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CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

PLEASE NOTE MEETING TIME

17 February 2016

Dear Councillor

You are summoned to attend the meeting of the;

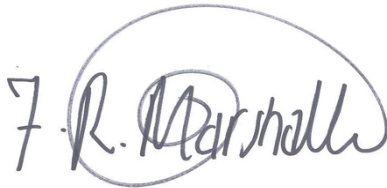
JOINT STANDARDS COMMITTEE

on **THURSDAY 25 FEBRUARY 2016 at 4.00 pm.**

in the Council Chamber. Maldon District Council Offices, Princes Road, Maldon.

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Fiona Marshall', enclosed within a large, hand-drawn oval.

Chief Executive

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor Rev. Antony E J Shrimpton

VICE-CHAIRMAN

Councillor Michael R Pearlman

COUNCILLORS

Mrs B F Acevedo
R G Boyce MBE, CC
I E Dobson

PARISH COUNCILLORS

Councillor B Ledger
Councillor S Nunn

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**PLEASE NOTE MEETING
START TIME OF 4:00PM**



AGENDA
JOINT STANDARDS COMMITTEE
THURSDAY 25 FEBRUARY 2016

1. Chairman's notices (please see overleaf)
2. Apologies for Absence
3. **Minutes of the last meeting** (Pages 1 - 4)

To confirm the Minutes of the special meeting of the Joint Standards Committee held on 18 December 2015, (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-8 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **Councillor Code of Conduct - Review** (Pages 5 - 20)

To consider the report of the Monitoring Officer (copy enclosed).

6. Any other items of business that the Chairman of the Committee decides are urgent

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. At the start of the meeting an announcement will be made about the sound recording. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

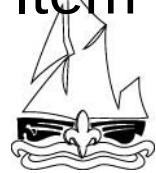
In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Television (CCTV)

This meeting is being monitored by CCTV.



**MINUTES of
JOINT STANDARDS COMMITTEE (SPECIAL MEETING)
18 DECEMBER 2015 (AT 3PM)**

PRESENT

Chairman	Councillor Rev. A E J Shrimpton
Vice-Chairman	Councillor M R Pearlman
Councillors	Mrs B F Acevedo, R G Boyce MBE, CC and I E Dobson
Parish/Town Councillors	Councillors B Ledger and S Nunn
In attendance	Mr N V Hodson (Independent Person)

716. APOLOGIES FOR ABSENCE

None.

717. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 30 July 2015 be approved and confirmed.

718. DISCLOSURE OF INTEREST

Although there were no actual disclosable interests declared, all Members indicated that they knew the Councillor the subject of the report under agenda item 6.

At this point the Chairman welcomed Councillors Ledger and Nunn as members of the Committee.

719. APPOINTMENT OF INDEPENDENT PERSONS - REMUNERATION

The Committee considered the report of the Monitoring Officer on the review of arrangements for the remuneration of the Independent Person(s).

The report set out the background to the appointment of Independent Person(s) to assist the Council in relation to breaches of the Councillor Code of Conduct and the adopted complaints process in that respect. It also detailed the arrangements made for the initial appointments of an Independent Person and two deputies, and the extension of their terms of office to February 2016. The Committee was authorised to make arrangements for future appointments for Council approval, and to deal with matters of remuneration.

The Committee was therefore requested to review remuneration in connection with the recruitment process to be implemented shortly.

The Chairman introduced Mr N V Hodson, the current Independent Person, who was present at the meeting.

The Committee was advised of the nature of the engagement of the Independent Person in relation to the several and increasing number of conduct complaints received by the Monitoring Officer.

While Members were minded to pursue re-appointment of the existing persons if they were willing to continue, the Monitoring Officer advised that in the interests of fairness, openness and transparency it would be preferable to review the situation through a recruitment process.

After further discussion, the Committee agreed that if the existing persons were willing to continue to serve that their terms of office be extended by a further year and that a fresh recruitment process be begun in September 2016.

