



**Waverley Borough Council**  
Council Offices, The Burys,  
Godalming, Surrey  
GU7 1HR  
[www.waverley.gov.uk](http://www.waverley.gov.uk)

To: All Members of the STANDARDS PANEL  
(Other Members for Information)

When calling please ask for:  
Ema Dearsley, Democratic Services Officer  
**Policy and Governance**  
E-mail: [ema.dearsley@waverley.gov.uk](mailto:ema.dearsley@waverley.gov.uk)  
Direct line: 01483 523224  
Calls may be recorded for training or monitoring  
Date: 3 June 2016

**Membership of the Standards Panel**

Cllr Mike Band  
Cllr Carole Cockburn  
Cllr Kevin Deanus  
Cllr David Else  
Cllr Michael Goodridge

Cllr Stephen Hill  
Cllr Sam Pritchard  
Cllr Jeanette Stennett  
Cllr John Williamson

**Town/Parish Representatives**

Cllr Joan Holroyd  
Cllr Richard Jameson

Dear Member

A meeting of the STANDARDS PANEL will be held as follows:

DATE: MONDAY, 13 JUNE 2016  
TIME: 5.00 PM  
PLACE: COMMITTEE ROOM 1, COUNCIL OFFICES, THE BURYS,  
GODALMING

The Agenda for the meeting is set out below.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

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**NOTE FOR MEMBERS**

Members are reminded that contact officers are shown at the end of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

## **AGENDA**

1. **APPOINTMENT OF CHAIRMAN**

To confirm the appointment of Councillor Michael Goodridge as Chairman of the Standards Panel for the Council Year 2016-17.

2. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

3. **DISCLOSURE OF INTERESTS**

To receive from members, declarations of interests in relation to any items included on the agenda for this meeting in accordance with the Waverley Code of Local Government Conduct.

4. **QUESTIONS BY MEMBERS OF THE PUBLIC**

The Chairman to respond to any questions received from members of the public of which notice has been given in accordance with Procedure Rule 10.

5. **TO INTRODUCE THE NEW TOWN AND PARISH REPRESENTATIVES TO THE STANDARDS PANEL**

To introduce the new Town and Parish Representatives, Councillors Joan Holroyd from Elstead Parish Council and Richard Jameson from Bramley Parish Council, to the Standards Panel.

6. **REVIEW OF COMPLAINTS TO THE MONITORING OFFICER** (Pages 5 - 20)

[Portfolio Holder: Cllr Julia Potts]  
[Wards Affected: All]

The Council adopted a new Code of Conduct at its meeting in July 2012 and reviewed its operation and updated the Code at its meeting in July 2013. The Monitoring Officer last reported to the Panel in January 2015 and this report updates the Panel, and also asks the Panel to recommend to the Council whether or not the Code should be reviewed.

### **Recommendation**

#### **That the Standards Panel**

- 1. Receives the report and to make observations on it to the Monitoring Officer.**
- 2. Decides if a review of the Code and arrangements for investigation is appropriate and to recommend to the Council accordingly.**

**3. Decides if it would wish to meet the three Independent Persons informally.**

7. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman:

Recommendation

That, pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified at the meeting in the revised Part 1 of Schedule 12A to the Local Government Act 1972.

8. LEGAL ADVICE

To consider any legal advice relating to any applications in the agenda.

**For further information or assistance, please telephone  
Ema Dearsley, Democratic Services Officer, on 01483 523224 or by  
email at [ema.dearsley@waverley.gov.uk](mailto:ema.dearsley@waverley.gov.uk)**

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## WAVERLEY BOROUGH COUNCIL

### STANDARDS PANEL – 13 JUNE 2016

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**Title:****REVIEW OF COMPLAINTS TO THE MONITORING OFFICER****[Portfolio Holder: Cllr Julia Potts]****[Wards Affected: All]**

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**Summary and purpose:**

The Council adopted a new Code of Conduct at its meeting in July 2012 and reviewed its operation and updated the Code at its meeting in July 2013. The Monitoring Officer last reported to the Panel in January 2015 and this report updates the Panel, and also asks the Panel to recommend to the Council whether or not the Code should be reviewed.

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**How this report relates to the Council's Corporate Priorities:**

Confidence in high standards of conduct is a key part of understanding and responding to our residents' needs.

