

**Extract of Minute from the Standards Committee meeting on 12 March 2012  
recommending adoption of a new Code of Conduct**

**S25 STANDARDS AFTER THE LOCALISM BILL**

The Committee considered a report which set out the final draft version of the Code of Conduct and reported the outcome from the recent meeting of the Constitution Working Group.

The Assistant Chief Executive – Legal outlined the changes that had been made to the draft Code of Conduct since the last meeting. Members agreed to these and the further additional amendments as set out below.

- Under General Provisions, the inclusion of a paragraph under part 1, paragraph 1 to show that the Council had fulfilled its duty under section 28(1) of the Act, and a definition of the word ‘meeting’ as this was now relevant in the context of members’ interests.
- It would be necessary to update the section on disclosable pecuniary interests once the secondary legislation had been laid before Parliament.
- The section on other pecuniary interests was also likely to require significant amendment once the secondary legislation was available, as some of the interests currently in this section might fall within the definition of a disclosable pecuniary interest.
- The Committee agreed to the alteration to paragraph 7.5 to correct a drafting error.
- The provisions from the existing Code of Conduct which required the register to be kept up to date, (notwithstanding the statutory provisions relating to disclosable pecuniary interests) and to declare interests at all meetings of the council were retained in the new Code.
- For other pecuniary interests, the new Code would retain the right of members to speak before withdrawing from the room.
- Paragraph 8.2 (disclosable pecuniary interest) to be amended to include reference to ‘or any relevant person’.
- Paragraph 9.4 - to omit words “giving evidence or answering questions” from the current code and to exclude the provision that members have a “prejudicial interest” in the scrutiny of decisions which they have taken.
- Paragraph 9.5. – members were satisfied that planning and other regulatory matters were adequately covered by matters which affect the financial wellbeing and general wellbeing and no additional detail was required in the new Code
- An appendix to the new Code would set out the Nolan principles.

As details of legislation were still awaited it was agreed that the final drafting of the new Code of Conduct should be delegated to the Assistant Chief Executive – Legal.

The meeting was then advised of the views of the Constitution Working Group which had considered the Committee's recommendations at its recent meeting. The constitutional amendments had been agreed and would be recommended to Full Council. These included the recommendation of a standing order that members with a disclosable pecuniary interests should be required to withdraw from the meeting when the matter was under consideration.

It also adopted the revised procedures for dealing with allegations of breaches of the Code of Conduct with one exception; this was to maintain the requirement for the Investigating Officer to make findings of fact and to express a view as to whether those facts constitute a breach of the Code of Conduct.

It also recommended that the Council should embark upon a recruitment process to make suitable appointments of Independent persons as soon as possible.

#### RESOLVED

- 1 That the Committee delegate authority to the Assistant Chief Executive – Legal to amend the draft Code of Conduct to take account of the provisions of any primary or subordinate legislation enacted after the date of the meeting.
- 2 Subject thereto that the Committee recommend a draft Code of Conduct, with the amendments set out above, to Full Council for approval. (a draft copy is attached to these minutes as Appendix A ).
- 3 adoption to be effective from the 1 July 2012 or such other date as may be appointed by the Secretary of State for the provisions of section 27 Localism Act 2011 to come into force.