

**MEMBER CONDUCT COMMITTEE  
20TH SEPTEMBER 2021**

PRESENT: The Chair (Councillor Murphy)  
The Vice Chair (Councillor Ranson)  
Councillors Bentley, Gerrard, Hamilton, Rollings  
and Ward  
Councillor Ball (Parish Member)

Head of Strategic Support  
Democratic Services Manager  
Democratic Services Officer (NC)

APOLOGIES: Councillors Draycott, Hadji-Nikolaou, Ellingworth  
and Jones

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

13. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 22nd March 2021 were confirmed as a true record and signed.

14. DISCLOSURES OF PECUNIARY AND PERSONAL INTEREST

No disclosures were made.

15. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions had been received.

16. UPDATE ON COMPLAINTS RECEIVED

Considered a report of the Monitoring Officer providing an update on complaints received about breaches of the Members' Code of Conduct and any issues arising from those complaints (item 5 on the agenda).

The Monitoring Officer noted that since the agenda had been published a complaint had been received during this council year and was currently progressing through the fact-finding stage.

**RESOLVED** that the current position in respect of complaints about breaches of the Members' Code of Conduct that have been received by noted.

Reason

To keep the Committee informed about complaints.

17. MEMBERS' CODE OF CONDUCT - OPTIONS

Considered a report of the Monitoring Officer asking the Committee to consider potential options in respect of the Members' Code of Conduct (item 6 on the agenda filed with these minutes).

The Monitoring Officer introduced this report and stated that there were three options in the report to consider. He updated the Committee regarding other district councils and stated that one district council was adopting the adapted LGA Code, other councils were still in the early stages and another was waiting to see which Code Leicestershire County Council would adopt. The County Council was hoping to agree a Code of Conduct by early next year and as a number of Borough Councillors might be members of more than one local authority, the Monitoring Officer noted that the Committee might wish to defer its recommendation and wait for the County Council decision, as having a shared Code of Conduct could minimise the potential for confusion.

Members discussed the following:

- that if the LGA Code of Conduct or the adapted LGA Code was adopted, mandatory training would be required, and Councillors would immediately be in breach of the Code if they did not attend the training.
- that there were advantages for many district and parish councils adopting the same Code of Conduct. There were three Codes in use within the local area at present and as it was up to the individual local authority to determine which Code of Conduct it wished to adopt, it was possible that adopting the proposed National Code by the LGA might be preferable.
- the LGA code was considered complex in comparison to the current Borough Code of Conduct with reference, in particular, to pecuniary and personal interests.
- the group of Leicestershire Monitoring Officers had not been able to agree a single option and generally considered the LGA Code of Conduct to have weaknesses and unnecessary complexities.
- whether the Monitoring Officer could share his views of the LGA Code of Conduct by annotating the documents and circulating to the Committee.
- that it was challenging to compare the three options with the documentation presented in a single report.
- that it would be beneficial to share the options available with the political groups and with all councillors.

**RESOLVED**

1. that the Committee defers adopting a Code of Conduct until further information is received regarding the decisions made by Leicestershire County Council;
2. that the Committee receives three separate Word documents of the Codes of Conduct for detailed comparison;

3. that the Committee shares the report considered here with their political parties and seek other councillors' views;
4. that the Committee receives a further update regarding options for adopting a Code of Conduct at its meeting scheduled for 13th December 2021.

#### Reasons

1. the Committee considered that deferring the decision until the County Council had chosen a Code to adopt would provide the Borough Council an opportunity to align its Code and practices with the County Council.
2. To enable a more detailed review of the three options outlined in the report.
3. As the Code of Conduct was adhered to by all councillors the Committee considered that the views of all councillors should be sought on the proposals.
4. The Committee wished to receive a further update at its next meeting to review any additional information that may be available prior to making a decision.

#### 18. WORK PROGRAMME

Considered a report of the Monitoring Officer enabling the Committee to agree a work programme to plan its future business (item 7 on the agenda filed with these minutes).

It was noted that several items on the Work Programme required scheduling, but that dates were not able to be determined at this present time. The Committee agreed to keep these items on the Work Programme unscheduled.

#### **RESOLVED**

1. That a further update regarding the options under consideration for the Code of Conduct is scheduled to the Committee's meeting on 13th December 2021;
2. that the Committee's current work programme be noted and updated in accordance with the decisions taken during the consideration of this item and other items on the agenda.

#### Reasons

1. The Committee wished to defer a decision regarding the adoption of a Code of Conduct until it had received further information of the decision that the County Council made.
2. To enable the Committee to fulfil its role in promoting and maintaining high standards of conduct by councillor and co-opted members.

#### NOTES:

1. No reference may be made to these minutes at the next ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Member Conduct Committee.