Act 1985 section 29. This scheme replaces the former trusts of the charity other than the Boumemouth Borough Council Act 1985 section 29.

3. **Name of the charity**

The name of the charity is Lower Central Gardens Bournemouth.

**OBJECT**

4. **Object of the charity**

The object of the charity is as set out in the 1873 Indenture, namely, the appropriation and use of the charity's land for public gardens for the use of the inhabitants of Boumemouth and the vicinity, and a building to be used as a public building for the purposes of Commissioners offices and board room, town hall, court house, assembly rooms and offices connected therewith.

**POWERS OF THE TRUSTEE**

5. **Powers of the trustee**

In addition to any other powers which it has, the trustee may exercise the following powers in furtherance of the objects of the charity:

(1) Power to:

- (a) build such buildings or structures as are necessary or desirable for the use of beneficiaries enjoying the charity's land as public gardens provided that the trustee must make provision for their removal and reinstatement of the garden should they no longer be necessary or desirable, and
  - (b) to let or permit to be used the same on terms which ensure they are used and only used in a way which is necessary or desirable for the use of beneficiaries enjoying the charity's land as public gardens.
- (2) Power to let or permit to be used any part of the charity's property to another charity provided that the terms of the letting ensure the land must be used in furtherance of the charity's objects.
  - (3) Power to make rules and regulations consistent with this scheme for the management of the charity.

#### **TRUSTEE**

##### **6. Trustee**

Bournemouth Borough Council is the trustee of the charity.

##### **7. Delegation**

- (1) The trustee may delegate any of its powers or functions to a committee comprising elected councillors and independent co-optees (being co-optees who do not suffer from a conflict of interest in relation to the trustee and the trustee's dealings with the charity).
- (2) There shall be sufficient independent co-optees to form a quorum for the duration of a meeting of any committee where the elected councillors have or may have a conflict of interest as defined by the Conflict of Interest Policy to be adopted under clause 8 of this scheme.

##### **8. Conflicts of interest**

- (1) Any conflict between the interests of the charity and the interests of the trustee and/or the interests of the individual members (elected councillors and independent co-optees) of any committee shall be managed in accordance with a Conflict of Interest Policy to be adopted by the trustee under this paragraph.
- (2) The Conflict of Interest Policy referred to above shall be approved by the Charity Commission for England and Wales in advance of its adoption by the trustee. It shall take account of any guidance issued by the Charity Commission for England and Wales and any recognised body that provides guidance on the management of conflicts of interest in public life.
- (3) Members of the committee referred to in paragraph 7 must, before taking up office, sign a declaration confirming that they have read, understood and promise to comply with the Conflict of Interest Policy.

## **GENERAL PROVISIONS**

### **9. Questions relating to the Scheme**

The Commission may decide any question put to it concerning:

- (1) the interpretation of this scheme; or
- (2) the propriety or validity of anything done or intended to be done under it.

## The Lower Central Gardens, Bournemouth

**(Registered charity No. 299739)**

## Rules of the Trust Board

adopted on the            day of            2011

## 1 The Charity

- 1.1 The Lower Central Gardens, Bournemouth is a charitable trust established by an Indenture dated 12 August 1873 (the “**Indenture**”) and registered with the Charity Commission on 26 July 1988 with Charity Number 299739 (the “**Charity**”)
- 1.2 The object of the Charity is to maintain the public gardens known as "The Lower Central Gardens" in Bournemouth for the recreation and enjoyment of the public in accordance with the terms of the Charity Scheme made by the Charity Commission on the 13<sup>th</sup> May 2011, pursuant to Section 16 to the Charities Act 1993 and s.29 of the Bournemouth Borough Council Act 1985 (“**the 2011 Charity Scheme**” and “**the 1985 Act**”).
- 1.3 The Bournemouth Borough Council (the “**Council**”) is the sole managing trustee of the Charity.
- 1.4 The Cabinet of the Council resolved on 12<sup>th</sup> October 2011 pursuant to its powers under the 2011 Charity Scheme to make arrangements for the discharge of the Council's functions as managing trustee by the delegation of the management of the Charity to a sub-committee of the Cabinet to be established and known as the Trust Board (the “**Trust Board**”).

