

A meeting of the **STANDARDS COMMITTEE** will be held in **ROOM 1A, CIVIC SUITE, PATHFINDER HOUSE, ST. MARY'S STREET, HUNTINGDON PE29 3TN** on **THURSDAY, 6TH MARCH 2014** at **4:00 PM** and you are requested to attend for the transaction of the following business:-

## **APOLOGIES**

**1. MINUTES** (Pages 1 - 4)

To approve as a correct record the Minutes of the meeting held on 5th December 2013.

**2. MEMBERS' INTERESTS**

To receive from Members declarations as to disclosable pecuniary or other interests in relation to any Agenda Item. See Notes below.

**3. PROPOSED AMENDMENTS TO THE CODE OF CONDUCT** (Pages 5 - 14)

Report by the Head of Legal and Democratic Services and Monitoring Officer enclosed.

**4. REVIEW OF THE TERMS OF REFERENCE OF THE COMMITTEE** (Pages 15 - 28)

Report by the Head of Legal and Democratic Services and Monitoring Officer enclosed.

**5. MEMBERSHIP OF THE COMMITTEE** (Pages 29 - 32)

Report by the Head of Legal and Democratic Services and Monitoring Officer enclosed.

**6. UPDATE ON CODE OF CONDUCT AND REGISTER OF DISCLOSABLE PECUNIARY INTERESTS** (Pages 33 - 40)

To consider the up-to-date position on the adoption of a Code of Conduct by Town and Parish Councils and the receipt and publication of registration of interest(s) forms on behalf of District and Town and Parish Councillors.

Report by the Head of Legal and Democratic Services.

## 7. TRAINING UPDATE

Since the last meeting in December, a training session has been held at Perry Parish Council. Eight Members of the Council and the Clerk were in attendance. Also present were Members from Great Staughton Parish and the Clerk to Great Paxton Parish Council. Once again the session appeared to be well received and generated questions and interest.

## 8. EXTRACT FROM "LOCAL GOVERNMENT LAWYER" - JANUARY 2014 (Pages 41 - 42)

Copy of Article enclosed.

## 9. DATE OF NEXT MEETING

The next meeting of the Committee is scheduled to take place on Thursday 26th June 2014 at 4pm in the Civic Suite, Pathfinder House.

Dated this 26 day of February 2014



Head of Paid Service

### Notes

#### 1. Disclosable Pecuniary Interests

- (1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*
- (2) *A Member has a disclosable pecuniary interest if it -*
  - (a) *relates to you, or*
  - (b) *is an interest of -*
    - (i) *your spouse or civil partner; or*
    - (ii) *a person with whom you are living as husband and wife; or*
    - (iii) *a person with whom you are living as if you were civil partners*

*and you are aware that the other person has the interest.*
- (3) *Disclosable pecuniary interests includes -*
  - (a) *any employment or profession carried out for profit or gain;*
  - (b) *any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);*
  - (c) *any current contracts with the Council;*
  - (d) *any beneficial interest in land/property within the Council's area;*
  - (e) *any licence for a month or longer to occupy land in the Council's area;*
  - (f) *any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or*
  - (g) *a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.*

### **Other Interests**

(4) *If a Member has a non-disclosable pecuniary interest or a non-pecuniary interest then you are required to declare that interest, but may remain to discuss and vote.*

(5) *A Member has a non-disclosable pecuniary interest or a non-pecuniary interest where -*

*(a) a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or*

*(b) it relates to or is likely to affect any of the descriptions referred to above, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association*

*and that interest is not a disclosable pecuniary interest.*

## **2. Filming, Photography and Recording at Council Meetings**

*The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening at meetings. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and available via the following link - [filming, photography and recording at council meetings.pdf](#) or on request from the Democratic Services Team. The Council understands that some members of the public attending its meetings may not wish to be filmed. The Chairman of the meeting will facilitate this preference by ensuring that any such request not to be recorded is respected.*

**Please contact Ms C Deller, Democratic Services Manager, Tel No 01480 388007/e-mail: [Christine.Deller@huntingdonshire.gov.uk](mailto:Christine.Deller@huntingdonshire.gov.uk) if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee.**

**Specific enquires with regard to items on the Agenda should be directed towards the Contact Officer.**

**Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.**

Agenda and enclosures can be viewed on the District Council's website – [www.huntingdonshire.gov.uk](http://www.huntingdonshire.gov.uk)  
(under Councils and Democracy).

**If you would like a translation of Agenda/Minutes/Reports or  
would like a  
large text version or an audio version  
please contact the Democratic Services Manager and we will try  
to accommodate your needs.**

### **Emergency Procedure**

*In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.*

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# Agenda Item 1

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held in the Civic Suite, Pathfinder House, St Mary's Street, Huntingdon on Thursday, 5 December 2013.

PRESENT: Councillor K M Baker – Vice-Chairman in the Chair.

Councillors W T Clough, G J Harlock and T D Sanderson.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors Mrs B E Boddington and A Hansard.

IN ATTENDANCE: Mr P McCloskey and Mrs D Townsend.

*(The Independent Persons, Mr P Baker and Mrs G Holmes attended the meeting as observers and were introduced to the Committee.)*

### 13. MINUTES

The Minutes of the meeting of the Committee held on 27th June 2013 were approved as a correct record and signed by the Chairman.

### 14. MEMBERS' INTERESTS

No interests were declared by the Members present.

### 15. DCLG GUIDANCE - OPENNESS AND TRANSPARENCY ON PERSONAL INTERESTS - IMPACT ON THE CODE OF CONDUCT

By way of a report by the Head of Legal and Democratic Services and Monitoring Officer (a copy of which is appended in the Minute Book), the Committee was informed that the Department of Communities and Local Government (DCLG) had recently published revised guidance entitled "Openness and Transparency on Personal Interests". This had indicated that the interests to be registered and declared by Councillors should include membership of a trade union.

Members were reminded that this interest was not one specifically defined by the Government under Regulations issued following the Localism Act 2011 and, at that time, the Council had concentrated, when adopting its new Code of Conduct in July 2012, on complying with the Government's objectives to simplify the requirements of the new regime.

Whilst there was some doubt about the power of DCLG to require such a change by simply issuing "guidance", the Committee was of the view that if the Council was to amend its Code to require trade union interests to be registered and declared, it should take the

opportunity to review and potentially extend it to include other interests, similar to those included in the previous National Code and to that promoted by the National Association of Councils (NALC).

