



Lewes District Council

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MINUTE EXTRACT

Standards Committee – 11 June 2012

4 Code of Conduct for Lewes District Council

The Committee considered Report No 100/12 which detailed the three possible drafts for a new Code of Conduct for Councillors:

- An “East Sussex Code”, based largely on the existing Code of Conduct.
- Local Government Association (LGA) Code.
- Communities and Local Government (CLG) Code.

The Corporate Head – Legal and Democratic Services took the Committee through the Report. She advised that the Localism Act 2011 required that Councils had in place a Code that governed elected and co-opted members’ conduct when acting in their official capacity. The new Code should be consistent with the seven Nolan Principles of Public Life - selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The Corporate Head – Legal and Democratic Services advised that a survey had been undertaken and that initial feedback on the three model Codes had been received from District Councillors. The feedback showed that Councillors were divided in their opinions, but that the East Sussex Code and the CLG Code were favoured over the LGA Code. Councillors had felt that the joint East Sussex Code’s level of detail and similarity to the present Code was an advantage and that there were further advantages in the adoption of the same Code of Conduct across authorities in East Sussex, especially for twin-hatted Councillors. Councillors who preferred the CLG Code felt that its advantages were its clarity and simplicity, but it was essential that the seven Nolan Principles of Public Life be included within the CLG Code if that were to be the preferred option. Councillors advised against the Council’s adoption of the Local Government Association’s (LGA) Code of Conduct due to its lack of detail.

The Scrutiny and Committee Officer updated the Committee on various local authorities in East Sussex in regards to their adoption of a Code of Conduct. She advised that most authorities were adopting the East Sussex model, for example Rother District Council, Eastbourne Borough Council, Wealden District Council and East Sussex County Council. In response to a Councillor’s question, the Corporate Head – Legal and Democratic Services

advised that whilst there were merits in consistency across East Sussex, especially for Councillors who sat on more than one Council, it was entirely open to the Council to choose whichever Code it wanted.

In response to a Councillor's question, the Corporate Head - Legal and Democratic Services explained that Regulations yet to be made under the Act required the registration and disclosure of 'Disclosable Pecuniary Interests' (DPIs), which would be similar to current prejudicial interests.

The Committee felt, after taking into consideration the feedback received from District Councillors, that the ESCC and CLG model Codes were the more appropriate Codes for the Council. It added that the ESCC Code was the preferred option out of the two, as most other Councils in East Sussex were adopting that Code. Councillors reiterated that Town and Parishes had free rein to adopt any of the three Codes.

Resolved:

- 4.1** That the Corporate Head – Legal and Democratic Services be requested to write to all Town and Parish Councils in the District to inform them which Code of Conduct the Standards Committee recommends to Council;

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It was further

Recommended:

- 4.2** That Council adopt the East Sussex Joint Code of Conduct for Lewes District Council;

SCO

- 4.3** That if Council chooses not to adopt the East Sussex Joint Code, it adopt the Department of Communities and Local Government Code of Conduct, subject to the inclusion in full of the seven Nolan Principles of Public Life;

SCO

- 4.4** That whichever Code is adopted, the Corporate Head - Legal and Democratic Services be authorised to incorporate any requirements which may be set out in Regulations (yet to be published) which councillors are required to comply with as a matter of law.

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