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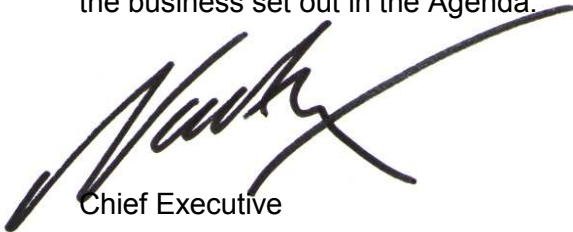
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21 January 2014

To the Members of the Council,

You are hereby summoned to attend a meeting of the **COUNCIL** to be held in the Council Chamber at these Offices on Wednesday 29 January 2014 at 6.00 pm for the transaction of the business set out in the Agenda.



Chief Executive

Members of the Council:

S R Nicholas (Chairman)	M R Eddy	K E Morris
P S Le Chevalier (Vice-Chairman)	R J Frost	M J Ovenden
J S Back	B Gardner	A S Pollitt
B W Bano	J H Goodwin	J A Rook
T J Bartlett	D Hannent	M A Russell
P M Beresford	P J Hawkins	F J W Scales
T A Bond	P G Heath	A R Smith
P M Brivio	G J Hood	C J Smith
B W Butcher	S J Jones	J M Smith
P I Carter	L A Keen	R J Thompson
S S Chandler	N S Kenton	J F Tranter
N J Collor	S M Le Chevalier	R S Walkden
M D Conolly	G Lymer	P Walker
G Cowan	S C Manion	P M Wallace
J A Cronk	K Mills	P A Watkins

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **DECLARATIONS OF INTEREST**

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

Where a Member has a new or registered Disclosable Pecuniary Interest (DPI) in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Where a Member is declaring an Other Significant Interest (OSI) they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

3 **MINUTES**

To confirm the Minutes of the meeting held on 27 November 2013 (to follow).

4 **ANNOUNCEMENTS**

To receive any announcements from the Chairman, Leader, Members of the Cabinet or Head of Paid Service.

5 **PARTNERSHIP ACCORD BETWEEN DOVER AND CALAIS**

To receive a presentation from President Blet, of the Communauté d'Agglomération du Calaisis regarding the emerging Partnership Accord between Calais and Dover.

6 **LEADER'S TIME**

To receive an oral report at the meeting from the Leader (and Cabinet) on the business of the Executive or on any topic or subject that it is felt should be brought to the attention of the Council.

(Up to fifteen minutes is allowed for the Report of the Leader (and Cabinet), up to ten minutes is allowed for the Leader of the Major Opposition Group (or his nominee) to respond, up to five minutes is allowed for the Leader of any other Opposition Group (or his nominee) to respond. The Leader is allowed up to five minutes as a Right of Reply or 25% of the time given to the Opposition Group Leaders, whichever is the greatest.)

7 **SEAT ALLOCATION AND GROUP APPOINTMENTS**

To receive from Group Leaders any changes to seat allocations or appointments.

(Note: Any changes must be within the approved allocation of seats to political groups in accordance with the political balance rules (where applicable).)

8 **QUESTIONS FROM MEMBERS**

Up to 60 minutes is allowed for this part of the meeting unless extended by the Chairman of Council on a motion moved, duly seconded and approved by the Council. Members may ask one supplementary question in addition to their original question.

To receive answers in respect of questions from Members of the Council to a Member of the Executive asked in accordance with Rule 12 of the Council Procedure Rules.

- (1) Councillor B Gardner will ask the Chairman of the Planning Committee:

Does the Chairman of the Planning Committee consider it appropriate for a statutory, public sector consultee to provide the Planning Committee with information which "promotes development" rather than providing technical input to inform the decisions of the Committee?

- (2) Councillor M R Eddy will ask the Chairman of the Governance Committee:

Further to my question to the Chairman of the Governance Committee at the full council meeting of 27 November 2013, and to the Department of Communities and Local Government's letter of 26 November, my letter to the Chairman of Governance of 5 December and the Chairman's response to me of 18 December, can the Chairman of the Governance Committee outline the reasons for stating in his letter of 18 December that he had no intention of reporting to members the Council's official response to DCLG as "the exchange of letters was purely between officers"?

- (3) Councillor P Walker will ask the Leader of the Council:

Can the Leader of the Council outline the disciplinary powers that are in force in cases where Councillors do not receive adequate and/or timely responses from the officers of this council?