RESOLVED

- (i) that the payment to the Independent Person of an allowance inclusive of expenses in the sum of £500 per annum to be paid in half yearly instalments, and that reserve Independent Persons be reimbursed mileage on the basis of claims received; and

RECOMMENDED

- (ii) that the Council agrees to the extension of the terms of office of the Independent Person(s) to 8 February 2017, provided that they are willing to continue to serve.
- (iii)

720. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

721. ALLEGATION OF MISCONDUCT 5 /2015

The Chairman announced that he would be vacating the meeting on advice from the Monitoring Officer that he had a prejudicial interest in this matter. He then left the meeting and did not return.

IN THE CHAIR : COUNCILLOR M R PEARLMAN (VICE-CHAIRMAN)

The Committee considered the report of the Monitoring Officer on whether a District Councillor named in the report had failed to comply with the Council's Code of Conduct.

The Monitoring Officer advised the Committee that it was not required to consider the substantive matter of the conduct complaint, but rather the process around it. She then informed the Committee of her advice to Councillor Shrimpton given the clear evidence of his prior involvement in and conversations on the substantive allegation. She said that given the nature of these matters it was vital that the Monitoring Officer remained free to report independently to the Committee, and that it was not the role of the Chairman of the Committee to undertake any prior preparatory or investigatory work by himself. She had therefore advised the Chairman to cease any involvement in the matter in order to safeguard the integrity of the Committee in the matters it was charged to deal with.

The report set out the nature of the complaint against the Councillor concerned, but it was noted that the Monitoring Officer had been unable to fulfil stage 1 of the Council's complaints process. The matter had therefore been referred to the Committee to make an assessment of the allegation and decide in accordance with stage 2 of the complaints process whether to refer the matter for investigation or to take no further action.

It was noted that the Monitoring Officer had discussed the allegation with the Independent Person, Mr N V Hodson, who was then asked to give the Committee the benefit of his views.

Arising from the Committee's discussion, it was noted that the Code of Conduct no longer contained any reference to 'disrepute'. Although this might be felt to be a subjective conclusion, it was something to which poor or unprofessional behaviour on the part of a Councillor could lead. It was agreed that the Council should be recommended to undertake a full review of its Code of Conduct.

RESOLVED

- (i) that the allegation of misconduct the subject of this report be referred for further investigation under stage 2 of the Council's complaints process.

RECOMMENDED

- (ii) that the Council reviews the Councillor Code of Conduct in its entirety and considers the possible re-introduction of a provision that refers to the bringing of the Council into disrepute.

There being no further items of business the Chairman closed the meeting at 3.57 pm

REV. A E J SHRIMPTON
CHAIRMAN

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REPORT of MONITORING OFFICER

**to
JOINT STANDARDS COMMITTEE
25 FEBRUARY 2016**

COUNCILLOR CODE OF CONDUCT - REVIEW

1. PURPOSE OF THE REPORT

- 1.1 To review and report to the Council on the Councillor Code of Conduct.

2. AREA FOR DECISION / ACTION

- 2.1 The Localism Act 2011 required the Council to adopt a new Code of Conduct consistent with a number of principles set out in the Act, and arrangements for dealing with any alleged breach of the Code. The Councillor Code of Conduct currently in force was adopted by the Council on 5 July 2012.
- 2.2 At the special meeting of the Committee on 18 December 2016 it was decided to recommend to the Council that the Councillor Code of Conduct is reviewed in its entirety with particular reference to the possible re-introduction of a provision that refers to the bringing of the Council into disrepute. This arose from a conduct complaint being considered by the Committee at the time.
- 2.3 As mentioned above, the law requires the adoption of a Code of Conduct which, when viewed as a whole, is consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. These are long-established principles otherwise known as “the Nolan Principles”, published in 1995 by the Committee on Standards in Public Life led by Lord Nolan as part of the then Government’s transparency and accountability agenda.
- 2.4 The other statutory aspect of the Code of Conduct is replication of the law relating to the new categorisation of disclosable interests and how Councillors’ participation in meetings is affected by such interests. In all other respects the content is consistent with good practice and Government advice, and to a certain extent discretionary.
- 2.5 The Committee in its recent deliberations identified circumstances in which the behaviour of a Councillor, while not likely to amount to a breach of any provision of the existing Code could reasonably be regarded as likely to affect the reputation of the Council. Although featuring in an earlier version of the Code, this is something that may be difficult to evidence and felt to be subjective. It is clear however, that a number of Councils including several neighbouring ones in Essex have a provision of this nature that makes reference to bringing either the Councillor’s office or the authority into disrepute.