**Financial Implications:**

There are no budget implications, and the operation of the new Code has generally been accommodated within existing budgets over the last four financial years.

**Legal Implications:**

The Council is under a range of duties under the Localism Act and operating the new Code and arrangements is a key part of discharging these duties. The Council can choose to amend its Code or arrangements when it considers appropriate.

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**1. Introduction**

- 1.1 The Localism Act gave Councils an explicit duty to promote and maintain high standards of Member conduct. It obliged the Council to adopt a Code dealing with the high standard of conduct that is expected of Members when acting in their official capacity.
- 1.2 The Code adopted by the Council in July 2013 following a review of the Code initially adopted in July 2012 is attached as Annexe 1. The Code applies to both elected councillors and co-opted members when they act in their official capacity (paragraph 1(1)). Council agreed that the new Council after May 2015 should be asked if it wishes to carry out a further review of the Code.
- 1.3 The Town and Parish Councils have appointed their two representatives: Councillors Richard Jameson and Joan Holroyd.

## **2. Arrangements for Handling Allegations**

- 2.1 The intention here was to provide for arrangements that are substantially simpler and clearer than the previous procedures. Council adopted the procedures set out in Annexe 2.

## **3. Surrey Collaboration**

- 3.1 Officers worked through the Surrey Secretaries Group to aim to have broadly consistent Codes of Conduct across Surrey. This has largely been achieved, though the essence of the Localism Act approach is that Councils should be free to adopt arrangements that reflect their particular circumstances. Should the Council wish to review Waverley's Code the Monitoring Officer will approach Surrey Secretaries to see if they are interested in a coordinated review. Waverley also shares three Members of a panel of Independent Persons with Guildford BC, Spelthorne DC and Mole Valley BC.

## **4. Review of complaints under the new Code since the last report to the Panel in January 2015.**

- 4.1 Under the new arrangements, the Monitoring Officer is the first contact for all complaints. The arrangements anticipate an initial review by the Monitoring Officer, and if necessary a consultation with one of the Independent Person. If the complaint is trivial or a breach of the Code is not specified, the process may end there with the complainant being given reasons that the complaint in not being investigated further.

### Town and Parish Councils

- 4.2 In the last fifteen months two complaints about Parish Councillors have been dealt with by the Monitoring Officer responding, and in five further cases involving Parish Councillors a more detailed initial investigation has been carried out by the Monitoring Officer, the Councillors the subject of the complaint interviewed and the views of the Independent Persons sought on the action proposed.
- 4.3 These views have proved very helpful and constructive, and have given the process the element of Independent scrutiny that is important in maintaining public confidence in the new Arrangements. This early stage provides for the possibility of informal resolution without a formal investigation. The Monitoring Officer has also given informal advice to Town and Parish Clerks on around ten occasions. One case involved both Town and Waverley Councillors may be the subject of a formal investigation. The Panel may wish to meet informally with the three Independent Persons.

### Waverley Borough Councillors

- 4.4 Two cases have involved both Parish and Town Councillors and Waverley Councillors and both have related to planning matters and two further cases have involved a planning matter. In these four cases the advice of one of the

Council's Independent Persons has been sought. In two cases the Monitoring Officer has spoken to the Councillors involved. Both related to a potential conflict of interest with the Councillors business activities. In one case the Monitoring Officer has advised the Member to amplify their Register of Interests and in another administrative arrangements have been implemented to overcome any suggestion of a conflict of interest. In one case the Independent Person has agreed that the Code does not cover the subject of the complaint. One other case raised by two complainants related to a number of Councillors and one of the Independent Persons is currently considering this.

- 4.5 If the Monitoring Officer feels a formal investigation is appropriate, the investigative procedure is set out in Annexe 2. It has not been necessary to use this procedure over the last fifteen months. Accordingly, it has not been necessary to convene a panel of Members to hear the outcome of an investigation.

## **5. Training**

- 5.1 The Monitoring Officer and Deputy arranged training sessions for all Waverley Members on the framework after the May 2015 elections. Training sessions were organised for all Town and Parish Councils, and for two individual Towns and Parishes when requested.

- 5.2 The Monitoring Officer is proposing to arrange a refresher training session for Waverley Borough Councillors and will send an all Members Bulletin drawing lessons learnt from complaints over the last 15 months.