As it would appear to be sensible to avoid additional bureaucracy (which would be created if new declaration forms were required from Councillors before the next local elections) and given that the interim period would offer the opportunity to give advice and provide training both to Members and to Town and Parish Councils who might wish to make similar changes to their Codes, it was

RESOLVED

that the Head of Legal and Democratic Services and Monitoring Officer be requested to prepare a revised Code of Conduct to reflect any changes necessary for consideration at the next meeting and for implementation from the beginning of the new Municipal Year in May 2014.

**16. ARRANGEMENTS FOR DEALING WITH STANDARDS ALLEGATIONS UNDER THE LOCALISM ACT 2011: PROPOSED AMENDMENTS**

Referring to a report by the Head of Legal and Democratic Services and Monitoring Officer (a copy of which is appended in the Minute Book), the Committee reviewed the adopted procedure for dealing with Code of Conduct standard complaints in the light of practical experience over the past 18 months.

The Committee was reminded that under Section 28 of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that a Member of the authority or of a Parish Council within the authority’s area has failed to comply with that authority’s Code of Conduct can be investigated and decisions made on those allegations. A protocol for this purpose was approved when the new Code of Conduct was adopted in July 2012.

Members were advised that several issues had emerged from working experience of the protocol since its introduction. In discussing the proposed suggestions for change, the Committee acknowledged that they would, for instance, seek to make clear to complainants that the Code of Conduct only applies when the Councillor is acting in an official capacity (or if they are claiming or giving the impression they are acting in an official capacity) rather than applying to the conduct or actions of the Councillors in their private lives.

As the Committee was of the opinion that the changes would clarify the arrangements and better manage the expectations of a complainant, it was

RESOLVED

that the proposed amendments to the “Arrangements for dealing with standards allegations under the Localism Act 2011” Protocol as set out in Appendix 1 to the report now

submitted be approved.

(Councillor T D Sanderson left the meeting at 4.30pm.)

**17. UPDATE ON CODE OF CONDUCT AND REGISTER OF DISCLOSABLE PECUNIARY INTERESTS**

The Monitoring Officer updated the Committee on the current position in respect of the receipt and publication of registers of interests of Members and co-opted Members of the District Council and of those Members serving on Parish Councils. Members were reminded that all registers were required to be published on the District Council's website.

Whilst noting that the current position was encouraging and represented a marked improvement on the level of returns reported previously, the Committee still was concerned that one Council had yet to adopt a Code of Conduct and that four had not yet published a register of Disclosable Pecuniary Interests.

Although the Committee concluded that it was no longer necessary for them to visit the Parish Councils where DPIs were outstanding (Minute No. 8 refers), the Monitoring Officer was requested to alert the Council's concerned that unless the position was rectified, it was his intention to draw their failure to comply with that part of the Localism Act relating to standards to the attention of the External Auditor before closing the 2013/2014 accounts.

**18. UPDATE ON CODE OF CONDUCT COMPLAINTS**

Since publication of the Committee's bulletin in September, the Monitoring Officer reported that he had, after consultation with the Independent Persons, decided that no further action was appropriate in three cases of five received alleging misconduct on the part of District or Parish Councillors. He added that one case had been resolved by agreement between the parties concerned and that one still remained outstanding pending the receipt of further information.

**19. TRAINING UPDATE**

The Committee was pleased to note, following their suggestion at the last meeting, that since Town and Parish Councils had been reminded of the opportunity that existed for the Monitoring Officer to attend local Council meetings to give training on the Code of Conduct, the Monitoring Officer had hosted four sessions over the Autumn at Needingworth, Hilton, Old Weston and Woodhurst. In addition to the host parishes, sessions had attracted 45 Councillors and Clerks from Alconbury, Bluntisham, Earith, Hemingford Grey and Pidley-cum-Fenton. The Committee also noted that preliminary arrangements had been made for a session at Perry Parish Council in January and that all sessions to-date had been well received.

Members also acknowledged the opportunity that they and the Independent Persons had been given to participate in joint training on the Code of Conduct, pre-determination and bias held in conjunction with South Cambridgeshire District Council.

**20. DATE OF NEXT MEETING**

It was noted that the next meeting of the Committee was scheduled to take place on Thursday 6th March 2014 at 4pm in the Civic Suite, Pathfinder House.

Chairman

Public  
Key Decision - No

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Proposed Amendments to Code of Conduct  
**Meeting/Date:** Standards Committee – 6th March 2014  
**Executive Portfolio:** Strategic Economic Development & Legal  
**Report by:** Head of Legal & Democratic Services and Monitoring Officer  
**Wards affected:** All

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### **Executive Summary:**

To consider possible amendments to the Council's Code of Conduct to reflect recent DCLG Guidance on registering and declaring trade union interests.

### **Recommendations:**

**That**

- (i) Standards Committee approve the proposed changes to the Code of Conduct and recommend its adoption by Council; and**
- (ii) the revised code take effect on the date of the Annual General Meeting on 4 June 2014.**

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## **1. WHAT IS THIS REPORT ABOUT?**

- 1.1 To consider proposed amendments to the Council's Code of Conduct to reflect recent DCLG Guidance on registering and declaring trade union interests.

## **2. BACKGROUND**

- 2.1 Under Sections 28 and 29 of the Localism Act 2011, the Council must adopt a Code of Conduct that is consistent with the 7 Nolan Principles and that includes provision for the registration and disclosure of pecuniary interests and interests other than pecuniary interests.
- 2.2 The Council adopted a Code of Conduct on 4th July 2012, which required the registration of those interests specifically defined by the Government in legislation, namely Disclosable Pecuniary Interests. Other interests defined under the Council's Code simply had to be declared at a meeting if they were affected by a matter under discussion.
- 2.3 DCLG has recently published revised guidance entitled "Openness and transparency on personal interests" indicating that interests to be registered and declared should also include membership of a trade union.
- 2.4 At its last meeting the Standards Committee resolved that the Head of Legal and Democratic Services prepare a revised Code of Conduct to reflect the changes discussed and this is attached as Annex 1. As the new Code is less than 2 years old, changes have been kept to a minimum. Additions are shown underlined and deletions have the text struck through.

## **3. ANALYSIS**

- 3.1 If Trades Union interests are to be registered and declared, then it would seem appropriate to include similar bodies whose purpose is to influence public opinion, such as membership of a political party. This was a requirement under the previous national Code of Conduct and is also reflected in the model Code published by NALC.
- 3.2 Appendix B has been added to cover registration of these interests and a new clause 4 added specifically dealing with initial registration and any subsequent changes or new interests.
- 3.3 The opportunity has also been taken to simplify the definition of non statutory interests.

