



19th July 2021

In accordance with Paragraphs 8 & 10(2) (b) of Schedule 12 of the Local Government Act 1972 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, I hereby summon you to attend a Meeting of **PETERLEE TOWN COUNCIL** to be held online on **MONDAY 26TH JULY 2021 at 6.30pm**

Due to the current COVID situation the capacity of the meeting room is significantly reduced and public admission to the meeting will be limited. Any members of the public wishing to attend Shotton Hall to observe the meeting are strongly advised to contact the Council in advance to reserve a seat: council@peterlee.gov.uk or 0191 5862491

A handwritten signature in blue ink, appearing to read "Ian Morris".

Ian Morris, P.S.L.C.C
Town Clerk (Proper Officer of the Council)

Members of the Committee and members of the public are reminded that the public part of the meeting may be recorded in both audio and video, and photographs may be taken.

BUSINESS TO BE TRANSACTED

1. Apologies for Absence
2. Public Participation Session
Will be held to allow Members of the public an opportunity to put questions to the Council. This item of business to last no more than 15 minutes, as per Council Standing Orders.

3. To receive declarations of interest
Members are reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. Please seek advice from the Town Clerk or Deputy Town Clerk **prior to the meeting** if in doubt. Members are reminded that they can check their published declaration of interests here: <https://bit.ly/2wVyeLA>
4. County Durham & Darlington Fire and Rescue Service
To welcome Mal Woodward, Watch Manager, Durham & Darlington Fire and Rescue Service to the meeting
5. Police Update
To receive an update on Policing activity in the area from the Neighbourhood Police Sergeant for Peterlee, Horden and Blackhall, T/Sgt 2722 Charlotte Burn
6. To Approve the Minutes of the last meeting of the 28th June 2021
The minutes of the previous meeting are attached for consideration and approval as a true and correct record. (attached)
7. The Minutes of the Resources Committee of the 21st June 2021
The minutes of the Resources Meeting are attached for information. (attached)
8. The Minutes of the Meeting of the Scrutiny Committee of the 11th June & 9th July 2021
The minutes of the Scrutiny Meetings are attached for information (attached)
9. Finance Sub Committee 19th July 2021
To confirm and endorse the resolution of the Finance Sub Committee of 19th July 2021 to approve BACS payments to be paid on 26th July 2021 in the sum of £23,857.67.
10. COVID-19 Update
To receive an update from the Chief Officer on the Council's response to the COVID-19 situation.
(verbal report of the Chief Officer)

11. Code of Conduct

To consider and adopt the Code of Conduct as issues by Durham County Council
(the report of the Deputy Town Clerk attached)

12. Spokesperson of the North East Party's Report

13. Spokesperson of the Labour Political Party's Report

PETERLEE TOWN COUNCIL

MINUTES OF THE MEETING OF THE TOWN COUNCIL

HELD IN THE BRANDLING SUITE, SHOTTON HALL, PETERLEE

ON MONDAY 28TH JUNE 2021 at 6.30PM

PRESENT:- COUN M A CARTWRIGHT (CHAIR)

Mesdames:- M McCue, K J Duffy, D Quinn, D Howarth, K Liddell, S Simpson
& J Black

Messrs:- T K Duffy, G Johnson, M Sanderson, R Moore, D Hawley & B Fishwick

23. Apologies for Absence
Apologies for absence were offered and accepted from Councillors R Burnip, S McDonnell, K Hawley, S Meikle, A E Laing & E Watson.
24. Public Participation Session
A local resident had come along to the meeting to speak on the item relating to the creation of an angling club at Shotton Hall. He addressed the Council on the proposal and offered suggestions and answered questions posed by Members.
25. To receive declarations of interest
Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. None were received.
26. To Approve the Minutes of the last meeting of the 17th May 2021
The minutes of the previous meeting were attached for consideration and approval. **RESOLVED the minutes be accepted and signed as a true and correct record.**
27. Police Update
The Chair offered apologies from the Neighbourhood Police Sergeant covering Peterlee, Horden and Blackhall, T/Sgt 2722 Charlotte Burn and referred to her report had been circulated to Members by email. **RESOLVED the information given, be noted.**