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## **Recommendation**

That the Standards Panel

1. Receives the report and to make observations on it to the Monitoring Officer.
2. Decides if a review of the Code and arrangements for investigation is appropriate and to recommend to the Council accordingly; and
3. Decides if it would wish to meet the three Independent Persons informally.

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## **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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## **CONTACT OFFICER:**

**Name:** Robin Pellow

**Telephone:** 01483 523222

**E-mail:** [robin.pellow@waverley.gov.uk](mailto:robin.pellow@waverley.gov.uk)







## **Arrangements for dealing with Standards Allegations under the Localism Act 2011**

### **1. Context**

Waverley Borough Council is committed to high standards of conduct by its councillors and co-opted members. These "Arrangements" set out how you may make a complaint that an elected or co-opted member of Waverley Borough Council ("the Council") has failed to comply with Waverley Borough Council's Code of Conduct and sets out how the Council will deal with allegations of a failure to comply with its Code of Conduct.

Under Section 28(6) and (7) of the Localism Act 2011, the Council must have in place "arrangements" under which allegations that a member or co-opted member of either authority, or of a Committee or Sub-Committee of the authority, has failed to comply with that authority's Code of Conduct can be investigated and decisions made on such allegations.

Such arrangements must provide for the Council to appoint at least one Independent Person whose views must be sought by the authority before it takes a decision on an allegation which it has decided shall be investigated and whose views can be sought by the authority at any other stage, or by a member against whom an allegation as been made.

### **2. The Code of Conduct**

Waverley Borough Council has adopted a Code of Conduct for members, which is attached as Appendix One to these arrangements and is available on Waverley Borough Council's website at [www.waverley.gov.uk](http://www.waverley.gov.uk) and on request from Reception at the Council Offices.

The Codes of Conduct of Town and Parish Councils are available for inspection on either Waverley Borough Council's website or the relevant Town or Parish website (if the Parish Council has one) and may also be viewed by arrangement with the Town or Parish Clerk.

### **3. Making a complaint**

If you wish to make a complaint, please write or email to:

The Monitoring Officer  
Waverley Borough Council

Council Offices  
The Burys  
Godalming  
Surrey  
GU7 1HR

monitoringofficer@waverley.gov.uk

The Monitoring Officer is a senior officer of the Council who has statutory responsibility for maintaining the Register of Members' Interests and who is responsible for dealing with complaints about member misconduct.

Please provide us with your name and a contact address or email address so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please say and we will not disclose your name and address to the member against whom you make the complaint without your prior consent. The Council does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

The Monitoring Officer will acknowledge receipt of your complaint within five working days of receiving it and will keep you informed of the progress of your complaint.

#### **4. Will your complaint be investigated?**

The Monitoring Officer will review every complaint received and apply the Council's criteria for assessing if an investigation is appropriate and, after consultation with the Independent Person, take a decision as to whether it merits formal investigation. The Monitoring Officer will inform the subject member or co-opted member of receipt of the allegation and its details and of their right to consult the Monitoring Officer and Independent Person. This decision will normally be taken within 14 days of receiving your complaint. Where the Monitoring Officer has taken a decision, he/she will inform you, the member and the Independent Person of his/her decision in writing and the reasons for that decision.

Where he/she requires additional information in order to come to a decision, he/she may come back to you for such information and may request information from the member against whom your complaint is directed. Where your complaint relates to a Town or Parish Councillor, the Monitoring Officer may also inform the Town or Parish Council of your complaint and seek the views of the Town or Parish Council before deciding whether the complaint merits formal investigation.

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally without the need for a formal investigation. Such informal resolution may involve the member accepting that his/her conduct was unacceptable and offering an apology or other remedial action by the authority. Where the member or the authority make a reasonable offer of local resolution, but you are not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police and other regulatory agencies. At this stage, any media enquiries will be advised that a review of a complaint is in process and that it would not be appropriate to comment.

**5. How is the investigation conducted?**

If the Monitoring Officer decides that a complaint merits formal investigation, he/she will appoint an Investigating Officer who may be an officer of another authority or an external investigator. The Investigating Officer will decide whether he/she needs to meet or speak to you to understand the nature of your complaint and so that you can explain your understanding of events and suggest what documents the Investigating Officer needs to see and who the Investigating Officer needs to interview.