## 2 Administration of the Charity

Subject to the terms of the 2011 Charity Scheme and the 1985 Act, the Charity and its property shall be administered and managed in accordance with these Rules by the members of the Trust Board ( the "**Trust Board Members**"), as constituted by paragraph 3 of these Rules.

### 3 The Trust Board – appointment and removal

3.1 In addition to the three to four Trust Board Members co-opted in accordance with paragraph 4 of these Rules, the Trust Board shall include of not less than four nor more than five individuals, all of whom shall be elected members of the Council.

3.2 Subject to paragraph 3.6 below, each of properly constituted political groups ("**Group**") within the Council shall be entitled to appoint its member/s to be Trust Board Member (and shall be entitled to remove any person so appointed by it).

The number of Trust Board Members appointed by each Group shall be in accordance with the political balance of the Council at any time and in accordance with the Council's Constitution.

3.3 A Trust Board Member appointed or removed pursuant to paragraph 3.2 shall be appointed or removed (as the case may be) automatically and immediately following receipt by the secretary to the Trust Board at the Council's offices at Town Hall, Bournemouth of a written notice executed by or on behalf of the relevant appointor.

3.4 Subject to paragraph 3.2 above, a Trust Board Member who has held office without retirement for a period of three years shall retire automatically on the third anniversary of his appointment, but shall be eligible for re-appointment by his or her appointor for a further term of three years.

3.5 A Trust Board Member who has served two three-year terms shall retire and shall not be capable of re-appointment to the Trust Board by any appointor under these Rules for a period of one year from such retirement.

3.6 Any Group entitled to appoint a Trust Board Member pursuant to these Rules shall immediately remove or be deemed to have removed their appointee from office if the Trust Board shall resolve that:-

(a) such removal is required to ensure that the composition of the Trust Board is maintained in accordance with the political balance of the Council pursuant to paragraph 3.2 above; or

(b) such removal is required under paragraph 8.1(g) of these Rules, provided that nothing in this sub-paragraph (b) shall prevent the relevant appointor appointing a new Trust Board Member in accordance with these Rules.

3.7 The right of a Group to appoint a Trust Board Member to the Board pursuant to paragraph 3.2 shall be lost automatically if the relevant appointor ceases to be a political group within the Council.

3.8 In the absence of a Trust Board Member due to illness, holiday leave or unavailability for any other reason, the Group which appointed that Trust Board Member may for a maximum of three

successive Trust Board meetings substitute a temporary alternate member who shall be entitled to take part in those Trust Board meetings and vote on Trust Board resolutions in place of the absent Trust Board Member. If after three successive Trust Board meetings the Trust Board Member concerned continues to be unavailable for any reason, the Group that appointed him or her may appoint a new Trust Board Member in his or her place (provided that this is subject to the right of the other Trust Board Members under paragraph 8.1(c) of these Rules to ask for the resignation of any Trust Board Member who is absent without notice from three consecutive meetings of the Trust Board).

- 3.9 Each Trust Board Member shall be under an overriding duty to act in the best interests of the Charity and in accordance with the provisions of the 2011 Charity Scheme and the 1985 Act.
- 3.10 The proceedings of the Trust Board shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a Trust Board Member.
- 3.11 Nobody shall be appointed as a Trust Board Member who is aged under 18 or who would if appointed be disqualified under the provisions of paragraph 8 of these Rules.
- 3.12 No person shall be entitled to act as a Trust Board Member whether on a first or on any subsequent entry into office until after signing in the minute book of the Trust Board a declaration of acceptance and of willingness to act to further the objects of the Charity.
- 3.13 The tenure of office of elected Councillors as Trust Board Members shall not exceed that of their term of office as Council members.

#### **4 Co-opted Members of the Trust Board**

- 4.1 The Trust Board may in addition to the maximum number of five elected Trust Board Members appoint not less than three nor more than four co-opted Trust Board Members.
- 4.2 Each appointment of a co-opted Trust Board Member shall be made at a meeting of the Council Cabinet acting as Trustee for the Charity and shall take effect from the end of that meeting unless the appointment is to fill a place which has not been vacated in which case the appointment shall run from the date when the post becomes vacant.
- 4.3 Co-opted Trust Board Members shall not be members of the Council but shall be entitled to vote on resolutions of the Trust Board.