28. Fishing at Shotton Hall

Council received a verbal update report from the Town Clerk on proposals to create an angling club at Shotton Hall and to hold an open meeting of prospective club members to discuss terms and conditions for the club. It was agreed the Clerk call a public meeting for those interested in joining an angling Club at Shotton Hall and they discuss the issues of running the club in more detail. **RESOLVED a final report be prepared by the Clerk for endorsement by Council after the public meeting had been held.**

29. Internal Audit Progress report for Quarter 4 20/21

The Chair welcomed Tracy Henderson, Durham County Council Interim Audit Manager who presented the internal audit progress report. Their work provided a Substantial Assurance opinion for the review of General Data Protection Regulations, with an agreement that GDPR refresher training would be provided to Councillors. On the Review of Leisure Gardens Audit's work provided a Moderate Assurance opinion with six medium priority and one best practice recommendation were made to improve the management of the identified risks. There were no amendments to the Annual Audit Plan and no management responses to outstanding Draft Report overdue.

Members considered the outturn position on progress made in delivering the internal audit plan for 2020/21 together with that made by PTC Managers in responding to the work of internal audit to gain assurance on the adequacy and effectiveness of the internal control environment. **RESOLVED the report be accepted and its contents noted.**

30. Internal Audit Annual Report 20/21

Members received and note the Annual Internal Audit Report from Tracy Henderson, Durham County Council Interim Audit Manager, along with an update on recent audit activity and actions arising, a copy of which had been circulated to each Member. Based on the work undertaken the Chief Internal Auditor and Corporate Fraud Manager was able to provide a substantial overall assurance opinion on the adequacy and effectiveness of internal control operating across the Council in 2020/21. Delivery of the audit plan had initially been impacted following the onset of the coronavirus pandemic which resulted in agreeing new ways of work remotely. **RESOLVED the report be accepted and its contents noted.**

31. Annual Governance Statement 2020/21

Members were requested to approve the Council's Annual Governance Statement for the 2020/21 financial year as part of the Annual Governance and Accountability Return

(AGAR), a copy of which had been circulated. **RESOLVED the Annual Governance Statement for 2020/21 be approved.**

32. Accounting Statements 2020/21

Members were requested to approve the Council's Accounting Statements for the 2020/21 financial year as part of the Annual Governance and Accountability Return (AGAR). **RESOLVED the Accounting Statements 2020/21 be approved.**

33. Signing of the Annual Governance Statement and Accounting Statements

Following approval, for the Chairman and Clerk of the meeting signed the Annual Governance Statement and Accounting Statements. **RESOLVED this action be endorsed.**

34. Confirmation of the commencement date for the exercise of public rights

Council received a verbal report from the Town Clerk confirming the commencement date for the 'period for the exercise of public rights' during which the public could inspect the accounts for the 2020/21 financial year. **RESOLVED this notice be made available on the web site and Council noticeboards.**

35. Payment of Accounts

Council were asked to confirm and endorse the BACS payments to be paid on 24th June 2021 in the sum of £56,993.41. **RESOLVED these payments be endorsed.**

36. COVID-19 Update

Members received an update from the Chief Officer on the Council's response to the COVID-19 situation. He spoke on the resurgence of the virus in the community and track and trace notifications on the increase, with two colleagues being contacted and self isolating with no symptoms. The opening of some services had been delayed e.g. the Funk a Deli Bistro at The Pavilion. Members asked if the figures started to rise again would the care package service be re-established; the Clerk said if there was will and finances were available. Support telephone calls were still being made whilst being reduced. **RESOLVED the information given, be noted.**

37. Lowhills Road Car Park

Council received a report from the Parks Manager on options for public access to the Town Council's car park adjacent to the former bowls green on Lowhills Road. A Local member offered feedback from residents after she had held street surgeries with them about the use of the car park and Lowhills Road. None of the residents spoken to felt the car park should be locked and that by leaving it open it may reduce the parking on grass verges by footballers. Several Members disagreed and felt there would always be indiscriminate car parking along the length of the road, despite the car park being open.