2.6 Tendring District Council incorporates the following provision:

Conduct

You must:

- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Authority into disrepute;
- (b) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, the Authority.
- (c) comply with any request of the authority's Monitoring Officer or Section 151 Officer, in connection with an investigation conducted in accordance with their respective statutory powers.

2.7 I believe that the above provision would be a worthwhile addition to the Code of Conduct and commend it to the Committee for recommendation to the Council.

2.8 Subject to the views of Committee and the Council itself, there is little else that needs to be reviewed other than perhaps the definition of the scope of the Code. First, the Code of Conduct should always be construed in conjunction with other codes and protocols adopted by the Council as part of its constitution. Since the more recent shift in emphasis of the standards regime towards local rather than national control there has been some debate around interpretation of conduct “in your official capacity”. The obvious conclusion is that anything done in a private capacity is not covered by the Code.

2.9 When drafting the 2007 Code, the last statutory Code, Parliament incorporated some reasoning arising from an early important legal case to enable official capacity to be construed as:

- conducting the business of your authority or office, or
- acting, claiming to act, or giving the impression that you are acting as a representative of your authority.

The Standards Board for England took the view in 2009 that this reasoning was still relevant to a proper interpretation and understanding of official capacity, because it helps to interpret what is meant by the two phrases above that define official capacity.

2.10 Whilst the Council’s current adopted Code simply refers to “official capacity”, it is felt that the wider interpretation as set out above would be most helpful and indeed has been included by some neighbouring Authorities in their Codes together with a wider explanation of the Code’s scope. The following paragraph to replace paragraphs 2.1 and 2.2 of existing section 2 of the Code (para. 2.3 to remain and become para. 2.2) is therefore also commended to the Committee:

2. WHAT DOES THE CODE APPLY TO

2.1 You must comply with this Code whenever you conduct the business of your authority (which includes the business of the office to which you are elected or appointed) or act, claim to act or give the impression you are acting as a representative of your authority.

- 2.11 As mentioned in paragraph 2.3 above, the Code of Conduct must be consistent with the “Nolan Principles”. Occasionally, some uncertainty arises in linking a conduct complaint to a provision of the actual Code itself. The public will see these Principles annexed to the report and will gain the clear impression that they are very much part of the Code. In order to reduce any uncertainty, it is possible to include the Principles as part of the Code and preface the conduct provisions of the Code to require that Councillors have regard to these principles. In that sense they would not be new provisions as such but rather support and complement the existing provisions. This would seem to fit with public perception and expectation.
- 2.12 One further change proposed is to correct an anomaly between the requirements of the Code as to the registration of interests and the actual Register of Interests Form which was also adopted in 2012. This is simply to ensure that all categories of interests as set out in the Code are required to be registered, hence the revision at new paragraph 9.1.3.
- 2.13 The effect of all of the above proposed changes are set out in the adopted Code of Conduct at **APPENDIX 1** to this report.

3. IMPACT ON CORPORATE GOALS

- 3.1 This links with the corporate goal of ‘Delivering good quality, cost effective and valued services in a transparent way’ and the desire for high ethical standards.

4. IMPLICATIONS

- (i) **Impact on Customers** – Meets the two core values of ‘Transparent and Accountable’ and ‘Customer Focus’ which supports the Council’s corporate goals.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

5. RECOMMENDATION

The Committee recommends the Council to adopt a revised Code of Councillor Conduct incorporating the proposed revisions described above and shown in **APPENDIX 1** to the report.