The Investigating Officer would normally write to the member against whom you have complained and provide him/her with a copy of your complaint and an explanation of the arrangements for the investigation and ask the member to provide his/her explanation of events and to identify what documents he needs to see and who he needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential or disclosure of details of the complaint to the member might prejudice the investigation, the Monitoring Officer can delete your name and address from the papers given to the member or delay notifying the member until the investigation has progressed sufficiently.

Members of the Standards Panel cannot represent other Members during investigations or at hearings, and Members should not contact Panel Members about any complaints.

At the end of his/her investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires more consideration. The report will include details of the allegation, the evidence considered and the investigation's findings.

Having received and taken account of any comments that you may make on the draft report, the Investigating Officer will send his/her final report to the Monitoring Officer which will include his/her findings as to whether there has been a breach of the Code of Conduct.

The draft and final reports of the Investigations Officer are confidential and should not be disclosed by the subject Member or their representative to any other person. Any breach of this confidentiality may be treated as a breach of the Code of Conduct.

**6. What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?**

The Monitoring Officer will review the Investigating Officer's report and, if he/she is satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the member concerned and to the Parish Council, where your complaint relates to a Parish Councillor, notifying you that he/she is satisfied that no further action is required and give you both a copy of the Investigating Officer's final report. If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he/she may ask the Investigating Officer to reconsider his/her report. The Monitoring Officer will ask the Independent Person to comment on the investigation report.

**7. What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?**

The Monitoring Officer will review the Investigating Officer's report and will then either send the matter for local hearing before the Hearings Panel or, after consulting the Independent Person, seek local resolution.

**7.1 Local Resolution**

The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, he/she will consult with the Independent Person and with you as complainant and seek to agree what you consider to be a fair resolution which also helps to ensure higher standards of conduct for the future. Such resolution may include the member accepting that his/her conduct was unacceptable and offering an apology and/or other remedial action by the authority. If the member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Panel Lead Member.

**7.2 Local Hearing**

If the Monitoring Officer considers that local resolution is not appropriate, or you are not satisfied by the proposed resolution, or the member concerned is not prepared to undertake any proposed remedial action, such as giving an apology, then the Monitoring Officer will report the Investigating Officer's report to the Hearings Panel of three Members drawn from the Group appointed by the Council, which will conduct a local hearing before deciding whether the member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the member. In the case of a complaint involving a Town or Parish Member, as well as the three Members, there will be a Town or Parish Councillor attending as a non-voting Member.

Essentially, the Monitoring Officer will conduct a "pre-hearing process", requiring the member to give his/her response to the Investigating Officer's report, in order to identify what is likely to be agreed and what is likely to be in contention at the hearing and the Chair of the Hearings Panel may issue directions as to the manner in which the hearing will be conducted. At the hearing, the Investigating Officer will present his/her report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the member has failed to comply with the

Code of Conduct. For this purpose, the Investigating Officer may ask you, as the complainant, to attend and give evidence to the Hearings Panel. The member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the Hearings Panel as to why he/she considers that he/she did not fail to comply with the Code of Conduct.

The Hearings Panel, with the benefit of any prior advice in writing from the Independent Person, may conclude that the member did not fail to comply with the Code of Conduct and so dismiss the complaint. If the Hearings Panel concludes that the member did fail to comply with the Code of Conduct, the Chairman will inform the member of this finding and the Hearings Panel will then consider what action, if any, the Hearings Panel should take as a result of the member's failure to comply with the Code of Conduct. In doing this, the Hearings Panel will give the member an opportunity to make representations in writing to the Panel and will consult the Independent Person, but will then decide what action, if any, to take in respect of the matter.

All parties should work together to complete the process within a reasonable timescale.

**8. What action can the Hearings Panel take where it finds that a member has failed to comply with the Code of Conduct?**

The Council has delegated to the Hearings Panel such of its powers to take action in respect of individual Waverley members as may be necessary to promote and maintain high standards of conduct. Accordingly the Hearings Panel may:

- 8.1 publish its findings in respect of the member's conduct;
- 8.2 report its findings to Council or to the Parish Council for information;
- 8.3 recommend to the member's Group Leader (or in the case of un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
- 8.4 recommend to the Leader of the Council that the member be removed from the Executive, or removed from particular Portfolio responsibilities;
- 8.5 instruct the Monitoring Officer to, arrange training for the member;
- 8.6 remove, the Member from all outside appointments to which he/she has been appointed or nominated by the authority or by the Parish Council;
- 8.7 withdraw, facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
- 8.8 exclude, the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

The Hearings Panel has no power to suspend or disqualify the member or to withdraw members' allowances or special responsibility allowances. In the case of Town or Parish complaints, the conclusion will be referred to that Town or Parish Council for such action they consider appropriate.

