



# Rutland County Council

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Catmose Oakham Rutland LE15 6HP

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Minutes of a meeting of the **CONDUCT COMMITTEE** held in the Council Chamber, Catmose, Oakham at 7.00 pm on **Tuesday 7 October 2014**.

PRESENT: Mr C A Parsons

Rutland County Council  
(Chairman)

Mr M E Baines  
Mr T King  
Mr S Aley  
Mr A Crombie

Rutland County Council  
Rutland County Council  
Parish Council Representative  
Town Council Representative  
Independent Member  
Independent Person

Mr I Shatford

Officers present:

Mrs N Brown  
Mr P McCourt  
Mrs D Mogg

Coordinator – Corporate Support Team  
Head of Legal Services  
(Peterborough)  
Director of Resources

Apologies: Mr M D A Pocock  
Mr N Wainwright  
Miss G Waller  
Mr Grimes

Rutland County Council  
Rutland County Council  
Rutland County Council  
Independent Person

## 367 MINUTES OF THE PREVIOUS MEETING

### RESOLVED

That the minutes of the Conduct Committee held on Tuesday 28 January 2014 be confirmed and signed by the Chairman.

## 368 DECLARATIONS OF INTEREST

There were no declarations of interest in respect of items on the agenda.

## 369 PETITIONS, DEPUTATIONS AND QUESTIONS

No petitions, deputations or questions had been received in relation to items listed on the agenda for this meeting.

### **370 TERMS OF REFERENCE**

Members of the Committee were given a copy of Article 9 of The Rutland County Council Constitution which sets out the terms of reference of the Committee.

#### **RESOLVED**

That the Terms of Reference of the Conduct Committee be noted.

### **371 UPDATE ON CONDUCT MATTERS**

Report No. 221/2014 – from the Monitoring Officer was received.

The Monitoring Officer, Mrs D Mogg, introduced the report the purpose of which was to provide the Committee with an update on the Conduct related matters that have occurred since the previous general update provided on 28 January 2014.

During discussion it was noted that:

- i) Membership of the Conduct Committee was now complete;
- ii) There had been 4 complaints regarding the Code of Conduct since the previous update at the meeting on 28 January 2014 and no significant action had been required in relation to these complaints;
- iii) The Register of Interests for County Councillors was now complete with the exception of one, the Register of Interests for Parish Councillors was still in progress.

#### **RESOLVED**

- a) The Committee **NOTED** the contents of this report.

### **372 REVIEW OF THE MEMBER CODE OF CONDUCT**

Report No.220/2014 - from the Monitoring Officer was received.

The monitoring Officer, Mrs D Mogg, introduced the report the purpose of which was to inform Members of the background and issues concerning the Council's Code of Conduct for Members to allow for consideration of revision of the Code.

The Monitoring Officer invited Mr P Mc Court, Head of Legal Services – Peterborough, to give a brief summary of the report. Mr Mc Court emphasised that the Report was intended to give some background detail of the origins of the code and present some alternative options. It was highlighted that it was for the Committee to decide whether the current Code of Conduct requires change and how to proceed with any possible changes to the code.

During Discussion it was noted that:

- i) The Welsh Code in the Appendices to the Report was included as an example of a good code;
- ii) The effect of incorporating the Nolan Principles into the existing provisions of the Code of Conduct had left the Code disjointed;
- iii) Members expressed concerns regarding broadening the remit of the Code to include wider family connections where a Councillor may not always be aware of the business relationships of those family members;
- iv) Members were advised that there would usually be a phrase incorporated into the Code which specifies that only that “which it is reasonable for a Councillor to know” would be captured by the requirements of the code;
- v) Keeping the wording of the code as simple as possible and not over defining would allow the application of common sense in interpretation;
- vi) The code is intended to guide Councillors and to ensure that the Councils decision making process is lawful and effective;
- vii) It would be best practice in meetings for a Councillor to specify membership of any body even where appointed or nominated by the authority, it should not be assumed that all those present at the meeting will have knowledge of the details of a particular Register of Interest;
- viii) Rewording the code to include the revised principles, changing the order to follow subject areas and removing comments regarding other interests would provide more clarity;
- ix) The wording of the Code should refer to “yourself, family and friends”, but some guidance notes should also be included;
- x) The code should not be too dissimilar to other authorities codes; and
- xi) A draft revised code would be brought back to the next meeting of the Conduct Committee.

## **RESOLVED**

- (a) The Committee **CONSIDERED** the appropriateness, effectiveness and level of understanding of the current code of conduct for members;
- (b) The Committee **AGREED** that:
  - i) The description of the seven principles should be directly incorporated into the wording of the Code;
  - ii) In considering re-wording of the Code, if the existing provisions are to be retained, it should follow subject areas;
  - iii) Other interests contained in Schedule 2 to the Code should be removed bar interests arising in relation to gifts or hospitality; and
  - iv) A revised Code would be prepared to incorporate the provisions above and the comments noted above and would be brought back to the next meeting of the Committee in December.

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**373 ANY OTHER URGENT BUSINESS**

No other items of urgent business had been notified to the Chairman.

**374 DATE OF NEXT MEETING**

23 December 2014 at 7.00pm in the Council Chamber

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The Chairman closed the meeting at 7:37pm

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