## **4. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

- 4.1 If Members consider that changes should be made to the Code and the content of their Register of Interests, it would seem sensible for this to be introduced from the start of the new municipal year in May 2014. This will avoid additional work of having to produce new Declaration of Interest Forms and all Members having to complete and submit them. It will also provide an opportunity to give advice to and provide training both to members and to Town and Parish Councils who wish to make similar changes to their Codes.

## **5. LEGAL IMPLICATIONS**

The Council has the power under Section 28 of the Localism Act to revise its Code of Conduct.

## **6. RECOMMENDATIONS**

6.1 That

- (i) Standards Committee approve the proposed changes to the Code of Conduct as set out in Appendix 1 and recommend its adoption by Council; and
- (ii) the revised code take effect on the date of the Annual General Meeting on 4th June 2014.

## **7. LIST OF APPENDICES INCLUDED**

Annex 1- Revised Code of conduct

## **BACKGROUND PAPERS**

Localism Act 2011

## **CONTACT OFFICER**

Colin Meadowcroft- Head of Legal & Democratic Services  
Tel No. 01480 388021

# HUNTINGDONSHIRE DISTRICT COUNCIL

## CODE OF CONDUCT FOR MEMBERS

### **Introduction**

Huntingdonshire District Council (the Authority) has adopted this Code of Conduct pursuant to Section 27 of the Localism Act 2011 to promote and maintain high standards of behaviour by its members and co-opted members whenever they are acting in their capacity as a member of the Authority or when they claim to act or give the impression of acting as a representative of the Authority.

This Code is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership (“the Nolan Principles”).

### **1 Application**

This Code of Conduct applies to you whenever you are acting, claim to act or give the impression you are acting in your capacity as a Member of the Authority, including –

- 1.1 at formal Meetings of the Authority
- 1.2 when acting as a representative of the Authority
- 1.3 in taking any decision as a Cabinet Member or a Ward Councillor
- 1.4 in discharging your functions as a Ward Councillor
- 1.5 when corresponding with the authority other than in a private capacity

### **2 Meeting**

In this Code “Meeting” means any meeting organised by or on behalf of the Authority, including :–

- 2.1 any meeting of the Council, or a Committee or Sub-Committee of Council
- 2.2 any meeting of the Cabinet and any Committee of the Cabinet
- 2.3 at any briefing by Officers; and
- 2.4 at any site visit to do with the business of the Authority

### **3 General Conduct**

You must –

- 3.1 provide leadership to the authority and communities within its area, by personal example and

- 3.2 respect others and not bully or threaten or attempt to bully or threaten any person
- 3.3 respect the confidentiality of information which you receive as a Member by–
  - 3.3.1 not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and
  - 3.3.2 not obstructing third parties' legal rights of access to information
- 3.4 not conduct yourself in a manner which is likely to bring the Authority into disrepute
- 3.5 use your position as a Member in the public interest and not for personal advantage
- 3.6 comply with the Authority's reasonable rules on the use of public resources for private and political purposes
- 3.7 exercise your own independent judgement, taking decisions for good and substantial reasons by–
  - 3.7.1 attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups;
  - 3.7.2 paying due regard to the advice of Officers, and in particular to the advice of the statutory officers, namely the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer; and
  - 3.7.3 stating the reasons for your decisions where those reasons are not otherwise apparent
- 3.8 do nothing that causes the Authority to act unlawfully.

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#### 4. Registration of Interests

- 4.1 Within 28 days of this Code being adopted by the Council, or your election (if later), you must register with the Monitoring Officer any interests listed in Appendices A and B
- 4.2 You must ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of any interests listed in Appendices A and B

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#### **4.5 Disclosable Pecuniary Interests**

- 4.5.1** You have a disclosable pecuniary interest if it is of a description specified in regulations made by the Secretary of State (attached at Appendix A) and either:
  - (a) it is an interest of yours, or
  - (b) it is an interest of:
    - (i) your spouse or civil partner; or
    - (ii) a person with whom you are living as husband and wife; or
    - (iii) a person with whom you are living as if you were civil partners;
 and you are aware that other person has the interest.

45.2 You must -

45.2.1 comply with the statutory and the Authority's requirements to register, disclose and withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest.

~~4.2.2 ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests.~~

45.2.3 make a verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.

45.2.4 Where you have a disclosable pecuniary interest, whether the interest is registered or not, you must not (unless you have obtained a dispensation from the Authority's Monitoring Officer) –

- (i) participate, or participate further, in any discussion of the matter at the meeting; or
- (ii) remain in the meeting room whilst the matter is being debated or participate in any vote taken on the matter at the meeting.

## 56 ~~Other Non Statutory Disclosable~~ Interests

56.1 In addition to the requirements of Paragraph 45, if you attend a meeting at which any item of business is to be considered and you are aware that you have a "non-statutory disclosable pecuniary interest ~~or non-pecuniary interest~~" in that item, you must make 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

56.2 You have a "non-statutory disclosable pecuniary interest ~~or non-pecuniary interest~~" in an item of business of your authority where –

56.2.1 a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association 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 you have been elected or otherwise of the authority's administrative area, or

56.2.2 it relates to or is likely to affect any of the interests listed in the Table in the Appendix A to this Code, but in respect of a member of your family (other than a "relevant person") or a person with whom you have a close association; or

~~6.2.3 it relates to or is likely to affect any of the interests listed in the Appendix B to this Code~~

and that interest is not a disclosable pecuniary interest.

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## **6.7 Gifts and Hospitality**

- 6.7.1** You 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 you have accepted as a Member from any person or body other than the authority.
- 6.7.2** The Monitoring Officer will place your notification on a public register of gifts and hospitality.

**NOTE:** Members must also comply with the relevant Codes and Protocols contained in Part 5 of the Constitution.

## **Appendix A**

### **Disclosable Pecuniary Interests**

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

| <i>Interest</i>                                   | <i>Prescribed description</i>  |
|---|--|
| 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 relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. 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 which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—<br>(a) under which goods or services are to be provided or works are to be executed; and<br>(b) which has not been fully discharged.   |
| Land  | Any beneficial interest in land which is within the area of the relevant authority.  |
| Licences  | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or   |

longer.

Corporate tenancies

Any tenancy where (to M's knowledge)—  
(a) the landlord is the relevant authority; and  
(b) the tenant is a body in which the relevant person has a beneficial interest.