#### **5 Scope of delegation**

5.1 The Trust Board shall further the functions conferred on the Council as managing trustee of the Charity by the 2011 Charity Scheme and the 1985 Act in furtherance of the objects of the Charity but not otherwise.

5.2 The Council Cabinet, acting as managing trustee of the Charity may:

(a) reserve to meetings of the Cabinet; or

(b) re-assume control of

the management of and decisions relating to such matters relating to the Charity as it shall in its discretion so resolve.

## **6 Delegation to sub-committees or officers of the Council**

6.1 The Trust Board may pursuant to the 2011 Charity Scheme arrange for the discharge of the functions of the Council relating to the Charity by delegating such of its powers of management and administration as the Trust Board may from time to time decide to a sub-committee of the Trust Board or to an officer of the Council or the Trust Board, and may make regulations for the conduct of such sub-committee or officer and from time to time amend such regulations. All acts and proceedings of any such sub-committee or officer shall be reported as soon as possible to the Trust Board and no such committee or officer shall incur expenditure on behalf of the Charity except in accordance with a budget which has been approved by the Trust Board.

## **7 Meetings of the Trust Board**

7.1 The Trust Board must hold at least two ordinary meetings each year. One such meeting in each year must involve the physical presence of those Trust Board Members who attend the meeting. Other meetings may be held in person or by such suitable electronic means, including video-conferencing, as the Trust Board decide provided that the form chosen enables the Trust Board Members both to see and to hear each other.

7.2 The Trust Board must arrange at each of their meetings the date, time and place of their next meeting, unless such arrangements have already been made. Ordinary meetings may also be called at any time by the person elected to chair meetings of the Trust Board or by any two Trust Board Members. In that case not less than ten days' clear notice must be given to the other Trust Board Members.

7.3 A special meeting may be called at any time by the person elected to chair meetings of the Trust Board or by any three Trust Board Members. Not less than four working days' clear notice



must be given to the other Trust Board Members of the matters to be discussed at the meeting. A special meeting may be called to take place immediately after or before an ordinary meeting.

- 7.4 The Trust Board at their first ordinary meeting in each year must elect one of their number to chair their meetings. The person elected shall always be eligible for re-election. If that person is not present within ten minutes after the time appointed for holding a meeting, or if no one has been elected, or if the person elected has ceased to be a Trust Board Member, the Trust Board Members present must choose one of their number to chair the meeting.
- 7.5 The person elected to chair meetings of the Trust Board shall have no other additional functions or powers except those conferred by these Rules or delegated to him or her by the Trust Board.
- 7.6 No business shall be conducted at a meeting of the Trust Board unless at least one third of the total number of Trust Board Members at the time, or three Trust Board Members (whichever is the greater) are present throughout the meeting.
- 7.7 At meetings, decisions must be made by a majority of the Trust Board present and voting on the question. The person chairing the meeting shall have a casting vote whether or not he or she has voted previously on the same question but no Trust Board Member in any other circumstances shall have more than one vote.
- 7.8 There will be Charity business where conflicts between the interests of the Charity, the Council acting as local authority for Bournemouth and the individual member/s of the Trust Board may arise. This Charity business will have to be managed in accordance with the Charity's Conflict of Interest Policy.

## **8 Termination of membership of Trust Board**

- 8.1 A Trust Board Member shall cease to hold office if he or she:-
- (a) would be disqualified under the Charities Act 1993 from acting as a charity trustee or trustee for a charity;
  - (b) is incapable, whether mentally or physically, of managing his/her own affairs;
  - (c) is absent without notice from three consecutive meetings of the Trust Board and is asked by a majority of the other Trust Board Members to resign;
  - (d) resigns by written notice to the Trust Board (but only if at least two Trust Board Members will remain in office);
  - (e) in the case of elected Council Members ceases to be member of the Council;

- (f) in the case of elected Council Members ceases to be a member of the Group which appointed him or her;
- (g) is removed by a resolution passed by all the other Trust Board Members after they have invited the views of the Trust Board Member concerned and considered the matter in the light of any such views.

