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To: Chair & Members of the Council

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Monday, 19 July 2021

Dear Councillor

COUNCIL – WEDNESDAY, 21ST JULY, 2021 AT 10:00 HOURS

I refer to your recently circulated agenda for the above meeting and now enclose a copy of the papers which were marked 'To Follow'.

Yours faithfully



Solicitor to the Council & Monitoring Officer



We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese **我们会说你的语言**

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COUNCIL

Wednesday, 21st July, 2021 at 10:00 in the Council Chamber, The Arc, Clowne

Item No.	PART 1 – OPEN ITEMS	Page No.(s)
4.	Minutes To approve the Minutes of the Annual Meeting of Council held on 26 th May 2021 and 23 rd June 2021.	3 - 11
10.	New Code of Conduct for Members Report of the Monitoring Officer.	12 - 31
14.	Senior Management Review Report of the Leader of the Council. <i>Please note that this item will be published and circulated separately.</i>	

ANNUAL COUNCIL

Minutes of the Annual Meeting of Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday 26th May 2021 at 10.00 hours.

PRESENT:-

Members:-

Councillor Tom Munro in the Chair

Councillors Rita Turner (Vice-Chair), Derek Adams, Allan Bailey, Rose Bowler, Tracey Cannon, Tricia Clough, David Dixon, Mary Dooley, Steve Fritchley, Ray Heffer, Andrew Joesbury, Tom Kirkham, Duncan McGregor, Sandra Peake, Liz Smyth and Deborah Watson.

Members observing the meeting (although not in attendance): Councillors Jane Bryson, Anne Clarke, Nick Clarke, Jim Clifton, David Downes, Stan Fox, Clive Moesby, Evonne Parkin, Graham Parkin and Jen Wilson.

Officers: - Lee Hickin (Director of Corporate Resources and Head of Paid Service), Karen Hanson (Director of Environment and Enforcement), Sarah Sternberg (Solicitor to the Council & Monitoring Officer), Grant Galloway (Director of Development), Pam Brown (Head of Leader's Executive and Partnerships), Ian Barber (Head of Property Services & Housing Repairs), Kevin Shillitto (Principal Solicitor), Nicola Calver (Governance Manager), Amy Bryan (Senior Governance Officer) and Tom Scott (Governance Officer).

CL1-21/22 ELECTION OF CHAIR OF THE COUNCIL

The Director of Corporate Resources and Head of Paid Service sought nominations for the position of Chairman of the Council for the 2021/22 municipal year.

The nomination of Councillor Tom Munro was moved by Councillor Sandra Peake and seconded by Councillor Deborah Watson. There were no other nominations.

The Director of Corporate Resources and Head of Paid Service took the nomination to a vote and reminded Members that because of COVID and social distancing guidelines, only Members present in the Council Chamber would be able to vote.

Moved by Cllr Sandra Peake, Seconded by Cllr Deborah Watson:

RESOLVED that Councillor Tom Munro be appointed Chairman of the Council for the 2021/22 municipal year.

Having signed the Declaration of Acceptance of Office and re-accepted the Chains of Office, Councillor Tom Munro was duly appointed and resumed to Chair the meeting.

CL2-21/22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dan Salt and Ross Walker.

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CL3-21/22 DECLARATIONS OF INTEREST

There were no interests declared at this meeting.

CL4-21/22 APPOINTMENT OF VICE CHAIR OF THE COUNCIL

The nomination of Councillor Rita Turner was moved by Councillor Mary Dooley and seconded by Councillor Liz Smyth. There were no other nominations.

Moved by Cllr Mary Dooley, Seconded by Cllr Liz Smyth:

RESOLVED that Councillor Rita Turner be appointed Vice Chairman of the Council for the 2021/22 municipal year.

Having made the Declaration of Acceptance of Office and re-accepted the Vice Chairman's medallion, Councillor Rita Turner took the Vice Chairman's seat.

CL5-21/22 MINUTES

Members gave consideration to the Minutes of the meeting held on 14th April 2021 and considered that they reflected the meeting accurately.

Moved by by Cllr Tom Munro, Seconded by Cllr Ray Heffer:

RESOLVED that the minutes of a meeting of Council held on 14th April 2021 be approved as a true and correct record.

CL6-21/22 ESTABLISHMENT OF COMMITTEES AND PROPORTIONALITY

The Governance Manager presented a report seeking to establish the Council's Committees and Advisory Groups for the 2021/22 Municipal Year.