Following discussion it was **RESOLVED seek confirmation from CALM CIC that they would formally take on the locking/unlocking/opening/closing of the car park gate on a morning/evening on a 7 day/52 week basis, with this activity being covered by their insurance. The gate would continue to be the Town Councils property. FURTHER RESOLVED the Council reserves the right to withdraw this permission to lock/unlock/open/close the gate in the future should there be any significant problems or complaints from local residents/users about the car park being locked during the day when legitimate use would be expected.**

38. Spokesperson of the North East Party's Report

Cllr K J Duffy offered her congratulations to the Clerk and his team on the substantial audit result. She expressed her thanks to residents joining in The Peterlee Wombles community litter-picking activities with over 600 bags of litter collected since March. **RESOLVED the information given be noted.**

39. Spokesperson of the Labour Party's Report

Councillor McCue passed on thanks and regards to council staff from all the newly elected Labour Members who were grateful for their help and support and for the introductions and visits made which they had found helpful. **RESOLVED the information given be noted.**

PETERLEE TOWN COUNCIL

MINUTES OF THE MEETING OF THE RESOURCES COMMITTEE

HELD IN THE BRANDLING SUITE

ON MONDAY 21ST JUNE 2021 at 6.30PM

PRESENT:- COUN M A CARTWRIGHT (CHAIR)

Mesdames:- K J Duffy, D Quinn, J Black, S Simpson & M McCue

Messrs:- R Burnip, B Fishwick, M Sanderson, D Hawley & G Johnson

1. Apologies for Absence

Apologies for absence were offered to the meeting and accepted from Councillors K Liddell, K Hawley, E Watson, T Duffy, A Laing, D Howarth, R Moore and S McDonnell.

2. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. None were offered. **RESOLVED the information given, be noted.**

3. To approve the minutes of the previous meeting

RESOLVED the minutes of the previous meeting of the Resources Committee on Monday 8th February 2021 be confirmed as a true and correct record.

4. Updated Policy

RESOLVED the updated Staff Maternity Policy, with the only amendment being to the level of maternity allowance, be approved and adopted immediately.

5. Review of the Effectiveness of the Council's System of Internal Control for the 2020/21 Financial Year

Member received a report from the Town Clerk on the review of the Effectiveness of the Council's System of Internal Control for the 2020/21 Financial Year.

RESOLVED the contents of the report be noted and approval be given to the review of internal systems of control for the 2020/21 financial year.

6. 2020/21 Financial Year – End of Year Budget Summary Report

Members received a report from the Town Clerk on the budget outturn for the 2020/21 financial year.

RESOLVED the contents of the report be noted and the Councils 2020/21 budget out turn position.

7. Development of a Medium Term Financial Plan

Members received a presentation from the Town Clerk on the development of a 4-year Medium Term Financial Plan, (MTFP), for the Town Council, and considered the initial 'big questions' to be addressed as part of the Medium Term Financial Plan process.

Following discussions it was **RESOLVED the Resources Committee be convened every month to consider and discuss the MTFP with the Clerk providing updates on specific costs ie the cost of repairs to buildings, the Committee to decide in which priority they wish to discuss issues.**

THE MINUTES OF THE MEETING OF THE SCRUTINY COMMITTEE
HELD IN THE BRANDLING SUITE, SHOTTON HALL, PETERLEE
ON FRIDAY 11TH JUNE 2021

PRESENT: COUN K HAWLEY (CHAIR)

Mesdames:- D Howarth, M McCue & M A Cartwright

Messrs:- M Sanderson, & B Fishwick

1. Apologies for Absence

Apologies for absence were submitted and accepted on behalf of Councillors K Liddell, E Watson, J Black, R Moore, G Johnson & D Hawley. **RESOLVED the Council approve the reasons submitted at the meeting for absence received, and their apologies for absence be recorded.**

2. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. No declarations were offered.