Securities

Any beneficial interest in securities of a body where—  
(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose –

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“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.

**APPENDIX B**

**An interest which relates to or is likely to affect any body:-**

**(a) exercising functions of a public nature; or**

**(b) directed to charitable purposes; or**

**(c) 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 or in a position of control or management.**

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Public  
Key Decision - No

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Review of the Committee's Terms of Reference

**Meeting/Date:** 6th March 2014

**Executive Portfolio:** Councillor T D Sanderson – Executive Councillor for Strategic Economic Development and Legal

**Report by:** Head of Legal and Democratic Services and Monitoring Officer

**Ward(s) affected:** All

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### **Executive Summary:**

In April 2013 and arising from the review of the Constitution in that year, the Council requested the Corporate Governance Panel to consider its role, responsibilities and terms of reference and that of the Standards Committee with a view to a report on the outcome being submitted to the (Corporate Governance) Panel meeting on 26th March 2014 for potential implementation from the Annual Meeting in May 2014.

The Chairmen of the Corporate Governance Panel and the Standards Committee have now met to consider various options for the future of both forums and this report describes the preferred approach of the Chairmen, which will be presented together with the views of this Committee, to the Corporate Governance Panel on 26th March 2014.

### **Recommendation:**

The views of the Committee are invited.

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## **1. WHAT IS THIS REPORT ABOUT/PURPOSE?**

- 1.1 In March 2013, the Corporate Governance Panel was requested to consider both its own Constitution and that of the Standards Committee. There was a view, at that time, that the terms of reference and title of the Corporate Governance Panel should be varied perhaps to an Audit and Accounts Committee so that its functions related solely to risk management, audit, accounts and resources for example with the governance, constitutional and possibly complaints responsibilities transferred to the Standards Committee or a re-named Governance and Standards Panel for instance.
- 1.2 This suggestion also arose because of the contrast in the workload of each. The Corporate Governance Panel has become increasingly busy in recent years as greater emphasis has been placed on governance issues. At the same time, the demise of "Standards for England" and the impact of the Localism Act 2011 has resulted in a lower profile standards regime and a subsequent reduction in the level of business considered by the Standards Committee.
- 1.3 The current terms of reference of the Corporate Governance Panel and Standards Committee are enclosed at Appendix A.

## **2. OPTIONS CONSIDERED**

- 2.1 At a meeting of the Chairmen, Councillors E R Butler and A Hansard considered several options for change including:-
- (a) reduced number of Standards Committee meetings;
  - (b) transfer of functions from the Corporate Governance Panel to the Standards Committee;
  - (c) retaining the Standards Committee as a Sub-Committee of the Corporate Governance Panel;
  - (d) incorporating the functions of the Elections Working Group into the Standards Committee; and
  - (e) no change.
- 2.2 Having examined the current arrangements made by other Cambridgeshire Authorities dealing with corporate governance and standards issues, it was apparent from the practices operated that there were no preferred models. For example, Cambridgeshire County, South Cambridgeshire and Fenland District Councils divide the functions between two Committees/Panels, whereas Peterborough and Cambridge City and East Cambridgeshire District Council manage the functions through one Committee/Panel. Names and functions assigned are various.
- 2.3 A breakdown of practices in neighbouring authorities is enclosed at Appendix B.
- 2.4 Looking at these options, the Chairmen were firmly of the view that the Panel and Committee should continue to operate as separate principal bodies. However, should it be Members wish to rename the Committee to reflect any new functions, the Chairmen were concerned that it should retain the word "Standards" within its title in order to promote and maintain the profile of the Code of Conduct and the continuing importance of high standards of conduct by Councillors and other related protocols within the Constitution. The Chairmen also concluded that there was potential for a limited transfer of

functions from the Corporate Governance Panel and the Elections Working Group to the Standards Committee.

2.5 Having regard to the current terms of reference of the Panel and Committee, the Chairmen were of the view that the following functions could be transferred and be undertaken, in future, by the Standards Committee rather than the Corporate Governance Panel –

- ◆ considering proposals to change the Council's Constitutional arrangements and making appropriate recommendations to the Council (a function formerly undertaken by Standards);
- ◆ determining the Council's Customer Feedback Procedure, monitoring compliance with the procedure, compensatory payments to complainants and formulation of recommendations to the Cabinet or Council on any action to be taken as a consequence; and
- ◆ considering reports by the Local Government Ombudsman, approval of compensatory payments to complainants and formulation of recommendations to the Cabinet or Council on any remedial action to be taken as a consequence.

2.6 Although ultimately, certain issues still would be reserved to Council as part of the policy and statutory framework, the following matters relating to electoral arrangements also could fall to be dealt with by the Standards Committee rather than the Elections Working Group as at present. Electoral arrangements in its widest sense might involve –

- ◆ the review of District and Parish electoral arrangements including boundaries;
- ◆ matters relating to the powers of a Parish Council, numbers of Parish Councillors and new Parish Councils and Parish Wards;
- ◆ District and District Ward boundaries arising from any review; and
- ◆ the periodic electoral review.

The Working Group currently meets as and when required (one meeting in 2013) so would not add too great a burden to the Committee.

### **3. NEXT STEPS**

3.1 The views of the Committee are requested on the potential to assume additional functions from the Corporate Governance Panel and on the possibility of a change in name to reflect a wider terms of reference.

3.2 These comments will be conveyed to the meeting of the Corporate Governance Panel on 26th March 2014 under the review of the Constitution and, if supported, recommended to Council for adoption from May 2014.

### **BACKGROUND PAPERS**

District Council's Constitution  
Review of the Council Constitution – Report/Minutes - Corporate Governance Panel:26th March 2013

### **CONTACT OFFICER**

Christine Deller, Democratic Services Manager, (01480) 388007.