Councillor David Dixon referred to the report paragraph stating "in order to complete the 2020/21 work of the existing scrutiny committees, the Members who were appointed to the former committees will continue to meet informally for a period of 2 months in order to complete outstanding review work" and asked if these informal meetings would utilise the existing or new Scrutiny Committee memberships. The Governance Manager informed him that for these informal meetings, the Scrutiny Committee memberships would remain as appointed in May 2019.

Moved by Cllr Steve Fritchley, Seconded by Cllr Duncan McGregor:

RESOLVED that:

(i) The Council's Committees be established for the 2021/22 municipal year in accordance with Council Procedure Rule 1.1(k) as set out in Appendix 1 and Appendix 2;

(ii) The size of the Committees as set out within Appendix 3 to the report be agreed for the 2021/22 municipal year in accordance with Council Procedure Rule 1.1(k);

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(iii) The Council agrees the allocation of seats of Committee is in accordance with the political balance rules (as set out in Appendix 3);

(iv) Members appointed to scrutiny committees for the 2020/21 municipal year are approved to conclude their review work informally for a period of two months.

(v) Authority be delegated to the Monitoring Officer in consultation with the Leader of the Council and relevant Committee Chair (when appointed) to make amendments to the terms of reference for Committees arising within the 2021/22 municipal year.

(Governance Manager)

CL7-21/22 MOTION TO ADJOURN MEETING

Councillor Steve Fritchley (Leader of the Council) moved a motion without notice to adjourn the Annual Council at this point in the agenda and reconvene at 10am Wednesday 23rd June 2021. He explained that if the motion was agreed, the remainder of agenda items would be considered on that date because it was hoped all Members would have the opportunity to attend and vote in person.

This motion was submitted in line with Part 4.1 (Council Procedure Rules) of the Constitution under section 11 (Motions and Amendments - Without Notice) and subsection (l) (to adjourn a meeting).

Moved by Cllr Steve Fritchley, Seconded by Cllr Duncan McGregor:

RESOLVED that this meeting of Annual Council adjourn to reconvene on 10am Wednesday 23rd June 2021.

(Governance Manager)

The meeting concluded at 10:20 hours.

AT THIS POINT THE MEETING STOOD ADJOURNED UNTIL 10.00AM ON WEDNESDAY 23rd JUNE 2021.

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FOLLOWING A SUCCESSFUL MOTION TO ADJOURN, THIS MEETING IS RECONVENED FROM 10.00AM ON WEDNESDAY 26th MAY 2021.

Minutes of the reconvened Annual Meeting of Bolsover District Council held in the Sports Hall, The Arc, Clowne on Wednesday 23rd June 2021 at 10.00 hours.

PRESENT:-

Members:-

Councillor Tom Munro in the Chair

Councillors Rita Turner (Vice-Chair), Derek Adams, Allan Bailey, Rose Bowler, Jane Bryson, Tracey Cannon, Anne Clarke, Nick Clarke, Jim Clifton, Tricia Clough, Paul Cooper, David Dixon, Maxine Dixon, Mary Dooley, David Downes, Stan Fox, Steve Fritchley, Donna Hales, Ray Heffer, Natalie Hoy, Andrew Joesbury, Chris Kane, Duncan McGregor, Clive Moesby, Evonne Parkin, Sandra Peake, Peter Roberts, Dan Salt, Liz Smyth, Deborah Watson and Jen Wilson.

Officers: - Lee Hickin (Director of Corporate Resources and Head of Paid Service), Karen Hanson (Director of Environment and Enforcement), Sarah Sternberg (Solicitor to the Council & Monitoring Officer), Theresa Fletcher (Section 151 Officer), Grant Galloway (Director of Development), Pam Brown (Head of Leader's Executive and Partnerships), Nicola Calver (Governance Manager) and Tom Scott (Governance Officer).

CL8-21/22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dexter Bullock, Tom Kirkham, Graham Parkin, Janet Tait and Ross Walker.

CL9-21/22 DECLARATIONS OF INTEREST

There were no interests declared at this meeting.

CL10-21/22 APPOINTMENT TO COMMITTEES

Councillor Clive Moesby moved and Councillor Steve Fritchley (Leader of the Council) seconded the Labour Group appointments to Committees and Advisory Groups as outlined in the report.

Councillor Deborah Watson moved and Councillor Liz Smyth seconded the Independent Group appointments to Committees and Advisory Groups as outlined in the report.

Councillor David Dixon moved and Councillor Natalie Hoy seconded the Conservative Group appointments to Committees and Advisory Groups as outlined in the report.