**9. What happens at the end of the hearing?**

At the end of the hearing, the Chairman will state the decision of the Hearings Panel as to whether the member failed to comply with the Code of Conduct and as to any actions which the Hearings Panel resolves to take.

As soon as reasonably practicable thereafter, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Hearings Panel and send a copy to you, to the member and the Independent Person and make that decision notice available for public inspection and report the decision to the next convenient meeting of the Council. The decision will also be placed on the Waverley Borough Council website, unless no breach is found and the member requests it should not be publicised.

**10. Who are the Hearings Panel?**

The Hearings Panel is drawn from the members appointed by the Council. The Independent Person's views are sought and taken into consideration before the Hearings Panel takes any decision on whether the member's conduct constitutes a failure to comply with the Code of conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

**11. Who is the Independent Person?**

The Independent Person is a person who has applied for the post following advertisement of a vacancy for the post and is appointed by a positive vote from a majority of all the members of Council.

A person cannot be "independent" if he/she:

- 11.1 is, or has been within the past five years, a member, co-opted member or officer of the Council; or
- 11.2 is, or has been within the past five years, a member, co-opted member or officer of a parish council of which the authority is the principal authority; or
- 11.3 is a relative, or close friend, of a person within paragraph 11.1 or 11.2 above. For this purpose, "relative" means:
  - 11.3.1 spouse or civil partner;
  - 11.3.2 living with the other person as husband and wife or as if they were civil partners;

- 11.3.3 grandparent of the other person;
- 11.3.4 a lineal descendent of a grandparent of the other person;
- 11.3.5 a parent, sibling or child of a person within paragraphs 11.3.1 or 11.3.2;
- 11.3.6 a spouse or civil partner of a person within paragraphs 11.3.3, 11.3.4 or 11.3.5; or
- 11.3.7 living with a person within paragraphs 11.3.3, 11.3.4 or 11.3.5 as husband and wife or as if they were civil partners.

## **12. Review of these arrangements**

The Council may by resolution agree to amend these arrangements and has delegated to the Chair of the Hearings Panel the right to depart from these arrangements where he/she considers that it is expedient to do so in order to secure the effective and fair consideration of any matter. The Council will review the arrangements after not more than six months and identify any improvements to the processes and ensure that they are helping the Council maintain high standards of conduct.

## **13. Appeals**

- (a) There is no right of appeal for you as complainant against a decision of the Monitoring Officer or of the Hearings Panel.
- (b) If the Member or co-opted member wishes to appeal against the decision of the Hearings Panel, the Member will have a right to have the decision reviewed by another three members of the Standards Panel who have not been involved. This will either involve a full rehearing of the case or be dealt with by way of written representation from the member.

If you feel that the authority has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman.

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## The Waverley Members' Code of Conduct

### Introduction and Interpretation

1. (1) This Code applies to you as a Member of Waverley Borough Council ("the Council") when you act in your role as a Member.
- (2) You are a representative of the Council and the public will view you as such. Your actions can impact on how the Council as a whole is viewed.
- (3) This Code is based on and is consistent with the principles of public life set out in Section 28 Localism Act 2011 which Waverley endorses: -
  - selflessness
  - integrity
  - objectivity
  - accountability
  - openness
  - honesty
  - leadershipWaverley is under a duty to promote and maintain high standards of conduct by members
- (4) It is your responsibility to comply with the provisions of this Code when acting in your capacity as a Member.
- (5) In this Code –
  - "meeting" means any meeting of
    - (a) the Council;
    - (b) the Executive;
    - (c) any of the Council's committees, sub-committees, joint committees, joint sub-committees, area committees, Special interest Groups;
  - "Member" includes a co-opted member and an appointed member.