## **9 Trust Board members not to be personally interested**

- 9.1 No Trust Board Member shall acquire any interest in property belonging to the Charity or receive remuneration or be interested (otherwise than as a Trust Board Member) in any contract entered into by the Trust Board.
- 9.2 If a Trust Board Member has a personal interest in a matter to be discussed at a meeting of the Trust Board or any of its sub-committee, the Trust Board Member concerned must:
  - (a) declare an interest before the meeting or at the meeting before discussion on the matter begins;
  - (b) be absent from the meeting for that item unless expressly invited to remain in order to provide information;
  - (c) not be counted in the quorum during that part of the meeting;
  - (d) be absent during the vote and have no vote on the matter.

## **10 Custodians and nominees**

- 10.1 All or any part of the property of the Charity may be held in the name of any corporation or any other person (being, if individuals, at least two in number (whether or not including one or more of the Trust Board)) as nominee for the Charity on such terms as the Council as the managing trustee of the Charity thinks fit.
- 10.2 The Council, acting as Trustee, shall have power to appoint as custodian trustee any corporation empowered so to act, upon such terms as they shall think fit, and may transfer the whole or any part of the property of the Charity to or so as to be under the control of such custodian trustee, provided that the remuneration payable to such corporation shall in no case exceed what is approved by a resolution of the Council acting as Trustee.
- 10.3 In exercising the powers conferred by sub-paragraphs 10.1 and 10.2 the Council, acting as Trustee, shall comply with any guidance published by the Charity Commission from time to time.

## **11 Bank accounts**

- 11.1 The Trust Board may open and maintain in the name of the Charity, or in such other name as the Trust Board may think fit, bank accounts at such banks as the Trust Board may from time to time decide, and at any time may pay any money forming part of the property of the Charity or its income to the credit of any such account or place the same on deposit with any bank.
- 11.2 Subject to sub-paragraph 13.3, the Trust Board may from time to time make such arrangements as they shall think fit for the operation of any bank account in the name of the Charity or under the control of the Trust Board; and all the funds and income of the Charity shall be paid into the bank account.
- 11.3 All cheques and orders for payment of money from any bank account in the name of the Charity or under the control of the Trust Board shall be signed by at least two Trust Board Members, subject to any regulations made by the Trust Board.

## **12 Accounts**

- 12.1 The Trust Board must comply with the requirements of the Charities Act 1993 as to the keeping of the financial records of the Charity, the audit or independent examination of its accounts and the preparation and transmission to the Charity Commission of the Charity's annual returns, reports and statements of account.

## **13 Records**

- 13.1 The Trust Board must maintain proper records of:
- (a) all proceedings at meetings of the Trust Board;
  - (b) all reports of sub-committees of the Trust Board; and
  - (c) all professional advice obtained.

## **14 Notices**

Any notice required to be served on any Trust Board Member shall be in writing and shall be served by the secretary of the Trust Board on any Trust Board Member either personally or by

sending it by first class post in a pre-paid letter addressed to such member at his or her last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within 5 working days of posting.

**15 Power of amendment and revocation**

The Council shall have the power to amend or revoke these Rules.

**16 Adoption of these Rules**

These Rules were adopted on the date mentioned below on behalf of the Council acting as Trustee and in accordance with a resolution of the Cabinet acting as Trustee dated 12<sup>th</sup> October 2011 by the persons whose signatures appear at the bottom of this document.

**Date** .....2011

**Signed**.....

.....

.....