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Councillor Tracey Cannon moved and Councillor Allan Bailey seconded the following Community Independents appointments to Committees and Advisory Groups not in the report but as listed below:

Audit & Corporate Overview Scrutiny Committee – Councillor Ross Walker
Local Growth Scrutiny Committee – Councillor Tracey Cannon
Customer Services Scrutiny Committee – Councillor Allan Bailey
Climate Change and Communities Scrutiny Committee – Councillor Dan Salt
Employment and Personnel Committee – Councillor Ross Walker
General Licensing Committee – Councillor Dan Salt
Licensing and Gambling Acts Committee – Councillor Tracey Cannon
Planning Committee – Councillor Allan Bailey
Safety Committee – Councillor Allan Bailey
Union and Employee Consultation – Councillor Dan Salt
New Bolsover Joint Partnership Committee – Councillor Allan Bailey
Local Plan Implementation Advisory Group – Councillor Allan Bailey
Member Development Working Group – Councillor Ross Walker
Tenant Participation Review and Development Group – Councillor Dan Salt

All of the submitted appointments to Committees and Advisory Groups were moved by Councillor Clive Moesby and seconded by Councillor Mary Dooley.

RESOLVED that the 2021/2022 municipal year Committee and Advisory Group appointments outlined in the report and submitted by the Community Independents be accepted.

(Governance Manager)

CL11-21/22 APPOINTMENTS OF CHAIRS AND VICE-CHAIRS

Members gave consideration to the submitted nominations for Chairs and Vice Chairs and the Chair of the Council requested further nominations from the floor.

Two positions (the Chair and Vice Chair of Climate Change and Communities Scrutiny Committee) were contested and these nominations were put to the vote as follows:

Councillor Clive Moesby moved and Councillor Rose Bowler seconded the nomination of Councillor Nick Clarke as Chair of Climate Change and Communities Scrutiny Committee. Councillor Natalie Hoy moved and Councillor Maxine Dixon seconded the nomination of Councillor David Dixon as Chair of Climate Change and Communities Scrutiny Committee. The Chair held a vote on the two nominations and Councillor Nick Clarke was appointed as Chair of Climate Change and Communities Scrutiny Committee.

Councillor Clive Moesby moved and Councillor Rose Bowler seconded the nomination of Councillor Anne Clarke as Vice-Chair of Climate Change and Communities Scrutiny Committee. Councillor Natalie Hoy moved and Councillor Maxine Dixon seconded the nomination of Councillor David Dixon as Vice-Chair of Climate Change and Communities Scrutiny Committee. The Chair held a vote on the two nominations and Councillor Anne Clarke was appointed as Vice-Chair of Climate Change and Communities Scrutiny Committee.

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The Chair informed Members that in consultation with the Monitoring Officer, the Employment and Personnel Committee would appoint a Chair and Vice-Chair at its first meeting of the 2021/2022 municipal year.

RESOLVED that for the 2021/22 municipal year:

Moved by Cllr Clive Moesby, Seconded by Cllr Rita Turner:

RESOLVED that:

- i) Councillor Rose Bowler be appointed as Chair of Customer Services Scrutiny Committee;

Moved by Cllr Clive Moesby, Seconded by Cllr Rose Bowler:

RESOLVED that:

- ii) Councillor Rita Turner be appointed as Vice-Chair of Customer Services Scrutiny Committee;
- iii) Councillor Jen Wilson be appointed as Chair of Local Growth Scrutiny Committee;
- iv) Councillor Paul Cooper be appointed as Vice-Chair of Local Growth Scrutiny Committee;
- v) Councillor Tom Munro be appointed as Chair of Audit & Corporate Overview Scrutiny Committee;
- vi) Councillor Chris Kane be appointed as Vice-Chair of Audit & Corporate Overview Scrutiny Committee;
- vii) Councillor Nick Clarke be appointed as Chair of Climate Change and Communities Scrutiny Committee;
- viii) Councillor Anne Clarke be appointed as Vice-Chair of Climate Change and Communities Scrutiny Committee;

Moved by Cllr Deborah Watson, Seconded by Councillor Liz Smyth:

RESOLVED that:

- ix) Councillor Ray Heffer be appointed as Chair of Licensing Committee;
- x) Councillor Andrew Joesbury be appointed as Vice-Chair of Licensing Committee;

Moved by Cllr Clive Moesby, Seconded by Cllr Chris Kane:

RESOLVED that:

- xi) Councillor Tom Munro be appointed as Chair of Planning Committee;

Moved by Cllr Clive Moesby, Seconded by Councillor Tom Munro:

RESOLVED that:

- xii) Councillor Chris Kane be appointed as Vice-Chair of Planning Committee;

Moved by Cllr Clive Moesby, Seconded by Cllr David Downes:

RESOLVED that:

- xiii) Mrs Jean Jaffray be appointed as Chair of Standards Committee;

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xiv) Councillor Mary Dooley be appointed as Chair of Union/Employee Consultation Committee;

Moved by Cllr Mary Dooley, Seconded by Cllr David Downes:

RESOLVED that:

xv) Councillor Clive Moesby be appointed as Vice-Chair of Standards Committee.

(Governance Manager)

CL12-21/22 APPOINTMENTS TO OUTSIDE BODIES

The Council gave consideration to the nominated appointments to Outside Bodies as listed within the report.

Moved by Cllr Steve Fritchley, Seconded by Cllr Duncan McGregor:

RESOLVED that:

(i) Council accepts the list of outside bodies (Council functions) attached at Appendix 1 and makes these appointments of representatives; and

(ii) The term of office for each appointment will be from the date of this meeting until the next Annual Council unless otherwise specified next to the organisation.

(Governance Manager)

CL13-21/22 REVIEW OF THE COUNCIL'S CONSTITUTION

The Solicitor to the Council & Monitoring Officer presented a report proposing amendments to the Council's constitution as recommended by the Standards Committee as part of the Annual Review.

The Council is required by law to prepare and keep an up-to-date Constitution which explains how the Council operates, how decisions are made and the procedures which are to be followed to ensure that these are efficient, transparent and accountable to local people. One of the functions of the Standards Committee is to undertake an annual review of the Council's Constitution to ensure it is up-to-date and in line with legislation and current circumstances.

Moved by Cllr Clive Moesby, Seconded by Cllr Duncan McGregor:

RESOLVED that the amendments to the Constitution detailed at Appendix 1 and set out in Appendix 2 be approved.

(Solicitor to the Council & Monitoring Officer/Governance Manager)

CL14-21/22 SCHEME OF DELEGATION

The Solicitor to the Council & Monitoring Officer presented a report proposing to approve the Scheme of Delegation as outlined in Part 3 of the Council's Constitution.

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Moved by Cllr Clive Moesby and Seconded by Cllr Duncan McGregor:

RESOLVED that Council approves the Scheme of Delegation as set out in the Council's Constitution.

(Solicitor to the Council & Monitoring Officer)

CL15-21/22 OPERATIONS OF URGENCY RULES AND THRESHOLDS FOR KEY DECISIONS

The Solicitor to the Council & Monitoring Officer presented a report proposing to note Key Decisions taken over the last 12 months under Special Urgency rules and urgency provisions, and to agree the Key Decisions financial thresholds for the forthcoming year.

Moved by Cllr Clive Moesby and Seconded by Cllr Duncan McGregor:

RESOLVED that:

- (i) Council notes that no decisions have been taken over the past 12 months under Special Urgency rules;
- (ii) Council notes the no decisions taken over the past 12 months under Urgency provisions in the Council's Scrutiny Rules, and
- (iii) Council agrees that the financial thresholds for Key Decisions be maintained at £75,000 (Revenue) and £150,000 (Capital).

(Solicitor to the Council & Monitoring Officer)

CL16-21/22 EXCLUSION OF THE PUBLIC

The Chair informed Members that because the following two items 'Councillor Dispensation' and 'Senior Management Structure Review' had been deferred and withdrawn respectively, Council was not required to move exclusion of the public.

CL17-21/22 COUNCILLOR DISPENSATION

The Chair advised that this item had been deferred.

CL18-21/22 SENIOR MANAGEMENT STRUCTURE REVIEW

The Chair advised that this item had been withdrawn.

CL19-21/22 CHAIRMAN'S CLOSING REMARKS

The Chair informed Members that copies of the 'Vision Bolsover' document had been circulated to them and invited the Leader of the Council to speak on the document.

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Councillor Steve Fritchley (Leader of the Council) stated he looked forward to having a debate with Members in the near future on the contents of the Vision Bolsover document.

The Chair was pleased to announce that his charity for the forthcoming year would be Ashgate Hospicecare, and this support would be a joint venture with Councillor Martin Thacker, Chair of North East Derbyshire District Council.