Background Papers: None.

Enquiries to: Stuart Jennings, Committee Services Manager (Tel: 01621 875745).

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MALDON DISTRICT COUNCIL

LOCAL CODE OF CONDUCT

(ADOPTED 5 JULY 2012)

PART 1 GENERAL PROVISIONS

INTRODUCTION AND INTERPRETATION

As a Member you are a representative of Maldon District Council (“the Authority”) and the public will view you as such. Therefore your actions impact on how the Authority as a whole is viewed and your actions can have both positive and negative impacts on the Authority.

This Code as a whole is consistent with “Nolan Principles” which are set out in **APPENDIX 1 set out in paragraph 3.1 below** and the provisions of S29(1) Localism Act 2011

In this Code:

- “meeting” means any meeting of:
 - (a) the Authority;
 - (b) any of the Authority’s committees, sub-committees, joint committees, joint sub-committees or areas committees;
 - (c) whether or not the press and public are excluded from the meeting in question by virtue of a resolution of Members;
 - (d) any briefings by officers and site visits organised by the Authority.
- “relevant period” means the period of 12 months ending with the day on which you give notification to the Authority’s monitoring officer of any disclosable pecuniary interests you had at the time of the notification.
- “profit or gain” includes any payments or benefits in kind which are subject to Income Tax
- “beneficial interest” means having an economic benefit as a legal owner or holding it on trust for the beneficial owner, having a right to the income from the land or securities or a share in it or the right to the proceeds of sale or share of part of the proceeds of sale
- “Member” includes a co-opted member.

1. WHO DOES THE CODE APPLY TO?

- 1.1 This Code applies to all Members of the Authority including co-opted members.
- 1.2 It is your responsibility to comply with the provisions of this Code.

2. WHAT DOES THE CODE APPLY TO?

~~2.1 — You must comply with this Code whenever you—~~

- ~~(a) — conduct the business of the Authority, or~~
- ~~(b) — you are acting as a representative of the Authority.~~

~~2.2 — This Code has effect in relation to your conduct in your official capacity.~~

2.1 You must comply with this Code whenever you conduct the business of your authority (which includes the business of the office to which you are elected or appointed) or act, claim to act or give the impression you are acting as a representative of your authority.

2.32 Where you act as a representative of the Authority:

- (a) on another relevant authority, you must, when acting for that other Authority, comply with that other Authority's code of conduct; or
- (b) on any other body, you must, when acting for that other body, comply with the Authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3. RULES OF CONDUCT

Principles of Public Life

3.1 As a Member of Maldon District Council you shall have regard to the Seven Principles of Public Life.

Selflessness - Holders of public office should act solely in terms of the public interest.

Integrity - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty - Holders of public office should be truthful.

Leadership - Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

These general principles are the underlying principles behind the rules of conduct set out below.

3. GENERAL OBLIGATIONS

General Obligations

3.42 You must treat others with respect.

3.32 You must uphold the law.

3.34 You must not:

- (a) do anything which may cause the Authority to breach any of the equality enactments;
- (b) bully any person;
- (c) intimidate or attempt to intimidate any person who is or is likely to be:
 - (i) a complainant;
 - (ii) a witness; or
 - (iii) involved in the administration of any investigation or proceedings.
 in relation to an allegation that a Member (including yourself) has failed to comply with the Authority's code of conduct; or
- (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Authority.

3.5 You must:

- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Authority into disrepute;
- (b) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, the Authority.
- (c) comply with any request of the authority's Monitoring Officer or Section 151 Officer, in connection with an investigation conducted in accordance with their respective statutory powers.

~~4. CONFIDENTIAL INFORMATION~~

Confidential Information

~~4.13.6~~ You must not:

- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is:
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the Authority;
- (b) prevent another person from gaining access to information to which that person is entitled by law.