**BOURNEMOUTH BOROUGH COUNCIL**

**LOWER CENTRAL GARDENS TRUST BOARD**

**CONFLICTS OF INTEREST POLICY**

**1. Aims and objectives**

- 1.1 This Policy applies to all members of the Lower Central Gardens Trust Board, whether or not they are elected Councillors or co-optees.
- 1.2 The aim of this Policy is to assist the Trust Board to act with integrity and openness, with a view to identifying situations where their duties to the Lower Central Gardens Trust might be in conflict with their duties to Council, the Cabinet or other bodies. For the avoidance of doubt, this Policy not only covers conflicts which would arise in situations where the interests of elected Councillors on the Trust Board clash with their Council duties but also other potential conflicts of interest, which may affect co-optees on the Board.
- 1.3 This Policy is intended to assist the Trust Board in identifying conflicts, to avoid conflicts arising at all and where conflicts do arise, this Policy is intended to assist the Trust Board to manage those conflicts in order to avoid perceived and actual problems occurring.
- 1.4 This Policy takes account of relevant guidance provided by the Charity Commission and paragraphs 5.30 and 5.31 of the First - Tier Tribunal's (Charity) decision dated 16 November 2009 [Case No. CA/2009/0001 & 0002].
- 1.5 This Policy supplements the guidance and advice set out in the Council's ethical governance framework and Constitution.

**2. Responsibilities**

- 2.1 Members of the Trust Board may be Cabinet members, elected Councillors or independent co-optees. They may owe duties to Council, the Cabinet, or other bodies.
- 2.2 The guiding principle for Trust Board members is that their primary duty is to act in the best interests of the Charity and those who are beneficiaries of the Charity, when they make and implement decisions. That duty takes priority over any duty that might be owed to Council, the Cabinet or other bodies.

- 2.3 Trust Board members must exercise reasonable care in the manner in which they make decisions. Members must make decisions independently of any influence from Council, the Cabinet or other bodies. Members must ensure that decisions are made to further the purpose of the Charity and those who are beneficiaries of the Charity and not to further other purposes.
- 2.4 Trust Board members are not charity trustees. This does not mean that they do not owe duties to the Charity. As delegatee of the Council acting as Trustee, Trust Board members whilst not themselves being trustees, will nevertheless have to comply with all the laws, rules and regulations applicable to Trustees when they exercise the Trustee powers under delegation.
- 2.5 This Policy includes illustrative examples to assist Trust Board members in determining the types of interests which need to be declared. However, it is the personal responsibility of each individual Trust Board member (under guidance of the Monitoring Officer if necessary), to determine whether they feel a matter represents a potential or actual conflict of interest or the perception of such a conflict and should therefore be declared.

### **3. Identifying conflicts**

- 3.1 Trust Board members must be alert to the possibility that conflicts of interest may arise. When they carry out the business of the Trust Board, Trust Board members must avoid conflicts of interest as far as possible.

The Charity Commission's guidance notes that 'the issue is not the integrity of the trustee concerned, but the management of any potential to profit from a person's position as trustee, or for a trustee to be influenced by conflicting loyalties. Even the appearance of a conflict of interest can damage the Charity's reputation, so conflicts need to be managed carefully'.

- 3.2 A conflict of interest arises in any situation where duties are owed by Trust Board members to a body other than the Charity, if those duties clash with the duties owed to the Charity. For example, an elected councillor may have a duty to act in the best interests of Council and/or the Cabinet, while at the same time having a duty to act in the best interests of the Charity. If it is not possible to do both at the same time, there is a conflict of interest.
- 3.3 Where specific decisions have to be made, a decision might be advantageous to Council, the Cabinet or to another body, but may not be the best decision to make for the Charity. In that situation, there may be a conflict of interest specific to that decision.
- 3.4 Where a Trust Board member has already participated in the business of Council, the Cabinet or some other body that is likely to affect the Charity, that member is likely to have a conflict of interest, if that business has subsequently to be considered by the Trust Board.

- 3.5 Relevant interests may be financial or non-financial; direct or indirect. Direct financial benefits or interests include for example employment by the Charity of a Trust Board member as a consultant or advisor, or a company of which a Trust Board member is a director or shareholder may be considered for a contract by the Charity. Other matters of financial interest include the sale of land or the use of a Trust Board member's property by the Charity, or granting of loans by a Trust Board member to the Charity. Such financial benefits require authorisation, usually by the Charity Commission.
- 3.6 Indirect financial interests may arise where potential financial benefits accrue to a close member of a Trust Board member's family, or even a friend, business partner or colleague, where their finances are interdependent (e.g. joint bank accounts, mortgages or property held in joint names, one party financially dependent on the other, employer/employee/contractual relationship) or where it could otherwise be perceived that such benefits could lead to a conflict of interest, i.e. by influencing the Trust Board member's decision other than in the best interest of the Charity.
- 3.7 Non financial interests, direct or indirect, may arise where a Trust Board member is also a user of the Charity's services, particularly if the Trust Board member is benefiting from those services in a manner which is exceptional.
- 3.8 Conflict of loyalty interests may arise where an association of a Trust Board member or of a relative or friend with another body or organisation etc. may be perceived as influencing the member in making decisions which may not be in the best interest of the Charity.
- 3.9 If a Trust Board member is unsure whether they are or might find themselves in a position of conflict, that member must err on the side of caution by making the situation known to the Trust Board as a whole and, if necessary, seek the advice of the Monitoring Officer.

