

**Minutes of the Members' Code of Conduct Committee
24 September 2019**

Present:
Murray Litvak (Chairman)

Councillors:

C. Barnard	A.C. Harman
C. Bateson	V.J. Leighton
J.T.F. Doran	R.W. Sider BEM
R.D. Dunn	R.A. Smith-Ainsley

Apologies: There were none.

The Chairman welcomed new and returning councillors, advising that it was a non-political committee and decisions were reached through discussion and consensus.

245/19 Minutes

The minutes of the meeting held on 21 May 2019 were agreed as a correct record.

246/19 Disclosures of Interest

There were none.

247/19 Review of Planning Code

The Head of Corporate Governance advised members that it was an opportune time to review the Planning Code as a number of training events had been held in recent months giving members the opportunity to consider the Code in tandem with the Planning Committee meetings.

After discussion it was agreed that consideration should be given to:

1. Clarify the wording about who can call in a planning application. It was felt that a councillor should only be able to call in an application for their own ward.
2. Provide a definition for the term 'wider public interest'. It was generally agreed that it should be something that would be relevant or appropriate to a specific part of the community, potentially even as small as a road.

3. Members also asked if there could be additional information added regarding 'very special circumstances' as this was a contentious issue.
4. Paragraph 27d to be amended to state that in exceptional circumstances a call-in could be made by phone and then followed up by email.

The Committee discussed concerns about the conduct of members at Planning Committee who had been seen using electronic devices to look at non-planning material or to communicate with other councillors during the meeting which was unacceptable.

Another issue raised was those who voted contrary to the officer's recommendation without expressing any view at all during the debate. This created an impression that they voted following a party line. It was emphasised that any councillor who did have concerns about a planning application should contact the relevant officer to discuss those.

The Committee requested the Head of Corporate Governance to investigate planning training and the possibility of webinars instead of, or in addition to, on-site seminars.

Resolved that the Head of Corporate Governance liaise with the Planning Development Manager and report back to the next meeting with proposed changes to the code and details of call-ins.

248/19 Members' Induction training

The Head of Corporate Governance asked members for their views on whether sufficient Code of Conduct training had been given or if further sessions were required. Members considered that sufficient training had been offered on this subject.

Members discussed training generally and recognised the demands on those who worked full-time in particular. Issues including whether planning training should be mandatory, where the bar should be set for an acceptable level of attendance and how non-attendance should be dealt with were all debated.

Resolved that the Head of Corporate Governance would investigate alternative forms of training and write to Group Leaders asking for their comments regarding attendance at training events and copy responses to the Chairman.

249/19 Exempt Business

The Panel considered whether the press and public should be excluded from the meeting during consideration of the following matter on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act.

The Panel in making its decision had regard to all circumstances and was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Resolved that in the interest of having a frank and open discussion about the matter, the press and public are excluded from the meeting.

250/19 Exempt Business - Complaint investigation - update

The Head of Corporate Governance provided an update on the ongoing complaint investigation in respect of Councillor B, giving a timeline of progress to date and explaining the reason for delay. The investigator had almost concluded his work.

Whilst some members found the delay unacceptable, the Chairman explained that a delay of this length was commonplace when it reached the witness stage.

Resolved to note the update.

251/19 Exempt Business - Complaint against a councillor

The Head of Corporate Governance outlined details of a complaint received, and that he had considered it to be frivolous and dismissed it under the Arrangements for Dealing with Complaints. The procedure required it being reported to the Members' Code of Conduct Committee. The Independent Person had agreed with his view that it was frivolous.

Resolved to note the update and accept precis reports for future complaints considered frivolous.