3. Shotton Hall

Members considered the briefing report prepared by the Town Clerk which provided some background information relating to Shotton Hall. Members spoke about various issues. The Clerk advised the previous business model did not work and this need to be reconsidered should it be agreed to invest in the business operation. Comment was made at the lack of offer of accommodation, however the Clerk felt this was not the drawback it may seem with hotels available only 15 minutes away. It was something to be aware of but was not a massive limiting factor.

There was considerable discussion on the various options for the building and reference was made to the Medium Term Financial Plan that was to be considered at the Resources Meeting to be held on 21 June 2021.

RESOLVED the Clerk be given approval to engage a consultant to provide costed options for repairs to Shotton Hall and this be considered by the Group before an appraisal/feasibility study be carried out.

4. Date and time of next meeting

It was agreed the next meeting be held on Friday 9th July 2021 at 10.00am.

THE MINUTES OF THE MEETING OF THE SCRUTINY COMMITTEE
HELD IN THE BRANDLING SUITE, SHOTTON HALL, PETERLEE
ON FRIDAY 9TH JULY 2021

PRESENT: COUN M A CARTWRIGHT (CHAIR)

Mesdames:- D Howarth, M McCue, D Howarth, J Black
& K Hawley

Messrs:- M Sanderson, R Burnip, G Johnson, R Moore & B
Fishwick

5. Apologies for Absence

Apologies for absence were submitted and accepted on behalf of Councillors K Liddell & D Hawley. **RESOLVED the Council approve the reasons submitted at the meeting for absence received, and their apologies for absence be recorded.**

6. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. No declarations were offered.

7. Exclusion of the Press & Public

RESOLVED that in view of the confidential nature of the items to be discussed, the committee passed the formal resolution to exclude the press and public from the meeting, pursuant to the Public Bodies (Admissions to Meetings) Act 1960 & the Local Government (Access to Information) Act, Part 1, paragraphs 11, (due to sensitive commercial and staffing nature of the issues being discussed).

8. Shotton Hall

Members and Officers continued discussions from the previous meeting about future options for Shotton Hall with the benefit of additional background information from the Clerk. The papers provided were as follows:- a 5yr breakdown of income and expenditure; a summary of investment requirements; images from recent roof/ceiling failure and water damage; and the Report presented to Scrutiny Committee at the last meeting in June 2021.

The main headline was the issues of water ingress and subsequent damage to the civic offices and the damage this had done, following the repeated theft of lead to the roof. This was to be the subject of an insurance claim.

The Clerk reported on work carried out following the last meeting and suggested the timescale would be for a report back to Council by October/November 2021. He said the outcome of the Scrutiny Committee would be to make a recommendation to Council on the future of Shotton Hall. In order to do this they would be presented with a costed options report, this would validate and update/refresh the survey reports that had already been carried out and also detail further works that were required and finally what this would cost.

Members offered suggestions on areas of possible grant funding and he asked that Members send through any further suggestions they may come across and he would look into them.

The Town Clerk also spoke on other issues that were facing the council with its buildings and services and that one of the options would be consolidating the operations from Eden Lane and Shotton Hall. There was also discussion on the costs of repairs and servicing vehicles.

RESOLVED the Town Clerk report back on what the requirements for the Parks Department are and provide some costings for consideration.

3.

Report To: Peterlee Town Council Meeting

Date: 26th July 2021

Subject: **Code of Conduct**

Report of: Kay Tweddle, Deputy Town Clerk/Democratic Services Officer

Purpose: To review the Code of Conduct and adopt the new version issued by Durham County Council

Background: In June 2017, pursuant to section 27 of the Localism Act 2011, Peterlee Town Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

A new Model Councillor Code of Conduct 2020 has been released, (see Appendix 1). Also attached is the Code as adopted by Durham County Council for Member's attention and consideration, (Appendix 2).