#### **4. Avoiding conflicts**

- 4.1 In conducting Council or Cabinet business or the business of some other body, Trust Board members must consider whether participating in that business might prevent them from participating in any aspect of the business of the Trust Board.
- 4.2 If it is likely that by participating in the business of Council, the Cabinet or another body, a conflict of interest might arise in future with the business of the Trust Board, a member of the Trust Board should not participate in the business of Council, the Cabinet or other body. Instead, Trust Board members should give priority to the business of the Trust Board.

Example: the maintenance of the Council's corporate park land is one of Cabinet's responsibilities. Cabinet members who sit on the Trust Board will

absent themselves from Trust Board meetings when the apportionment of maintenance expenses between the Charity and the Council in its corporate capacity is discussed and voted on. Similarly, Trust Board members who are also members of the Planning Board, will withdraw from Trust Board business when a planning issue arises which affects the Charity.

- 4.3 Trust Board members must also have regard to the Member Code of Conduct. The Code affects whether Trust Board members can participate in the business of Council and/or the Cabinet when there is already a conflict of interest with the Charity.

## **5. Managing conflicts**

- 5.1 Elected Councillors and co-opted members are required by law to register their interests within 28 days of their election or appointment. The Register is a document which can be consulted when (or before) an issue arises and lets others consider whether or not a Trust Board member may have a conflict of interest.
- 5.2 Where a conflict of interest or a potential conflict of interest is identified, it must be recorded in the minutes of the Trust Board and the Trust Board's Register of Interests and reported to the Council in accordance with the Council's constitutional arrangements. Keeping a record of the business of Council, the Cabinet and other bodies that are likely to affect the business of the Trust Board will help members to recognise when they should not participate in decisions.
- 5.3 If a conflict of interest has arisen, the Trust Board member concerned must not participate in the discussions or decisions of the Trust Board that are affected by that conflict. That member should not influence the views of any other Trust Board member. If the member is able to contribute to the discussion and/or provide information that might be relevant to the discussion or the decision, the Trust Board may, on a simple majority vote, recorded in the minutes, ask the member to contribute to the discussion and/or provide the information. The member should not contribute to the discussion and/or provide the information without the prior agreement of the Trust Board.
- 5.4 Where a general duty to Council, the Cabinet or another body conflicts with a duty to the Charity, the member concerned should have regard only to the duty owed to the Charity. The member concerned should have no regard to the duty owed to Council, the Cabinet or that other body.
- 5.5 Where there is a likelihood of a conflict or where a conflict has been identified, the Trust Board should consider whether any other Trust Board members might be in positions of conflict. The Trust Board should give consideration to the possibility that only co-opted members will be able to vote on a specific matter. In situations where all elected Councillors on the Trust Board are conflicted, the quorum is three (3) co-opted members.