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| Committee/Panel            | Membership               | Functions   | Delegation of Functions                                  |
|----------------------------|--------------------------|---|--|
| Corporate Governance Panel | 8 Members of the Council | <p><b>To discharge the functions of the Council in relation to the Corporate Governance of the Council and to be the Council’s “Audit” Committee.</b></p> <p>These responsibilities include:</p> <p><b>GOVERNANCE</b></p> <ol style="list-style-type: none"> <li>1. Regularly reviewing the Council’s Code of Corporate Governance and recommending any changes to the Council.</li> <li>2. Ensuring that there are systems in place so that all decisions take appropriate account of any significant impact on the Council’s system of corporate governance.</li> <li>3. Approving the annual governance statement and reviewing the achievement of any outstanding improvements.</li> <li>4. Considering proposals to change the Council’s Constitutional arrangements and making appropriate recommendations to the Council.</li> </ol> <p><b>RISK MANAGEMENT</b></p> <ol style="list-style-type: none"> <li>5. Ensuring there are effective arrangements for the management of risk across the Council.</li> </ol> | As set out in Table 4 (Delegation of Powers to Officers) |

| Committee/Panel | Membership | Functions   | Delegation of Functions |
|-----------------|------------|---|-------------------------|
|                 |            | <p><b>INTERNAL AUDIT</b></p> <p>6. Ensuring there are effective arrangements for the system of internal audit of the Council including:</p> <ul style="list-style-type: none"> <li>• considering a regular review of its effectiveness</li> <li>• reviewing and approving the internal audit charter;</li> <li>• approving internal audit plans and receiving reports on progress in delivery.</li> </ul> <p><b>EXTERNAL AUDIT</b></p> <p>7. Receiving and considering external audit reports including the adequacy of management response to issues identified.</p> <p><b>FINAL ACCOUNTS</b></p> <p>8. Approving the accounting policies, statement of accounts and considering any matters arising from the external audit.</p> <p><b>COMPLAINTS AND FEEDBACK</b></p> <p>9. Determining the Council's customer feedback procedure, monitoring compliance with the procedure, compensatory payments to complainants and formulation of recommendations to the Cabinet or Council on any action to be taken as a consequence;</p> <p>10. Considering reports by the Local Government Ombudsman, approval of compensatory payments to</p> |                         |

| Committee/Panel | Membership | Functions   | Delegation of Functions |
|-----------------|------------|---|-------------------------|
|                 |            | <p>complainants and formulation of recommendations to the Cabinet or Council on any remedial action to be taken as a consequence.</p> <p><b>FRAUD AND CORRUPTION</b></p> <p>11. Reviewing and monitoring the policy and procedure and arrangements for investigating disclosures under the Public Interests Disclosure Act 1999 (whistleblowing).</p> <p>12. Monitoring the Anti-Fraud and Corruption Strategy and receive annual updates on countering fraud.</p> <p><b>ANNUAL REPORT</b></p> <p>13. Through the Chairman, the Panel will provide the Council with an annual report, timed to support finalisation of the financial statements and the Governance Statement, on how it has discharged its responsibilities.</p> <p><b>RESOURCES</b></p> <p>14. The Panel may request relevant Executive Councillors, Panel Chairmen or Senior Officers to attend Panel meetings in order to assist the Panel in reaching its conclusions.</p> <p>15. Within budgetary constraints, the Panel may request information or advice from third parties to assist the Panel in reaching its conclusions.</p> |                         |

| Committee/Panel     | Membership  | Functions  | Delegation of Functions                                   |
|---------------------|---|--|---|
| Standards Committee | 8 members of the Council to include 1 member of the Executive. 2 parish councillors appointed as co-opted and non-voting members of the Committee to 30th April 2014 to represent the interests of town and parish councils in Huntingdonshire. | <p><b>The promotion and maintenance of high standards of conduct within the Council</b></p> <p>To advise the Council on the adoption or revision of its Codes of Conduct for Members.</p> <p>To monitor and advise the Council about the operation of its Code of Conduct for Members in the light of best practice and changes in the law.</p> <p><b>Assistance to members and co-opted members of the Council</b></p> <p>To ensure that all members and co-opted members of the Council have access to training in all aspects of the Members Code of Conduct, that this training is actively promoted and that members are aware of the standards expected from them under the Code.</p> <p>Functions relating to standards of conduct of members under any relevant provision of, or regulations made under, the Localism Act 2011.</p> <p>To advise the Council on the adoption or revision of a Protocol for Member/Officer relations.</p> <p>To advise the Council on the adoption of a Code of Conduct for Planning and monitoring operation of the Code. (See Article 9 for further detail.)</p> <p><b>Parish Councils</b></p> <p>The promotion and maintenance of high standards of conduct within the town and parish councils within Huntingdonshire</p> | As set out in Table 4 (Delegation of Powers to Officers). |

| Committee/Panel | Membership | Functions   | Delegation of Functions |
|-----------------|------------|---|-------------------------|
|                 |            | <p>To ensure that all members of town and parish councils in Huntingdonshire have access to training in all aspects of their relevant Codes of Conduct, that this training is actively promoted and that members are aware of the standards expected from them under their Codes.</p> |                         |

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## 1. Practices in Neighbouring Authorities

### • County Council

*Constitution & Ethics Committee* - Constitution, Code of Conduct including hearings, training, protocols, whistle blowing and RIPA x 6 meetings.

*Audit & Accounts Committee* - Corporate Governance functions x 5 meetings.

### • Peterborough City Council

*Audit Committee* – Corporate governance functions including constitution, council complaints, code of conduct including training. Hearings Panel is sub committee of the Audit Committee x 5 meetings.

### • Cambridge City

*Civic Affairs Committee*- Electoral issues, audit and regulatory financial issues. Miscellaneous regulatory responsibilities, pay policy statement, standards issues, sub committee for hearings x 5 meetings.

### • East Cambridgeshire

*Finance & Governance Committee* – Corporate Governance/Audit, financial reports, treasury management, risks, capital programme, code of conduct with separate Hearings Sub Committee x 7 meetings.

### • South Cambridgeshire

*Civic Affairs Panel* – Constitutional issues, electoral arrangements, ethical standards x 4 meetings.

*Corporate Governance Panel* – Governance, risk, internal control, audit, statement of accounts x 4 meetings.

### • Fenland

*Conduct Committee* – Code of conduct, dispensations, complaints x 3 meetings.

*Corporate Governance Committee* – Audit, regulatory financial framework, accounting policies x 4 meetings.

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**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Membership of the Committee

**Meeting/Date:** 6th March 2014

**Executive Portfolio:** Councillor T D Sanderson – Executive Councillor for Strategic Economic Development and Legal

**Report by:** Head of Legal and Democratic Services and Monitoring Officer

**Ward(s) affected:** All

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### **Executive Summary:**

When the Council considered new arrangements for “Standards” required by the Localism Act 2011, it was agreed to retain a Standards Committee. It no longer remained a duty for Parish Council representatives to be appointed but the Council decided that Parish Councils should be invited to nominate two Parish Councillors to be co-opted as non-voting Members on the new Committee. Subsequently, two Parish Council representatives were appointed to serve until 30th April 2014.