New Model Code of Conduct

The Local Government Association (LGA) has developed this 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. It is a template for councils to adopt in whole and/or with local amendments.

The purpose of this Code of Conduct is to assist councillors, in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against a councillor. It is also to protect councillors, the public, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and Councillors' specific obligations in relation to standards of conduct.

The LGA encourages the use of support, training and mediation 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.

Short summary of the changes between this and the version we currently have

The New Model Code of Conduct I feel is easy and clear to understand. It now applies to all forms of communication and interaction including electronic and social media post statements and comments. It also includes a councillors right to expect respectful behaviour from the public; reference to not disclosing information given in confidence or which is confidential; not bringing the role or local authority into disrepute; not using their position as a councillor to the advantage or disadvantage to themselves or anyone else.

There is also a need to comply with any sanction imposed following a finding that there has been a breach of the Code of Conduct. Details of what the sanctions may be are not included in the advice.

There is clear advice on non participation in a case of a disclosable pecuniary interest. There is also a new definition a “sensitive interest”.

A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.

The Local Government Ethical Standards report also includes 15 Best Practice recommendations.

These include reference to bullying; local authorities having access to at least two Independent Persons; one of the Independent Persons should be consulted as to whether to undertake a formal investigation on an allegation and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious or trivial.

Recommendation

Council are requested to consider, review and then adopt the new version of the Code of Conduct effective immediately.



Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

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 behaviors and responsibilities associated with the role. Our conduct as an individual councillor 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.

19 January 2021

Page 1 of 17

IntroductionThe Local Government Association (LGA) has developed this 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. It is a template for councils to adopt in whole and/or with local amendments.

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

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. 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”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

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, local authority 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 LGA encourages the use of support, training and mediation 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.

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 against you, which 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 local authority employees, employees and representatives of partner organisations and those volunteering for the local authority 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 local authority, 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 local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

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 local authority'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 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 local authority.

Officers work for the local authority 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 local authority; 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 must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You 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 local authority 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 local authority 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 your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the 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 local authority 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 local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

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

- a. act in accordance with the local authority'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 local authority or of the office to which I have been elected or appointed.**

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

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority 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 local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

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 local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

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 authority .

You need to register your interests so that the public, local authority 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 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 local authority or from persons who may apply to the local authority 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 £50 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 local authority, 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, do contact your Monitoring Officer for guidance.

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 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**” 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 as 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 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, 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 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, close associate; or
 - a body included in those you need to disclose under Other Registrable 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 **affects** your 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 a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

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. [Any unpaid directorship.]
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

	<p>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 —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘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.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(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.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body;</p> <p>or</p> <p>(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</p>

spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* '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 have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body 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)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Appendix 2

CODE OF CONDUCT FOR MEMBERS

The County Council of Durham Code of Conduct for Members

1. The County Council of Durham (“the Council”) has adopted the following code which has effect from 24 March 2021 and will be reviewed annually. The Code which sets out the conduct that is expected of elected and co-opted members of the Council when they are acting in that capacity.
2. This means the code applies whenever you:
 - (a) conduct the business of the Council (including the business of your office as an elected councillor or co-opted member); or
 - (b) act, claim to act or give the impression you are acting as a representative of the Council.
3. ‘Co-opted member’ means any person who is a member of any committee or sub-committee of the Council with a right to vote but is not one of its elected members

Part 1 – General Conduct

4. Members and co-opted Members of Durham County Council (“the Council”) are expected to undertake their duties as follows:
 - 4.1 Represent the community and work constructively with employees and partner organisations to ensure the area is a safer place to live, work and visit.
 - 4.2 Behave in a manner that is consistent with the following principles to achieve best value for residents and maintain public confidence in the Council:
 - (a) **Selflessness:** act solely in terms of the public interest and not act in such a way as to gain financial or other material benefits for themselves, their family or friends;
 - (b) **Integrity:** not placing themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties;
 - (c) **Objectivity:** make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits;
 - (d) **Accountability:** be accountable for their decisions and actions to

the public and must submit themselves to whatever scrutiny is appropriate to their office;

- (e) **Openness:** be as open as possible about all the decisions and actions they take, and give reasons for decisions and restrict information only when the wider public interest or the law clearly demands;
- (f) **Honesty:** declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.
- (g) **Leadership:** promote and support these principles by leadership and example.