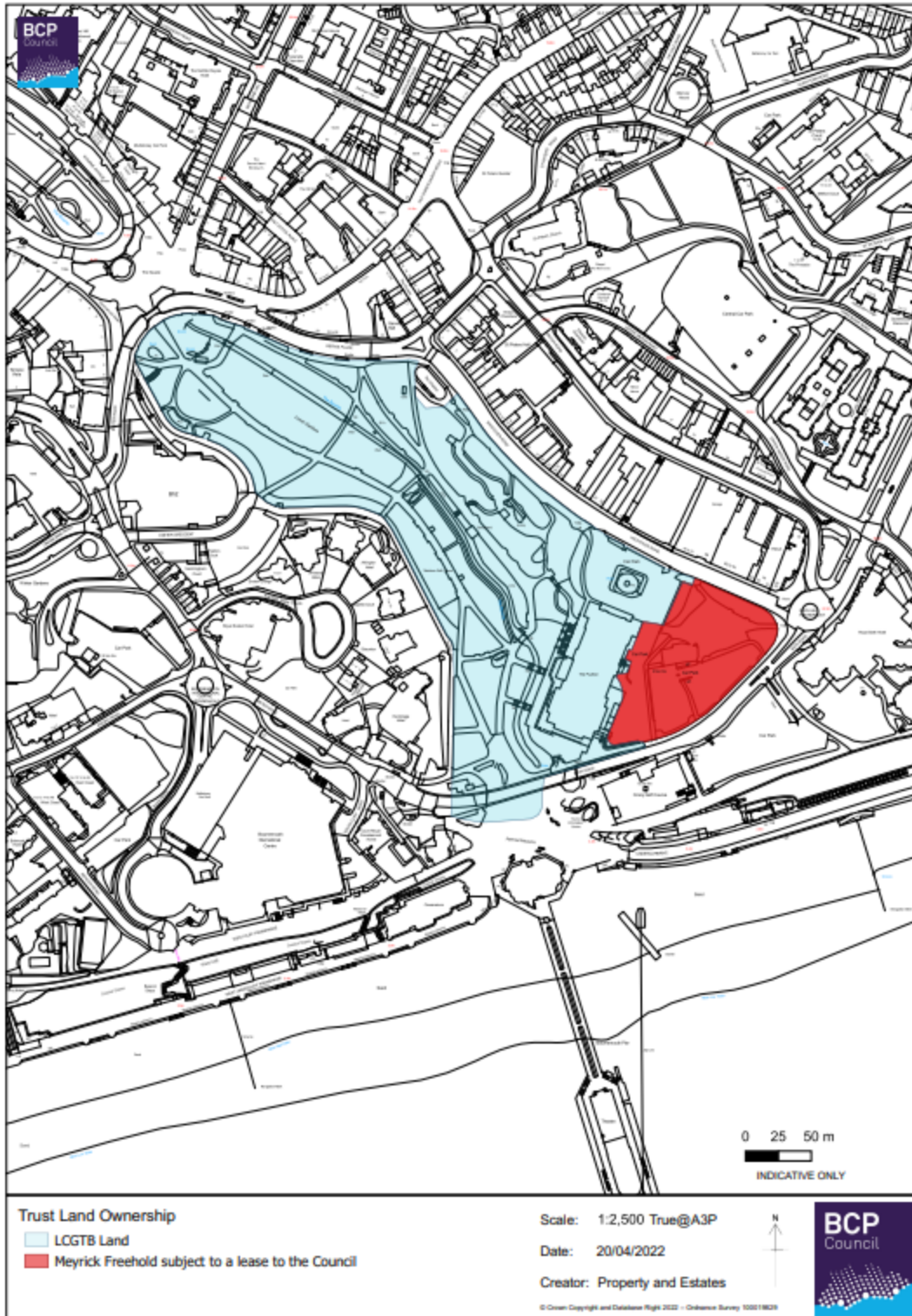


## **6. Seeking advice**

- 6.1 The Trust Board should bear in mind that in any case of doubt, advice is available from the Monitoring Officer and that it is preferable to seek advice at an early stage, before any decision is made.

## **7. Recruitment of co-optees**

- 7.1 Applicants must on the first appointment not within the period of five years, have been a councillor, co-opted member or employee of Bournemouth Borough Council or be a relative or close friend of an elected councillor, employee or co-opted member of the Council.
- 7.2 Applicants must demonstrate a commitment to good governance and sound financial management and act solely in the best interests of the Charity and work with and alongside elected Councillors in managing the Charity, for the people of Bournemouth.
- 7.3 Unless a co-optee resigns or becomes disqualified in accordance with the Rules of the Lower Central Gardens Trust, each term of office for co-optees appointed to the Lower Central Gardens Trust Board will not exceed a period of 3 years. After up to two three-year terms Co-optees will retire and will not be eligible for re-appointment to the Trust Board for a period of one year from such retirement. Thus the total possible consecutive period of term of office for co-optees will be 6 years.



KPI 2542