The Act also established the concept of “Independent Persons” and the appointment of Lead and Deputy Independent Persons was subsequently confirmed by the Council in September 2013 for a three-year term subject to further ratification in each year by the Council at its Annual Meeting.

### **Recommendation:**

This report recommends:-

- ◆ subject to the consent of current appointees, an extension to the term of office of the Parish Council representatives for a further two-year period to 30th April 2016 or until such time as their Parish Council office expires;
- ◆ that the Council reaffirms the appointment of Mrs Gillian Holmes and Mr Peter Baker to the posts of Lead and Deputy Independent Persons respectively for the remainder of the three-year term to 30th April 2016 without the requirement for further annual ratification.

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## **1. WHAT IS THIS REPORT ABOUT/PURPOSE?**

1.1 The Standards Committee currently comprises:-

- ◆ 8 Members of the Council including one Member who is a Member of the Executive;
- ◆ 2 Town or Parish Councillors, representing Town and Parish Councils in the District who are co-opted and non-voting Members of the Committee;
- ◆ the Independent Person (and Deputy) appointed to serve on the Committee for a term of three-years from the date of their appointment as required under Section 28 (7) of the Localism Act.

1.2 The terms of office of the Parish Council representatives are due to expire on 30th April 2014 having been appointed by the Monitoring Officer after consultation with the Chairman in December 2012. The appointments of the Lead and Deputy Independent Persons are required to be reaffirmed by the Council at its Annual Meeting.

1.3 The position of the Parish Council representatives is subject to the continuing retention of the Standards Committee in its current form. The appointment of the 'Independent Person' is required by law.

## **2. OPTIONS CONSIDERED/FURTHER DETAILS**

2.1 Given the valuable contributions made by the Parish Council representatives to the Standards Committee and training events thus far and the excellent working relationship established by the Monitoring Officer with the Lead and Deputy Independent Persons in the period since their appointments, it is suggested that the terms of office of both the Parish Council representatives and Lead and Deputy Independent Persons be extended to 30th April 2016 (equivalent to a four-year and three-year term respectively) without the requirement in the case of the Independent Persons for any further ratification by the Council.

2.2 Under the former Standards regime, the Parish Council representatives and Independent Members were all appointed for four year terms to ensure that the benefit of understanding, experience gained and training received were retained for a reasonable period.

2.3 Should Members be concerned about attendance at meetings over such an extended period, the Committee might suggest that failure to attend meetings for a period of nine months would require the Monitoring Officer to question future commitment to the position.

2.4 For information, Parish Council representatives continue to receive a modest allowance of £231 per annum plus reimbursement of the costs involved in attending meetings of the Committee and training events. Given their greater involvement in the assessment of complaints, the Lead and Deputy Independent Persons receive an allowance of £1,000 and £500 respectively plus similar expenses.

**BACKGROUND PAPERS**

District Council's Constitution  
Reports/Minutes to the Standards Committee.

**CONTACT OFFICER**

Christine Deller, Democratic Services Manager, (01480) 388007.

Public  
Key Decision - No

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Update on Code of Conduct and Register of Disclosable Pecuniary Interests

**Meeting/Date:** Standards Committee – 6th March 2014

**Executive Portfolio:** Strategic Economic Development and Legal

**Report by:** Head of Legal & Democratic Services and Monitoring Officer

**Wards affected:** All Wards

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### **Executive Summary:**

The Monitoring Officer has a duty to establish and maintain a register of disclosable pecuniary interests and matters relating to breaches of the Code of Conduct remain under the auspices of the Committee. This report is an update on the current level of returns.

### **Recommendation:**

The Committee is requested to note the current position.

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## **1. WHAT IS THIS REPORT ABOUT/PURPOSE?**

- 1.1 Chapter 7 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members and co opted Members of the Authority (the District Council). The Monitoring Officer also continues to be responsible for maintaining the Register for Parish Councils which has to be open for inspection at the District Council's Offices and published on the District Council's website. Where a Parish Council has a website, the District Council also is required to provide that Council with the information necessary to enable it to publish their current register on its own website. Information in respect of the DPIs of each Parish Council is presented in the Appendix to the report.
- 1.2 Each Parish Council also has a duty to adopt a Code of Conduct. All Town and Parish Councils were requested to advise the Monitoring Officer when their Council had adopted a new Code and to confirm whether it was identical to that adopted and promoted by the District Council or alternatively the version produced by the National Association of Local Councils (NALC) or any other.
- 1.3 This report describes the current position in relation to both of these matters.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 The Committee is responsible for maintaining high standards of conduct by Members of the District, Town and Parish Councils, for monitoring operation of the Code of Conduct and for considering the outcome of investigations in the event of breaches of the Code. The District Council has a duty to maintain and publish the Registers of Pecuniary Interests of both the District and Town and Parish Councils. Those Members who fail to comply with the 2011 Act are guilty of an offence and liable to a maximum fine of £5,000 and disqualification for up to 5 years.

## **3. CURRENT POSITION – DISPOSABLE PECUNIARY INTERESTS (DPIS)**

- 3.1 DPI forms have been received from all 52 District Councillors and are published. Any changes made to pecuniary interests since the last update report in December also have been published.
- 3.2 Currently, of 71 Town and Parish Councils, 58 have had their full Register published and 11 part Registers (which comprise the DPIs of all Councillors) on the District Council's website and copies of their Register returned to their Clerk for publication locally should that be possible. The DPIs from Abbots Ripton and Old Weston still are completely outstanding. Where part registers have been published this can reflect where changes are in progress, where resignations have occurred or where there are unfilled vacancies. These figures will continue to vary and it is unlikely that there will ever be a complete return at any one time because of ever changing nature of the system.
- 3.3 In terms of individual DPIs, 590 of a total of 650 have been received from Parish Councillors and 60 are outstanding 26 of which are vacancies. Principally, those outstanding are due from Abbots Ripton and Old Weston. Members may recall that, at the last meeting, it was suggested that the Monitoring Officer should advise Parish Councils that he would draw their continuing failure to to return DPIs to the attention of the External Auditor before closing the 2013/14 accounts. In the event, progress made with Abbotsley and Grafham Parish Councils meant it was not necessary to write to

these Councils on those terms. Contact with a newly appointed clerk at Abbots Ripton has secured an undertaking from them to forward newly completed DPI forms. In terms of Old Weston, training was presented to the Parish Council on 5th November. It was their intention to adopt a Code of Conduct at the meeting of the Parish Council which was to follow. Regrettably this did not happen as the item was deferred again to their January meeting. As a Code of Conduct still was not adopted at the January meeting, the Monitoring Officer wrote to the Parish Council in the terms suggested by the Committee. Subsequently, the Clerk issued a strongly worded email to the Members of the Parish Council. Recent contact with the Monitoring Officer in respect of sensitive issues suggests that there is some move on the part of the Parish Members to comply. The next Parish Council meeting is in March. Should no further progress be made by the end of this month the Monitoring Officer will write to the External Auditor as instructed. The up to date position on each other Council is noted in the Appendix.