4.3 Act in accordance with the principles in paragraph 4.2 and, in particular:

- (a) Champion the needs of residents - the whole community and all constituents, including those who did not vote for them - and put the public interest first;
- (b) Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially;
- (c) Not allow other pressures, including the financial interests of themselves or others connected to them, to deter them from pursuing the interests of the Council or the good governance of the Council in a proper manner;
- (d) Exercise independent judgement and not compromise their position by placing themselves under obligations to outside individuals or organisations who might seek to influence the way they perform their duties as a Member / Co-opted Member of the Council;
- (e) Listen to the interests of all parties, including relevant advice from statutory and other professional officers, take all relevant information into consideration, remain objective and make decisions on merit;
- (f) Be accountable for decisions and cooperate when scrutinised internally and externally, including by local residents;
- (g) Contribute to making the Authority's decision-making processes as open and transparent as possible to ensure residents understand the reasoning behind those decisions and are informed when holding the Authority to account but restricting access to information when the wider public interest or the law requires it;

- (h) Behave in accordance with all legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures, including on the use of the Council's resources;
- (i) Value colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good local government;
- (j) Always treat people with respect, including the organisations and public they engage with and work alongside;

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. Members should express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. Members must not, however, subject individuals, groups of people or organisations to personal attack.

Members should treat members of the public politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Members. Members equally have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening, Members may stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Members, where appropriate action could then be taken under the Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's relevant protocols;

- (k) Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Authority;
- (l) Not disclose information given to them in confidence by anyone or information acquired, which they believe, or ought reasonably to be aware, is of a confidential nature, without express authority and/or unless the law requires it.
- (m) Not to bully or harass any person (including specifically any council employee) and you must not intimidate or improperly influence, or attempt to intimidate or improperly influence, any person who is involved in any complaint about any alleged breach of the code of conduct.

Bullying may be characterised as: offensive, intimidating, malicious or insulting behaviour; or an abuse or misuse of power in a way that intends to undermine, humiliate, criticise unfairly or injure someone.

Harassment may be characterised as unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

Bullying and/or harassment may take many forms, it could include but is not limited to age, disability, gender reassignment, race, religion, belief, sex and/or sexual orientation.

- (n) Not to bring the role of Member or the local authority into disrepute and be aware that the actions and behaviour of a Member are subject to greater scrutiny than that of ordinary members of the public;
 - (o) To hold the local authority and fellow Members to account and constructively challenge and express concern about decisions and processes undertaken by the Council whilst continuing to adhere to other aspects of this Code of Conduct.
- 4.4 It is expected that Members will at all times comply requests as part of Code of Conduct investigations and any arising outcomes. Members will not submit malicious or trivial complaints.
- 4.5 Where it is alleged that a Member has failed to act in accordance with the Code, a complaint will be presented to the Monitoring Officer for consideration in accordance with the Local Assessment Procedure and where necessary the Local Determination Procedure.

Part 2 - Registration of interests

Register of Interests

- 5.1 Members must:
- (a) register and, where appropriate, disclose those disclosable pecuniary interests that they are obliged to declare under the Localism Act and associated regulations; and
 - (b) register any body of which they are a member (or in a position of general control or management) to which you were appointed or nominated by the Council; and
 - (c) register details of their membership of any organisation or body whose rules or requirements of membership could be regarded as suggesting a degree of loyalty to that organisation or body. This could arise by reason of an organisation having an obligation of secrecy about its rules, its membership or conduct and/or a commitment of allegiance or support to that organisation or body. Such organisations or bodies may or may not be charitable concerns and they may also have a local, regional, national or international aspect; and
 - (d) register details of my membership of any trade union within the meaning of Section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992.