The Chair informed Members that it was hoped the next Council meeting would be able to take place in the Council Chamber, but alternative venues were being considered if that was not the case. The Chair thanked the officers involved for setting the Sports Hall up for this meeting.

The meeting concluded at 10:35 hours.

Bolsover District Council **Code of Conduct for Councillors**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Each councillor's individual conduct affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed a Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance.

All councils are required to have a local Councillor Code of Conduct.

This is Bolsover's Code of Conduct for Councillors which is based on the LGA Model Councillor Code of Conduct. Bolsover District Council will be referred to as "the District Council" throughout.

Definitions

For the purposes of this Code of Conduct, a "Councillor" means a member or co-opted member of North East Derbyshire District Council. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, Bolsover District Council officers and the reputation of local government. It sets out general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The use of support, training and mediation from the Monitoring Officer, the LGA and elsewhere is encouraged prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles. These are in Appendix A to this Code. This Code should be read in conjunction with these principles.

Building on these principles, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of Councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor which may include when:

- You misuse your position as a Councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the

Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of Councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made to the Monitoring Officer against you. This may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a Councillor:

1.1 I treat other Councillors and members of the public with respect.

1.2 I treat District Council employees, employees and representatives of partner organisations and those volunteering for the District Council with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening, you are entitled to stop any conversation or interaction in person or online and report them to the District Council, the relevant social media provider or the Police. This also applies to fellow Councillors, where action could then be taken under the Councillor Code of Conduct, and District Council employees, where concerns should be raised with the District Council's Head of Paid Service in line with the District Council's Protocol for Councillor – officer relations which is in the District Council's Constitution and other employee policies.

2. Bullying, harassment and discrimination

As a Councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the District Council's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the District Council

As a Councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the District Council.

Officers work for the District Council as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a Councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am 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:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the District Council; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities including the District Council must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. Councillors should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the District Council must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a Councillor:

5.1 I do not bring my role or the District Council into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Councillors and/or the District Council and may lower the public's confidence in you or the District Council's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the District Council into disrepute.

You are able to hold the District Council and fellow Councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the District Council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a Councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the District Council provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of District Council's resources and facilities

As a Councillor:

7.1 I do not misuse District Council resources.

7.2 I will, when using the resources of the District Council or authorising their use by others:

- a. act in accordance with the District Council's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the District Council or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the District Council to assist you in carrying out your duties as a councillor.

Examples include:

- Office support
- Laptop and/or Ipad or other technology
- Stationery
- Transport
- Access to and use of District Council buildings and rooms.

These are given to you to help you carry out your role as a Councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the District Council's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I will undertake Code of Conduct training provided by the District Council.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a Councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the District Council or its governance. If you do not understand or are concerned about the District Council's processes in handling a complaint you should raise this with the Monitoring Officer.

Protecting your reputation and the reputation of the District Council

9. Interests

As a Councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the District Council.

You need to register your interests so that the public, District Council employees and fellow Councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest (dpi) as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a Councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the District Council or from persons who may apply to the District Council for any permission, licence or other significant advantage.
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 and where appropriate any with a value less than £25 within 28 days of its receipt.
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the District Council, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor. If you are unsure, contact your Monitoring Officer for guidance.

11 Training

You must attend the Mandatory training set out in **Appendix C** and any other training the Council may deem is required from time to time.

You must attend the training detailed above as soon as reasonably practicable:

- (a) after your election; and
- (b) after your re-election;
- (c) after your appointment to a relevant Committee or Sub-Committee; and (
- d) as required after changes in legislation, policy or procedure affecting the relevant Committee or Sub-Committee outlined above; and/or
- e) as frequently as set out in Appendix C

You must attend training if you are instructed to do so by a Standards Hearing Sub-Committee. If you fail to do so after 3 months or having been offered training on two occasions the fact of your failure will be reported to the Committee.

12 Dispensations

The District Council may grant you a dispensation to enable you to participate and vote on a matter in which you have a Disclosable Pecuniary Interest.

Requests for dispensation must be made, in writing to the Monitoring Officer, on one of the following grounds:

- That so many members of the decision-making body have disclosable pecuniary interests in a matter that it would impede the transaction of the business.
- That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the likely outcome of any vote on the matter.
- That the District Council considers that the dispensation is in the interests of persons living in the Authority's area;
- That, without a dispensation, no member of the Cabinet would be able to participate in the matter; or
- That the District Council considers that it is otherwise appropriate to grant dispensation.