- 3.4 The Monitoring Officer continues to return incomplete or inaccurate forms to Parish Councils with a request to revise and return.

#### **4. CURRENT POSITION – CODES OF CONDUCT**

- 4.1 No changes are reported in this section. Members will be aware that there is no legal obligation upon Town and Parish Councils to notify the Monitoring Officer but that our records indicate that 70 out of 71 Town and Parish Councils have adopted a Code of Conduct. Fifty-six of those Parish Councils have adopted a Code based on that adopted by the District Council. Ten Town and Parish Councils have opted for the Code promoted by NALC. Of the remaining Councils, 4 have adopted their own version of the Code but having had sight of these the Monitoring Officer is satisfied that they are adequate for the purpose. As already discussed, Old Weston Parish Council have not yet adopted a Code of Conduct.

#### **5. FUTURE ACTION**

- 5.1 The Monitoring Officer will write, as instructed, to the External Auditor in respect of Old Weston Parish Council if it is apparent that the Council have not adopted a Code of Conduct or returned their DPIs by 31st March 2014.

### **BACKGROUND PAPERS**

#### **Register of DPIs**

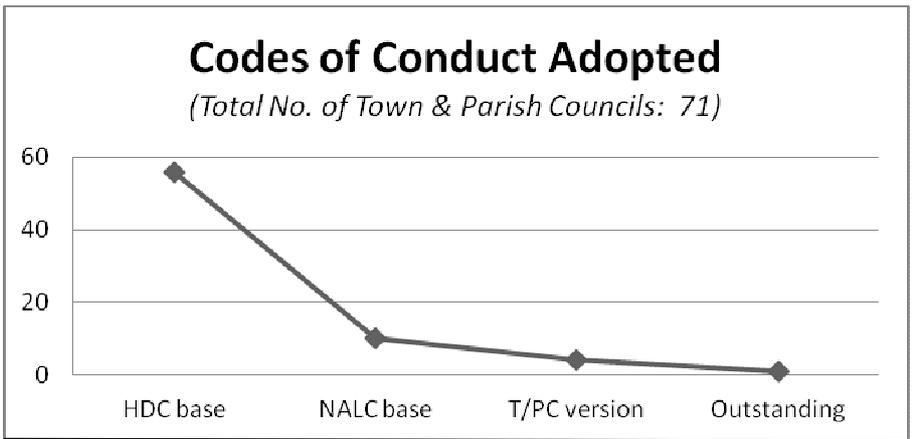
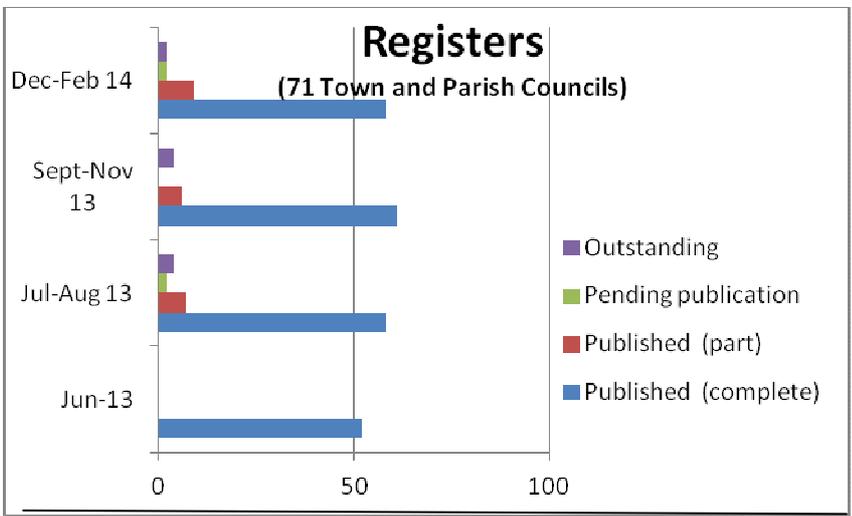
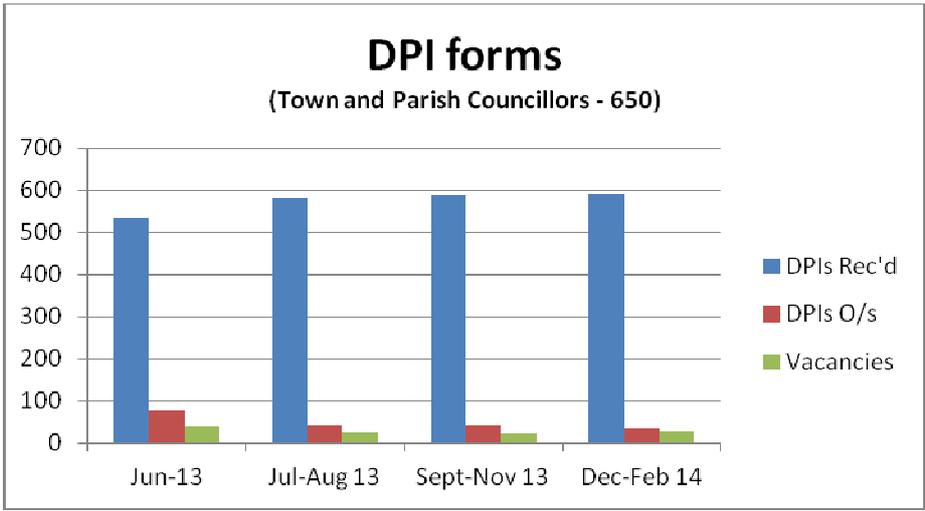
#### **CONTACT OFFICER**