5.2 Registration of interests shall be completed by provision of details upon a signed prescribed form which is submitted to the Monitoring Officer at Durham County Council. Members must ensure they keep the register updated and acknowledge that its contents will be published on the Authority's website and will be open to the public to inspect.

6. Disclosable Pecuniary Interests Entered on the Register

If Members are present at a meeting of the Authority and:

- (a) they are aware that they have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting; and
- (b) the interest is entered in the Authority's register

they may not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which they have such an interest; and they must leave the room where the meeting is held while any discussion and or voting takes place.

7. Disclosable Pecuniary Interests NOT Entered on the Register

7.1 If Members are present at a meeting of the Authority and:

- (a) aware that they have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting; **and**
- (b) the interest is not entered in the Authority's register,

they must disclose the interest to the meeting. Furthermore, they may not participate or further participate in any discussion of the matter at the meeting or participate in any vote or further vote taken on the matter at the meeting and must leave the room where the meeting is held while any discussion and or voting takes place.

7.2 If an interest referred to in 5.1(a) above is not entered on the Authority's register and is not the subject of a pending registration, Members must notify the Authority's Monitoring Officer of the interest within 28 days of the date of the disclosure.

7.3 Members with the power to discharge an Authority function acting alone will have a disclosable pecuniary interest in any matter to be dealt with or being dealt with by them in the course of discharging that function:

- (a) they may not take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by them);
and
- (b) if the interest is not entered on the Council's register and is not the subject of a pending registration, they must notify the Council's Monitoring Officer of the interest within 28 days of becoming aware of the interest.

8. Sensitive Interests

- 8.1 This applies to a situation where a Member considers that the disclosure of the details of your interest – including that of your spouse or partner – could lead to you, or a person connected with you, being subject to violence or intimidation.
- 8.2 In such circumstances you should share your concerns with the Council's Monitoring Officer. If the Monitoring Officer agrees with you, then the details of the interest will not be included in the Council's published Register of Interests, but the Register may state that you had registered an interest the details of which had been withheld under Section 32 of the Localism Act 2011.
- 8.3 If the Monitoring Officer has accepted that you have a sensitive interest under Section 32 of the Localism Act 2011, you should declare the existence of the interest at any meeting at which you are present but you need not declare the details of the interest.
- 8.4 If circumstances change and the information excluded from the Register on the grounds of sensitivity is no longer sensitive information, the Member must notify the Monitoring Officer within 28 days.

9. Other Relevant Interests

- 9.1 Members may have an Other Relevant Interest (which is not a disclosable pecuniary interest) in any matter to be considered or being considered at the meeting) where:
 - (a) a decision in relation to that matter might reasonably be regarded as affecting the well-being or financial standing of them or a member of their family or a person with whom they have a close association, or an organisation or body under paragraph 5.1(b), 5.1(c) or 5.1(d) above, to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which they have been elected or otherwise of the authority's administrative area; **and**
 - (b) the interest is one that a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice their judgement of the public interest.
- 9.2 Members with an Other Relevant Interest as described in 9.1. above:

- (a) must make a verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent; **and**
- (b) must not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which they have an Other Relevant Interest at any meeting at which they are present and will leave the room where the meeting is held while any discussion or voting takes place.

10. **Gifts and Hospitality**

- 10.1 Members must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which they have been offered as a member from any person or body other than the Authority, whether the offer is accepted or declined.
- 10.2 The Monitoring Officer will place any notification received under paragraph 10.1 on a public register of gifts and hospitality.
- 10.3 The duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality has been approved by the Authority for this purpose.

Appendix 3: Implications

Finance – no direct implications

Staffing – no direct implications

Risk – no direct implications

Equality and Diversity / Public Sector Equality Duty - no direct implications

Accommodation - no direct implications

Crime and Disorder - no direct implications

Human Rights - no direct implications

Consultation – no direct implications

Procurement – no direct implications

Disability Issues - no direct implications

Legal Implications – compliance with the Code of Conduct, Localism Act 2011