~~5. CONFERRING AN ADVANTAGE OR DISADVANTAGE~~**Conferring an advantage or disadvantage**

~~5.13.7~~ You must:

- (a) not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;
- (b) when using or authorising the use by others of the resources of the Authority:
 - (i) act in accordance with the Authority's reasonable requirements;
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes).
- (c) have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

PART 2

MEMBERS INTERESTS

4. DISCLOSABLE PECUNIARY INTERESTS¹

46.1 You have a Disclosable Pecuniary Interest in any business of the Authority if it is of a description set out in 6.2 below and is either:

- (a) An interest of yours; or
- (b) An interest (of which you are aware) of a spouse, civil partner or a person you are living with as a spouse or civil partner (“known as Relevant Persons”).

46.2 A Pecuniary Interest is an interest which relates to or is likely to affect:

- (a) Any employment, office, trade, profession or vocation carried on by you or a Relevant Person for profit or gain;
- (b) Any payment or provision of any other financial benefit (other than from the Authority) made or provided within the relevant period in respect of any expenses incurred in carrying out your duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992;
- (c) Any contract for goods, services or works which has not been fully discharged between you or a Relevant Person and the Authority or a body in which you or they have a beneficial interest;
- (d) A beneficial interest in any land in the Authority’s area;
- (e) a licence of any land in the Authority’s area (alone or jointly with others) that you or a Relevant Person occupy for a month or longer;
- (f) any tenancy where to your knowledge (a) the landlord is the Authority and (b) the tenant is a body in which you or a Relevant Person has a beneficial interest;
- (g) Any beneficial interest in securities of a body where:
 - 1. that body (to your knowledge) has a place of business or land in the area of the Authority and
 - 2. either:
 - a. the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - b. the beneficial interest exceeds one hundredth of the total issued share capital of the share capital of that body, if of more than one class, the total nominal value of the shares of any one class.

¹ The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 set out the pecuniary interests specified for the purposes of Chapter 7 of Part 1 Section 30(3) of the Localism Act 2011

5. OTHER PECUNIARY INTERESTS

- | **57.1** You have a pecuniary interest in any business of the Authority where it relates to or is likely to affect:
- (a) any person or body who employs or has appointed you;
 - (b) any contract for goods, services or works made between the Authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specific in paragraph **64.2(g)** which has been fully discharged within the last 12 months;

6. NON-PECUNIARY INTERESTS

- | **68.1** You have a non-pecuniary interest in any business of the Authority where it relates to or is likely to affect:
- (a) anybody of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Authority;
 - (b) anybody:
 - (i) exercising functions of a public nature;
 - (ii) directed to charitable purposes; or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).
 of which you are a member or in a position of general control or management;
 - (c) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £50;
 - (d) a decision in relation to that business which might reasonably be regarded as affecting your wellbeing or the wellbeing of a relevant person to a greater extent that the majority of:
 - (i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
 - (ii) (in all other cases) other council tax payers, ratepayers or inhabitants of the Authority's area.

7. DISCLOSURE OF INTERESTS (DISCLOSABLE PECUNIARY INTERESTS, OTHER PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS)

- | **79.1** Subject to sub-paragraphs **79.2** to **79.3**, where you have a Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

- | **97.2** Sub-paragraph **79.1** only applies where you are aware or ought reasonably to be aware of the existence of the Relevant Person's Interest.
- | **97.3** Where you have an interest in any business of the Authority which would be disclosable by virtue of paragraph **79.1** but by virtue of paragraph **120** (Sensitive Information) details of the interest are not registered in the Authority's published Register of Members' Interests and the interest is a Disclosable Pecuniary Interest you need not disclose the nature of the interest to the meeting

8. EFFECT OF INTERESTS ON PARTICIPATION

| **108.1 Disclosable Pecuniary Interests**

- (a) If you are present at a meeting of the Authority or of any committee, sub-committee, joint committee or joint sub-committee of the Authority and you have a Disclosable Pecuniary Interest in any matter to be considered, or being considered, at the meeting and you are aware of that Interest:
 - (i) You must not participate, or participate further, in any discussion of the matter at the meeting, or participate in any vote, or further vote, taken on the matter at the meeting;
 - (ii) You must withdraw from the room or chamber where the meeting considering the business is being held unless you have received a dispensation from the Authority's proper officer.
- (b) If you have a Disclosable Pecuniary Interest in any business of the Authority you must not seek improperly to influence a decision about that business.

