

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Council
<b>Date of Meeting:</b>	24 January 2023
<b>Subject:</b>	Code of Members' Conduct
<b>Report of:</b>	Monitoring Officer
<b>Head of Service/Director:</b>	Monitoring Officer
<b>Lead Member:</b>	Chair of Standards Committee
<b>Number of Appendices:</b>	One

## **Executive Summary:**

This report recommends, following consideration by the Standards Committee and consultation with all Members, a revised Code of Members Conduct, attached at Appendix 2, to be adopted by the Council with effect from 1 February 2023.

## **Recommendation:**

**To ADOPT the Code of Members' Conduct attached at Appendix 2 with effect from 1 February 2023.**

## **Financial Implications:**

There are no direct financial implications arising from the report.

## **Legal Implications:**

The principal statutory provisions relating to standards of conduct for Members are contained in the Localism Act 2011. Section 27(1) of the Act provides that the Authority must promote and maintain high standards of conduct by Members and Co-opted Members of the Authority. Sections 27 and 28 of the Localism Act require the Authority to adopt a Code of Conduct.

## **Environmental and Sustainability Implications:**

None arising from the report.

## **Resource Implications (including impact on equalities):**

None arising directly from the report.

## **Safeguarding Implications:**

None

## **Impact on the Customer:**

The Code of Members' Conduct provides assurance as to the standards of conduct which will be observed by all Members of the Council.

## **1.0 INTRODUCTION AND BACKGROUND**

- 1.1** At its meeting on 19 September 2022, the Standards Committee considered the report attached at Appendix 1\* and approved revisions to the Council's Code of Members' Conduct, which has been in operation since 2012, for consultation with all Borough Councillors. The Committee also resolved that the Monitoring Officer, in consultation with the Chair of Standards Committee, consider all representations received from Councillors and, provided there were no significant concerns raised about the proposed revised Code of Conduct, make any amendments considered necessary and submit to the Council for approval.
- 1.2** The Monitoring Officer is also responsible for advising the 43 Town and Parish Councils within the Borough on matters of Councillor conduct. As set out in the report to the Standards Committee (paragraph 2.3), it is intended that a suitably amended draft Code of Conduct be recommended to those Town and Parish Councils for approval.

## **2.0 CONSULTATION**

- 2.1** Member consultation on the draft revised Code of Members' Conduct approved by the Standards Committee took place from 7 – 28 October 2022 and no concerns or suggested amendments were raised. Consequently, the draft Code of Conduct attached at Appendix 2, is that approved by the Standards Committee with the correction of minor wording / numbering inaccuracies and the omission (as referenced in paragraph 2.5 of the Standards Committee report) of those clauses which do not apply to the Borough Council's governance arrangements. This revised Code is now recommended to the Council for adoption.
- 2.2** Once the Council has approved the revised Code of Members' Conduct, the Monitoring Officer will prepare the amended version referred to in 1.2 above and circulate to all Town and Parish Councils within the Borough, recommending it for adoption.

## **3.0 OTHER GLOUCESTERSHIRE AUTHORITIES**

- 3.1** As referred to in paragraphs 2.1 – 2.2 of the report at Appendix 1, the Monitoring Officers for all Gloucestershire Authorities have recognised the benefit of introducing a common Code of Conduct for use across all tiers of local government in Gloucestershire. The Code attached at Appendix 2 (with differences to reflect each governance structure etc.) is that which the Monitoring Officers have agreed to recommend to their authorities. Gloucestershire County Council and Cheltenham Borough Council have recently adopted this revised Code.

## **4.0 NEXT STEPS**

- 4.1** It is recommended that the new Code of Members' Conduct should be brought into effect on 1 February 2023. There are no proposed changes to the requirements of the registration of interests (Appendix A and B to the Code) from those currently in place and therefore there is no specific action required on the part of any Member as a consequence of the adoption of the new Code. There will, of course, be training provided on the Code of Conduct as part of Members' Induction following the elections in May 2023.

## **5.0 ASSOCIATED RISKS**

- 5.1** None.

**6.0 MONITORING**

**6.1** The Standards Committee will, in accordance with its Terms of Reference, monitor the operation of the Code and will, if necessary, recommend changes/ revisions to the Council.

**7.0 RELEVANT COUNCIL PLAN PRIORITIES/COUNCIL POLICIES/STRATEGIES**

**7.1** None.

\* Appendix 1 to the Standards Committee report is not attached as it is substantially the same as Appendix 2 to this report. The report together with the Appendix can be found at [Agenda for Standards Committee on Wednesday, 21 September 2022, 2:00 pm - Tewkesbury Borough Council](#)

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**Background Papers:** None.

**Contact Officer:** Monitoring Officer  
sara.freckleton@tewkesbury.gov.uk

**Appendices:**

1. Report to Standards Committee on 19 September 2022 but \*Appendix 1 to that report not attached.
2. Draft Code of Members' Conduct.