13 Pre determination or bias

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 Member. However **do not** place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When making a decision, **do** consider the matter with an open mind and on the contents before the meeting at which the decision is to be taken. When reaching decisions on any matter you must have regard to any relevant advice provided to you by:

- (a) the Head of Paid Service
- (b) the Chief Finance Officer; or
- (c) the Monitoring Officer,

where that officer is acting pursuant to his or her statutory duties.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

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 disclose 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.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office as a District Councillor you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" (DPI) means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is an interest which, if disclosed, could lead to the Councillor, or a person connected with the Councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees, they will withhold the interest from the public register.

Non participation in case of Disclosable Pecuniary Interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the Chamber or room where the meeting is being held unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a Disclosable Pecuniary Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the

public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- your own financial interest or well-being;
 - a financial interest or well-being of a relative or close associate; or
 - a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the
	councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) 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.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.

Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's 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 the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You must register as an Other Registrable Interest:

a) any unpaid directorships

b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority

c) any body

(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 of in a position of general control of management

Appendix C

Mandatory Training

Training	Scope	Frequency
Planning Committee	<p>Planning legislation and case law. Local Plan policies. Procedures. Role on Planning Committee.</p> <p>Role of a Member of Local Planning Authority</p> <p>Planning Code of Good Practice</p> <p>Relationship to Members' Code of Conduct</p> <p>Development proposals and Interests under Members' Code of Conduct</p> <p>Fettering Discretion in the Planning Process</p> <p>Lobbying of and by Councillors</p> <p>Contact with applicants, developers and objectors</p> <p>Role of Officers</p> <p>Decision Making</p> <p>Public Speaking at Meetings</p> <p>Site Visits</p> <p>How to determine Planning Applications</p>	<p>Prior to sitting on Planning Committee minimum of every two years. Refresher training may be given more frequently.</p>

<p>Licensing Committee and its Sub-Committees</p>	<p>Licensing legislation, policies and procedures relevant to the remit of the Committee and its Sub-Committees.</p> <p>General Principles of each Act</p> <p>Role of Members</p> <p>Ward Member Role</p> <p>Licensing Objectives</p> <p>Determining Licensing Applications</p>	<p>Prior to sitting on the Committee or its Sub-Committees minimum of every 12 months.</p>
<p>Joint Employment and Appeals Committee and its Sub-Committees</p> <p>Employee Appeals Committee</p>	<p>Recruitment and selection.</p> <p>HR Legislation, policies and practice within the remit of the Committee and its Sub-Committee</p>	<p>Prior to sitting on the Committee or its Sub-Committee occasional refresher training may be given.</p>
<p>Standards And its Sub-Committees</p>	<p>Legislation, case law, policies and procedures relevant to the remit of the Committee and its Sub-Committees</p>	<p>Prior to sitting on the Committee or its Sub-Committees minimum of every four years.</p>

Code of Conduct / Ethical Governance	<p>Understanding of the Members' Code of Conduct and the governance of the Council.</p> <p>Responsibilities and role as a Councillor.</p> <p>Outline of Constitution</p> <p>Promoting and maintaining high standards of conduct by Members</p> <p>Code of Conduct (including Gifts and Hospitality)</p> <p>The Register of Interests</p> <p>Protocols</p> <p>Guidance</p> <p>Dispensations</p> <p>Political Publicity – rules</p> <p>Data Protection</p> <p>Freedom of Information</p>	At the point of election and on subsequent re-election(s), or at the mid term point.
Equalities and Diversity	To tackle discrimination and social exclusion, promote equality of opportunity and foster good relations between all.	After each election
Safeguarding	<p>To provide guidance and advice to elected Members on;</p> <p>Roles and responsibilities in relation to safeguarding children and vulnerable adults and</p> <p>How Members should raise any concerns and receive assurance about children and adults who may be at risk</p>	Every 2 years.

Lone Worker	Ensuring Members keep themselves safe	After election or re-election. Refresher (online) annually.
Fraud Awareness	To raise awareness of where fraud may occur in District Councils and what actions should be taken.	After each election and bi-annually thereafter
Chairperson (if appointed as a Chair)	To ensure that Members appointed to Chairmanships have the required knowledge, skills and attributes needed to become an effective Chairman.	Following initial appointment to position and subject to previous training or experience.
Audit & Corporate Overview Scrutiny Committee	Understanding of Local Government Finances Legislation, case law, policies and procedures relevant to the remit of the Committee and its Sub-Committees	Prior to sitting on the Committee or its Sub-Committees minimum of every four years.