| **108.2 Other Pecuniary Interests**

- | **108.2.1** — If you have an Other Pecuniary Interest in any business of the Authority which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement in the public interest and you are present at a meeting of the Authority at which such business is to be considered or is being considered you must:
 - (a) disclose the existence and nature of the interest in accordance with paragraph **79.1** (but subject to paragraph **79.3**); and
 - (b) withdraw from the room or chamber where the meeting considering the business is being held unless you have obtained a dispensation from the Authority's proper officer.

PART 3

REGISTER OF MEMBERS' INTERESTS

9. REGISTRATION OF MEMBERS' INTERESTS

~~911.1~~ Subject to paragraph ~~120~~, you must, within 28 days of:

- (a) this Code being adopted by or applied to the Authority; or
- (b) your election, re-election or appointment or re-appointment to office (where that is later), or co-opted onto the Authority;

register in the Authority's Register of Members' Interests (maintained by the Monitoring Officer under Section 29(1) of the Localism Act 2011) details of:

- (i) Disclosable Pecuniary Interests as referred to in paragraph ~~64~~ that you, your spouse, civil partner or person with whom you live as if they were your spouse or civil partner in so far as you are aware of their interests at that time;

~~(ii)~~ Other Pecuniary Interests referred to in paragraph ~~75~~ that you have.

~~(ii)(iii)~~ Non-Pecuniary Interests referred to paragraph 6 that you have.

~~911.2~~ Subject to paragraph 12, you must within 28 days of becoming aware of any new Disclosable Pecuniary Interest as referred to in paragraph 6 that you, your spouse, civil partner or person with whom you live as if they were your spouse or civil partner or change to any Disclosable Pecuniary Interest registered under paragraphs ~~119~~.1 (i) or (ii) above by providing written notification to your Authority's Monitoring Officer

10. SENSITIVE INFORMATION

~~102.1~~ Where you have a Disclosable Pecuniary Interest referred to in paragraph 6 or pecuniary interest referred to in paragraph 7 and the nature of the interest is such that you and the Authority's monitoring officer consider that disclosure of details of the interest could lead to you or a person connected with you being subject to violence or intimidation if the interest is entered in the Authority's Register then copies of the register available for inspection and any published version of the Register should not include details of the interest but may state that you have an interest details of which are withheld under s32(2) of the Localism Act 2011 and/or this paragraph.

~~102.2~~ You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph ~~120~~.1 is no longer sensitive information, notify the Authority's monitoring officer.

~~102.3~~ In this Code "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subject to violence or intimidation.

11. REGISTER OF GIFTS AND HOSPITALITY

- | **113.1** You must within 28 days of receipt, notify the Authority's monitoring officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a member from any person or body other than the Authority.
- | **113.2** The monitoring officer will place your notification on a public register of gifts and hospitality
- | **113.3** This duty to notify the monitoring officer does not apply where the gift, benefit or hospitality comes within any description approved by the Authority for this purpose.

THE NOLAN PRINCIPLES AND SECTION 28(1) OF THE LOCALISM ACT 2011

SELFLESSNESS

To serve only the public interest and never improperly confer an advantage or disadvantage on any person

INTEGRITY

Not to place themselves in situations where their integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour

OBJECTIVITY

Make decisions on merit, including when making appointments, awarding Contracts or recommending individuals for rewards or benefits.

ACCOUNTABILITY

To be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their Office.

OPENNESS

To be as open as possible about their actions and those of the Council and should be prepared to give reasons for those actions.

HONESTY

Not to place themselves in situations where their honesty may be questioned, should not behave improperly and should, on all occasions, avoid the appearance of such behaviour.

LEADERSHIP

Should promote and support these principles by leadership and by example and should always act in a way that secures or preserves public confidence.

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