### General Obligations

2. (1) **You must** always treat member colleagues, officers, other organizations and members of the public with respect.
- (2) **You must not** conduct yourself in a manner which is contrary to the Council's duty to promote and maintain high standards of conduct by Members.
- (3) **You must not** 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 legal 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;

- (bb) made in good faith and in compliance with the reasonable requirements of the Council; and
    - (cc) you have consulted the Monitoring Officer or taken other independent legal advice prior to its release.
  - (4) **You must not** prevent another person from gaining access to information to which that person is entitled by law.
  - (5) **You must 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.
3. When using or authorising the use by others of the resources of the Council -
- (1) **Do** act in accordance with the Council's reasonable requirements and policies;
  - (2) **Do** ensure that such resources are not used improperly for political purposes (including party political purposes); and
  - (3) **Do** have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

#### **Gifts and Hospitality**

- 4. (1) **Do** exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Member.
- (2) **Do not** accept significant gifts or hospitality from persons seeking to acquire, develop or do business with the Council or from persons who may apply to the Council for any permission, licence or other significant advantage.
- (3) **Do** register with the Monitoring Officer any gift with an estimated value of at least £50 or hospitality with an estimated value of £100 within 28 days of its receipt.

#### **Registration of Interests**

- 5. (1) You must notify the Monitoring Officer of your disclosable pecuniary interests, or other interests which the Council has decided are appropriate for registration. On election, you must do this within 28 days of being elected or appointed to office. Details of disclosable pecuniary interests are set out in the Annexe to this Code.
- (2) **Do** similarly notify the Monitoring Officer of any disclosable pecuniary or other interests not already registered within 28 days of your re-election or re-appointment to office.
- (3) **Do** be aware that disclosable pecuniary interests include not only your interests but also the interests of your spouse or civil partner, a person with whom you are living as husband or wife or a person with whom you are living as if they were a civil partner, so far as you are aware of the interests of that person.
- (4) **Do** be aware that the Council has decided that it is appropriate for you to register and disclose non-pecuniary interests that arise from your membership of or your occupation of a position of general control or management in the following bodies -
  - (i) bodies to which you have been appointed or nominated by the Council;
  - (ii) bodies exercising functions of a public nature;
  - (iii) bodies directed to charitable purposes;
  - (iv) bodies one of whose principal purposes include the influence of public opinion or policy.

## **Disclosure of Interests and Participation**

6. (1) **Do** disclose to a meeting at which you are present any disclosable pecuniary interest, or other interest which the Council has decided is appropriate for disclosure.
- (2) **Do** notify the Monitoring Officer of any interest not already registered that is disclosed to a meeting under paragraph 6(1) above within 28 days of the disclosure.
- (3) **Do not** participate in any discussion, or vote, where you have a disclosable pecuniary interest in a matter. **Do** withdraw from the meeting during the consideration of the matter.

## **Decision-making and Predetermination**

7. (1) Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life, you should not be prohibited from participating in a decision in your political role as a Member.
- (2) However, **do not** place yourself under any financial or other obligation to outside individuals or organizations that might seek to influence you in the performance of your official duties.
- (3) When making a decision, **do** consider the matter with an open mind and on the facts before the meeting at which the decision is to be made, listening to the advice of relevant parties, including advice from officers, and taking all relevant information into consideration, remaining objective and making decisions on merit.

## **ANNEXE – DISCLOSABLE PECUNIARY INTERESTS**

### **1. Employment, office, trade, profession or vocation**

Any employment, office, trade, profession or vocation carried on for profit or gain.

### **2. Sponsorship**

Any payment or provision of any other financial benefit (other than from the Council) made or provided within the period of 12 months ending with the day on which you give a notification for the purposes of section 30(1) or section 31(7) of the Localism Act 2011 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.

### **3. Contracts**

Any contract which is made between you (or a body in which you have a beneficial interest) and the Council-

- (a) under which goods or services are to be provided or works are to be executed; and
- (b) which has not been fully discharged.

### **4. Land**

Any beneficial interest in land which is within the area of the Council.

**5. Licences**

Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.

**6. Corporate Tenancies**

Any tenancy where (to your knowledge)-

- (a) the landlord is the Council; and
- (b) the tenant is a body in which you have a beneficial interest.

**7. Securities**

Any beneficial interest in securities of a body where-

- (a) that body (to your knowledge) has a place of business or land in the area of the Council; and
- (b) either-
  - (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
  - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

-END-