Christine Deller – Democratic Services Manager  
Tel No. 01480 388007

## APPENDIX

|    | Town/Parish Council     | No of Cllrs | DPI Rec'd | Vacancy | Outstg DPI | Notes   |
|----|-------------------------|-------------|-----------|---------|------------|---|
| 1  | Abbots Ripton           | 6           | 0         |         | 6          | Latest - Forms to be redistributed by new Clerk |
| 2  | Abbotsley               | 7           | 7         |         |            |   |
| 3  | Alconbury               | 11          | 10        | 1       |            |   |
| 4  | Alconbury Weston        | 7           | 7         |         |            |   |
| 5  | Alwalton                | 5           | 5         |         |            |   |
| 6  | Barham & Woolley        | 5           | 5         |         |            |   |
| 7  | Bluntisham              | 11          | 10        | 1       |            |   |
| 8  | Brampton                | 15          | 14        |         | 1          |   |
| 9  | Brington & Molesworth   | 5           | 5         |         |            |   |
| 10 | Broughton               | 7           | 7         |         |            |   |
| 11 | Buckden                 | 15          | 15        |         |            |   |
| 12 | Buckworth               | 5           | 5         |         |            |   |
| 13 | Bury                    | 9           | 9         |         |            |   |
| 14 | Bythorn & Keyston       | 5           | 4         | 1       |            |   |
| 15 | Catworth                | 7           | 6         |         | 1          |   |
| 16 | Colne                   | 9           | 9         |         |            |   |
| 17 | Conington               | 5           | 5         |         |            |   |
| 18 | Earith                  | 11          | 11        |         |            |   |
| 19 | Easton                  | 5           | 5         |         |            |   |
| 20 | Ellington               | 7           | 6         | 1       |            |   |
| 21 | Elton                   | 9           | 8         |         | 1          |   |
| 22 | Farcet                  | 11          | 8         | 2       | 1          |   |
| 23 | Fenstanton              | 13          | 13        |         |            |   |
| 24 | Folksworth & Washingley | 9           | 7         | 2       |            |   |
| 25 | Glatton                 | 5           | 5         |         |            |   |
| 26 | Godmanchester           | 17          | 16        | 1       |            |   |
| 27 | Grafham                 | 7           | 5         |         | 2          |   |
| 28 | Great & Little Gidding  | 7           | 7         |         |            |   |
| 29 | Great Gransden          | 9           | 9         |         |            |   |
| 30 | Great Paxton            | 9           | 7         | 2       |            |   |
| 31 | Great Staughton         | 9           | 9         |         |            |   |
| 32 | Hail Weston             | 7           | 7         |         |            |   |
| 33 | Hemingford Abbots       | 7           | 7         |         |            |   |
| 34 | Hemingford Grey         | 13          | 12        | 1       |            |   |
| 35 | Hilton                  | 9           | 9         |         |            |   |
| 36 | Holme                   | 7           | 7         |         |            |   |

|    | Town/Parish Council         | No of Cllrs | DPI Rec'd  | Vacancy   | Outstg DPI | Notes                                  |
|----|-----------------------------|-------------|------------|-----------|------------|--|
| 37 | Holywell cum Needingworth   | 13          | 13         |           |            |  |
| 38 | Houghton & Wyton            | 9           | 8          |           | 1          |  |
| 39 | Huntingdon                  | 19          | 19         |           |            |  |
| 40 | Kimbolton & Stonely         | 11          | 11         |           |            |  |
| 41 | Kings Ripton                | 5           | 4          | 1         |            |  |
| 42 | Leighton Bromswold          | 7           | 3          |           | 4          |  |
| 43 | Little Paxton               | 15          | 15         |           |            |  |
| 44 | Offord Cluny & Offord Darcy | 11          | 11         |           |            |  |
| 45 | Old Hurst                   | 7           | 6          | 1         |            |  |
| 46 | Old Weston                  | 7           | 0          |           | 7          | Code to be adopted at Mar 2014 meeting |
| 47 | Perry                       | 9           | 8          |           | 1          |  |
| 48 | Pidley cum Fenton           | 7           | 7          |           |            |  |
| 49 | Ramsey                      | 17          | 15         | 1         | 1          |  |
| 50 | Sawtry                      | 15          | 13         | 2         |            |  |
| 51 | Sibson cum Stibbington      | 7           | 7          |           |            |  |
| 52 | Somersham                   | 15          | 14         | 1         |            |  |
| 53 | Southoe & Midloe            | 7           | 2          | 1         | 4          |  |
| 54 | Spaldwick                   | 7           | 7          |           |            |  |
| 55 | St Ives                     | 17          | 17         |           |            |  |
| 56 | St Neots                    | 21          | 21         |           |            |  |
| 57 | Stilton                     | 11          | 11         |           |            |  |
| 58 | Stow Longa                  | 5           | 5          |           |            |  |
| 59 | The Stukeleys               | 9           | 9          |           |            |  |
| 60 | Tilbrook                    | 5           | 5          |           |            |  |
| 61 | Toseland                    | 5           | 4          | 1         |            |  |
| 62 | Upton & Coppingford         | 5           | 5          |           |            |  |
| 63 | Upwood & The Raveleys       | 9           | 8          | 1         |            |  |
| 64 | Warboys                     | 15          | 13         | 2         |            |  |
| 65 | Waresley cum Tetworth       | 5           | 5          |           |            |  |
| 66 | Wistow                      | 7           | 7          |           |            |  |
| 67 | Woodhurst                   | 7           | 7          |           |            |  |
| 68 | Woodwalton                  | 5           | 4          | 1         |            |  |
| 69 | Wyton on the Hill           | 7           | 5          | 2         |            |  |
| 70 | Yaxley                      | 17          | 13         |           | 4          |  |
| 71 | Yelling                     | 7           | 7          |           |            |  |
|    | <b>Totals</b>               | <b>650</b>  | <b>590</b> | <b>26</b> | <b>34</b>  | <b>650</b>                             |



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## **Local Government Lawyer - Councillors who moved home 150 miles cleared of conduct breach**

13 January 2014

Two councillors in Kent have been cleared of breaching their local authority's code of conduct after they moved home to Lincolnshire.

The monitoring officer at Swale Borough Council conducted an investigation after receiving 53 complaints about Cllrs Alan and Jean Willicombe, who have remained as elected members since their move.

The complaints alleged that the pair had failed to observe a part of Swale's code of conduct, which was adopted in 2012.

The relevant section says:

*“As a member of Swale Borough Council, my conduct will in particular address the statutory principles... by:*

- 1. championing the needs of residents - the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first;*
- 2. dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially;....*
- 10. always treating people with respect, including the organisations and public I engage with and those I work alongside.”*

In a statement the Monitoring Officer said: “Having considered all of the facts of the case it was decided that the actions of the Subject Members did not amount to a breach of the Code of Conduct.”

Alan Willicombe [told the BBC](#) that he never thought he and his wife had done anything wrong.

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