

# TOLLER PORCORUM PARISH COUNCIL

Annual Parish Council meeting | Wednesday 14 May 2025

## Appendix Oa – Changes to be agreed on DRAFT Code of Conduct (Appendix Ob) Minute reference: 25/05-14.iii

The DRAFT Code of Conduct is NOT significantly changed from those currently in use. Some changes are to gender neutrality - these have not been listed. Other changes are listed below.

### Application of the Code of Conduct

First set of bullet points – remove those in red and replace with those in yellow:

- you are acting in your capacity as a councillor and/or as a representative of your council
- you are claiming to act as a councillor and/or as a representative of your council
- you are giving the impression that you are acting as a councillor and/or as a representative of your council
- you refer publicly to your role as a councillor or use knowledge you could only obtain in your role as a councillor.
- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

Line after second set of bullet points – add text in yellow:

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

### 9. Interests

Add new paragraph at start of information:

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

Changes to third paragraph – remove red and add yellow:

You should note that failure to register or disclose a disclosable pecuniary (i.e. financial) interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

### Appendix A: The Seven Principles of Public Life

Integrity – change to last sentence:

They must ~~declare~~ disclose and resolve any interests and relationships.

### Appendix B: Registering Interests

Changes to first paragraph – remove red and add yellow:

Within 28 days of ~~this Code of Conduct being adopted by the local authority~~ becoming a member or your re-election or re-appointment to office (~~where that is later~~) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).

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“**Disclosable Pecuniary Interest**” means ~~issues relating to money and finances~~ an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

“**Partner**” means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

Bullet 3 is now bullet 2 – remove red:

2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor/~~member or co-opted member~~, or a person connected with the ~~member or co-opted member~~ councillor, being subject to violence or intimidation

Change of title: ~~Declaring interests~~ **Non participation in case of disclosable pecuniary interest**

Bullet 5 is now bullet 4 – remove red and add yellow:

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests **as set out in Table 1**, you must ~~declare~~ **disclose** the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to ~~declare~~ **disclose** the nature of the interest, just that you have an interest. ~~Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.~~

Addition of title: **Disclosure of Other Registerable Interests**

Bullet 6 is now bullet 5 – remove red and add yellow:

5. Where a matter arises at a meeting which **directly relates to** **the financial interest or wellbeing of** one of your Other Registerable Interests **(as set out in Table 2)**, you must ~~declare~~ **disclose** the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, ~~again~~ you do not have to ~~declare~~ **disclose** the nature of the interest.

Addition of title: **Disclosure of Non-Registerable Interests**

Bullet 7 is now bullet 6 – add yellow:

6. Where a matter arises at a meeting which **directly relates to** your financial interest or well-being (and is not a Disclosable Pecuniary Interest **as set out in Table 1**) or a financial interest or well-being of a relative or close associate, you must **disclose** the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to **disclose** the nature of the interest.

Bullet 8 is now bullet 7 – add yellow:

7. Where a matter arises at a meeting which **affects** –

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c) a financial interest or wellbeing of a body included under Other Registrable Interests as set out in Table 2

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

Bullet 9 is now bullet 8 – remove red and add yellow:

8. Where a matter (referred to in paragraph 7 above) *affects* the financial interest or well-being:
  - a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

~~you must declare an interest.~~ You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

## Table 2:

Addition of:

You must register as an Other Registerable Interest:

- a) any unpaid directorships

## Appendix C: the Committee on Standards in Public Life

Removal of wording in red:

**Best practice 11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council ~~as a whole~~, rather than the clerk in all but exceptional circumstances.

Removal of final paragraph as included elsewhere:

~~The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.~~