



Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

Telephone 01572 722577 Email: governance@rutland.gov.uk

Ladies and Gentlemen,

A meeting of the **CONDUCT COMMITTEE** will be held in the Council Chamber, Catmos, Oakham on **Tuesday, 7th December, 2021** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Mark Andrews
Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

Although social distancing requirements have been lifted there is still limited available seating for members of the public. If you would like to reserve a seat please contact the Governance team at governance@rutland.gov.uk The section of the meeting open to the public will also be available for listening live via Zoom using the following link: <https://us06web.zoom.us/j/84928940339>

A G E N D A

1) APOLOGIES

2) MINUTES

To confirm the minutes of the Conduct Committee held on 23 September 2020.

(Pages 5 - 8)

3) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

4) PETITIONS, DEPUTATION AND QUESTIONS

To receive any petitions, deputations and questions received from members of the public in accordance with the provisions of Procedure Rule 93. The total time allowed for this shall be 30 minutes. Petitions, deputations and questions shall be dealt with in the order in which they are received.

5) QUESTIONS FROM MEMBERS

To consider any questions received from Members of the Council in accordance with the provisions of Procedure Rule 95.

6) NOTICES OF MOTION

To consider any Notices of Motion from Members submitted under Procedure Rule 97.

7) APPOINTMENT OF VICE-CHAIR

To appoint a Vice-Chair of the Conduct Committee for the remainder of the 2021/22 municipal year.

8) EXCLUSION OF THE PRESS AND PUBLIC

The Committee is recommended to determine whether the public and press be excluded from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, and in accordance with the Access to Information provisions of Procedure Rule 239, as the following items of business is likely to involve the disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act.

Paragraph 1: Information relating to any individual.

9) ALLEGATION OF BREACH OF CODE OF CONDUCT - UPPINGHAM TOWN COUNCIL

To receive Report No. 170/2021 from the Monitoring Officer.
(Pages 9 - 104)

10) ALLEGATION OF BREACH OF CODE OF CONDUCT - OAKHAM TOWN COUNCIL

To receive Report No. 171/2021 from the Monitoring Officer.
(Pages 105 - 132)

11) ANY OTHER URGENT BUSINESS

To consider any other urgent business at the discretion of the person presiding provided that it has been previously notified to them.

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DISTRIBUTION

MEMBERS OF THE CONDUCT COMMITTEE:

Councillor O Hemsley (Chair)

Councillor N Begy

Councillor J Burrows

Councillor S Webb

Councillor A Brown

Councillor S Harvey

OTHER MEMBERS FOR INFORMATION

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Rutland County Council

Catmose Oakham Rutland LE15 6HP.
Telephone 01572 722577 Facsimile 01572 75307

Minutes of the **MEETING of the CONDUCT COMMITTEE** held in the Via Zoom:
<https://zoom.us/j/97021546307> on Wednesday, 23rd September, 2020 at 7.00 pm

PRESENT: Mr O Hemsley Mr I Razzell
Mr N Woodley Mrs S Webb

ABSENT: Mrs L Stephenson Mr A Brown

OFFICERS PRESENT: Mr P Horsfield Monitoring Officer

IN ATTENDANCE: Ms S Harvey
Ms Jones (substitute for Mr A Brown)

1 APOLOGIES

An apology was received by Councillor A Brown who was substituted by Councillor Jones.

2 APPOINTMENT OF VICE- CHAIRMAN

Councillor Hemsley proposed Cllr A Brown as Vice Chair and seconded by Cllr Razzell.

RESOLVED:

That Councillor A Brown be appointed as Vice Chair of the Conduct Committee.

3 MINUTES

The minutes of the previous Conduct Committee held on 3 September 2019, were confirmed.

4 DECLARATIONS OF INTEREST

There were no declarations of interests.

5 PETITIONS, DEPUTATION AND QUESTIONS

There were none.

6 QUESTIONS FROM MEMBERS

There were none.

7 COMMITTEE ON STANDARDS IN PUBLIC LIFE - REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS

Councillor Hemsley, introduced the report and explained that the recommendations were for noting. He referred to recommendation 3 and requested an amendment that a further meeting be called when the Council had received the final version of the code or the Government response to the CSPL.

The Monitoring Officer explained that in January 2019 the Committee on Standards in Public Life (CSPL) published a report setting out its findings from a review of Local Government Ethical Standards which it had undertaken over the preceding 12 months. The LGA have then also consulted on a draft Model Code of Conduct. It was explained that there was currently no response to the consultation and due to the ongoing Covid pandemic, it was unlikely that a response would be forthcoming in the near future.

Concern was raised about the feedback from the LGA of *'the need to be able to prevent councillors from attending council offices (for the most prolific or serious offenders) and to withdraw facilities which have been misused in breach of the code (i.e. council technology)'* as this could potentially prevent an elected member from performing their elected duties and being open to interpretation could be misused by stifling debate and potentially muting an elected member(s).

The Monitoring Officer explained that emails/technology would only be withdrawn when there was evidence of bullying and harassment through such means. The Committee discussed whether making the rules too prescriptive and to remove interpretation as there may be instance where this would be necessary to gain more evidence and to restrict it would hinder such opportunities.

In response to questions asked, the Monitoring Officer explained that with regards to Social Media, if a member was considered not to be acting in their official capacity as a councillor, they were not covered by the Code of Conduct. He commented that there needed to be a balance between access with a clear distinction in what capacity they are engaging in social media activities.

The Chair, with the agreement of the Committee, invited Councillor Harvey –a non-Committee Member to speak. She requested that with changes to working practices, specifically with the increased number of online meetings being held, that an easy to follow guide to online etiquette be produced to assist Councillors. She stated that members of the public now being able to participate in meetings would allow people with differing levels of experience and technology to participate. Therefore, she considered essential that part of the etiquette guide should include 'patience' and 'empathy' for those affected by poor quality broadband or an unfamiliarity with technology which was fully supported by the Committee. In response the Monitoring Officer confirmed that this would be looked at a guide would be produced as agreed.

The Monitoring Officer explained that with regards to Parish Council complaints and Code of Conduct matters, there are a minority of cases that cause disproportion amount of work when it was considered a necessity for intervention. It was noted that the Council would ordinarily try to informally advise Parish and Town Councils working closely with LRALC to ensure that advice is sought and given as soon as possible. It was considered progress could be made with the involvement of the Parish Council Forum by helping bridge relations between the County and the Parishes.

RESOLVED:

- i) That the position in respect of report of the Committee on Standards in Public Life, (CSPL), arising from its review of the effectiveness of the current arrangements for ethical standards amongst councillors in English local authorities. (<https://www.gov.uk/government/publications/local-governmentethical-standards-report>) be noted.
- ii) That the Draft Code of Conduct provided by the LGA. <https://www.local.gov.uk/sites/default/files/documents/LGA%20Model%20Member%20Code%20of%20Conduct.pdf> be noted.
- iii) Request a further meeting of this Committee once the LGA have published a final version of the Model Code OR the Government has provided their response to the CSPL report.

8 NOTICES OF MOTION

There were none.

9 ANY OTHER URGENT BUSINESS

There was no urgent items to be considered.

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The Chairman declared the meeting closed at 7.29pm.

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