

Report of	Meeting	Date
Director of Customer, Democratic and Legal Services	Standards Committee Annual Council	11/05/07 15/05/07

## REVISED CODE OF CONDUCT FOR LOCAL AUTHORITY MEMBERS

### PURPOSE OF REPORT

- The report sets out details of a revised Model Code of Conduct for Local Authority Members made by the Local Authorities (Model Code of Conduct) Order 2007 and seeks approval to the adoption of the revised code.

### CORPORATE PRIORITIES

- There are no corporate priorities directly affected by this report.

### RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy	✓	Information	
Reputation	✓	Regulatory/Legal	✓
Financial	✓	Operational	✓
People	✓	Other	

### BACKGROUND

- In early 2007, the Department for Communities and Local Government consulted on a revised code of conduct. Following feedback, the Government tabled the Local Authorities (Model Code of Conduct) Order 2007 in Parliament on 4 April 2007 and it came into force on 3 May 2007.
- The Order applies to all elected and co-opted members and, all local authorities will have until the 1 October 2007 to adopt the revised model code set out in the Order. To ensure that members are subject to the same standards of conduct across the country, the Standards Board for England has requested local authorities to adopt the revised code at the earliest opportunity.
- The revised model code of conduct is set out in the appendix to this report.



## **MAIN CHANGES TO THE CODE**

7. The main changes to the Code made by the Order are to:
  - simplify and clarify the drafting of the code, including making the language in which it is written gender-neutral
  - amend the rules in the code relating to personal interests, so that a member only has a personal interest where his/her interest is greater than that of the majority of people in the ward affected by the matter, rather than merely greater than the interest of other people in the Council's area
  - provide that the code of conduct will apply to members' conduct in their private capacity where such conduct has resulted in a criminal conviction
  - allow members with a prejudicial interest to speak at a Council meeting providing that this is solely to allow them to make representations, answer questions or give evidence, but not to vote, providing that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise
  - extend the definition of personal interests by including a wider term covering any person with whom the member has a "close personal association" in addition to family and friends
8. As indicated above, Paragraph 12(2) of the revised code gives members with a prejudicial interest in a matter the same rights as members of the public to speak to a meeting on the matter. The Council Constitution currently sets out the procedures whereby members of the public may submit questions to meetings of the Council, Executive Cabinet and the Overview and Scrutiny Committee/Panels and, submit requests to speak at meetings of the Development Control Committee.

## **GUIDANCE FOR MEMBERS**

9. The Member Development Steering Group have agreed that the Director of Customer, Democratic and Legal Services should give a presentation on the revised code in the Council Chamber, Town Hall on Thursday 17 May 2007 commencing at 6.00pm. All members are requested to attend this event.
10. The Standards Board for England will be publishing guidance on the revised code and copies will be distributed to all elected and co-opted members as soon as possible.

## **PARISH COUNCILS**

11. The Clerks of Parish Councils have been notified that the Standards Board for England has produced a Model Code of Conduct for Parish and Town Councils which is available on its website. The Director of Customer, Democratic and Legal Services will give a presentation to the Parish Council Liaison meeting to be held on 18 July 2007.

## **COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES**

12. There are no HR implications arising from this report.

## COMMENTS OF THE DIRECTOR OF FINANCE

13. There are no financial implications arising from this report.

## RECOMMENDATION(S)

14. That the Council adopt the revised model code of conduct set out the appendix to this report.

ANDREW DOCHERTY  
DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES

<b>Background Papers</b>			
<b>Document</b>	<b>Date</b>	<b>File</b>	<b>Place of Inspection</b>
The Local Authorities (Model Code of Conduct) Order 2007	4 April 2007	Members Code of Conduct	Democratic Services

  

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
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