

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting5th July 2007

1. Title of Item/Report

A Revised Model Code of Conduct for Local Authority Members

2. Record of the Decision

Cabinet considered a report providing details of the new model code of conduct for members and asking Cabinet to consider recommending adoption of the Code to Council.

Members noted that the Secretary of State for Communities and Local Government made a new Local Authorities (Model Code of Conduct) Order 2007 on 2 April 2007. The Order came into force on 3 May 2007 and a copy of the Order was provided for Members consideration.

Cabinet were provided with a brief overview of the main features of the new model code.

In addition Members considered guidance on the model code produced by the Standards Board for England. This included a separate pocket guide and a briefing on the main changes, which the new Code had introduced.

It was explained that the Council's Standards Committee had considered the model code of conduct on 26 April 2007 and made the following recommendations:-

RECOMMENDED to Council that:-

1. at the earliest opportunity, and with immediate effect the Council adopts the code of conduct for members prescribed in the Local Authorities (Model Code of Conduct) Order 2007 ("the 2007 Order"), in its entirety, in place of the Council's existing code of conduct for members together with the general principles of conduct as an unenforceable preamble;

2. a copy of the adopted code of conduct be provided to every member of the Council;

3. all Town/Parish Councils be advised to adopt as soon as reasonably possible, the code of conduct for members prescribed in the 2007 Order, but excluding those provisions which are not mandatory for parish council, save for paragraph 12(2) (in part), in place of their existing codes of conduct for members; and that

4. As soon as practicable, training for the Council's Members and for Town/Parish Council members is provided, and that such training (with the agreement of their Councils insofar as Town/Parish Council members are concerned) is compulsory, with its take-up by each member being monitored and reported on by the Committee; and

Taking this into account, a suggested form of new code of conduct for the Council was provided and considered.

Cabinet noted that the Members Advisory Panel and Audit Committee had considered reports on the new model code, which included the above recommendations of the Standards Committee.

The Members' Advisory Panel supported recommendations 1 – 3 of the Standards Committee, but considered that in relation to recommendation 4 there should be a strong recommendation to Members to take advantage of training on the new code, rather than treating such training as compulsory. The panel considered that this would be sufficient to emphasize that training on the new code was extremely important and that Members should undertake it. Cabinet supported this view and agreed alternative wording to recommendation 4.

RECOMMENDED to Council that:-

1. at the earliest opportunity, and with immediate effect the Council adopts the code of conduct for members prescribed in the Local Authorities (Model Code of Conduct) Order 2007 ("the 2007 Order"), in its entirety, in place of the Council's existing code of conduct for members, together with the general principles of conduct as an unenforceable preamble;

2. a copy of the adopted code of conduct be provided to every member of the Council;

3. all Town/Parish Councils be advised to adopt as soon as reasonably possible, the code of conduct for members prescribed in the 2007 Order, but excluding those provisions which are not mandatory for parish councils, save for paragraph 12(2) (in part), in place of their existing codes of conduct for members; and that

4. as soon as reasonably practicable, training on the code of conduct be provided for the Council's Members and for Town/Parish Council Members, including co-optees, and that it is strongly recommended to all Members that they take full advantage of such training, with the take-up of the training being reported to and monitored by the Council's Standards Committee.

3. Reasons for the Decision

To ensure that the Council adopts a new code of conduct in accordance with the requirements of the Local Authorities (Model Code of Conduct) Order 2007.

4. Alternative Options Considered and Rejected

The original recommendation 4 suggested by the Standards Committee.

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

Not applicable

7. Date and Time by which Call In must be executed

No later than midnight on Friday 13th July 2007.

Proper Officer
09 October 2007