- (4) Councillor B Gardner will ask the Leader of the Council:

Would the Leader of the Council explain the logic and thinking behind the decision to make all calls from Whitfield Offices "caller number withheld"?

- (5) Councillor B W Bano will ask the Leader of the Council:

Will the Leader of the Council commit to an annual audit of individual member training requirements with a view to better informing the member training programme?

- (6) Councillor M R Eddy will ask the Portfolio Holder for Access and Property Management:

In the review of on and off street parking charges considered by Cabinet on 9 January 2012, it was stated that increased charges or reductions in parking times were required, *inter alia*, because: "Maintenance costs are expected to rise over the next year or so as pay and display machines are in

need of replacement and some resurfacing and relining works to car parks cannot be deferred much longer". Given the fact that the Council has, according to its own figures submitted to Government, generated a total surplus of over £2.5 million over the three years from 2009/2010 to 2011/2012, can the Cabinet Member for Access inform the Council of how much has been invested in car park resurfacing/relining and new pay and display machines in financial year 2012/2013 and the first half of 2013/2014?

- (7) Councillor G Cowan will ask the Portfolio Holder for Access and Property Management:

As this council has made a surplus of more than 1 million pounds from parking for the second year running, and the Cabinet Member for Access and Property is aware that this council increased off street parking charge time from 17.30 to 1800 hours but at the same time single yellow lines stayed at 17.30, will the Cabinet Member for Access and Property agree that it is time to revisit off street parking times and return to the original time of only charging up to 17.30?

- (8) Councillor L A Keen will ask the Portfolio Holder for Environment, Waste and Planning:

Can the Portfolio Holder for Environment and Planning inform the Council of what action is being taken by this Council to reduce the alarming increase in fly-tipping rates – nearly doubled – which has taken place since Kent County Council introduced changes at their tips in 2012?

- (9) Councillor P M Brivio will ask the Portfolio Holder for Housing, Children's Services and Safeguarding, Youth and Community Safety:

Does the Portfolio Holder for Community, Housing and Youth anticipate an increase in homelessness due to the action of some private sector landlords who have decided not to house those in receipt of housing benefit, and if so, what effect will this have on already hard pressed budgets if there has to be an increase in the costly use of Bed and Breakfast?

9 **COUNCIL TAX BASE 2014/15**

To consider the report of the Director of Finance, Housing and Community upon the Council Tax Base 2014/15 (to follow).

10 **PROVISIONAL PROGRAMME OF MEETINGS** (Pages 7 - 10)

To consider the attached report of the Director of Governance.

In the event that any Member wishes to propose Option B, thereby changing the provisional Programme of Ordinary Meetings, they are asked to contact the Democratic Services Manager prior to the date of the meeting at which this report is considered in order that the feasibility of rearranging the meeting can be established.

11 **LOCALISM ACT 2011 - REVIEW OF THE CODE OF CONDUCT FOR MEMBERS AND PROPOSED AMENDMENTS** (Pages 11 - 23)

The Standards Committee at its meeting on 4 December 2013 considered the attached joint report of the Director of Governance and Monitoring Officer and the

Solicitor to the Council and Deputy Monitoring Officer upon the Localism Act 2011 – Review of the Code of Conduct for Members and Proposed Amendments. The Committee recommended the following to Council:

- "(a) That the Council revises the Code of Conduct for Members as indicated at Appendix 1 and incorporates the proposed amendments, bringing them into effect from 1 February 2014.
- (b) That the Council commends the revised Code of Conduct to the town and parish councils within the district, incorporating the additional change explained at paragraph 3.4 of the report.
- (c) That the Council adopts the practice of inviting Members to make voluntary declarations of interest, as explained at paragraph 4 of the report."

12 **MOTIONS**

- (1) In accordance with Council Procedure Rule 13, Councillor R J Frost will move:

"Dover District Council welcomes the Government's proposals to curb the excesses of 'payday loan' companies.

Furthermore DDC will investigate the feasibility and costs of banning payday loan advertising sites from the council's entire computer network and asks KCC to do the same for all computers accessed in Libraries and Schools in the district."

- (2) In accordance with Council Procedure Rule 13, Councillor M R Eddy will move:

"This Council seeks, as a matter of urgency, clarification from the Prime Minister of his scheme to provide financial incentives to local authorities which allow fracking within their areas. Specifically clarification is sought on the following issues:

1. As planning applications for mineral extraction are determined by the county council, will compensatory finance be provided to the county council or to the district council within which the fracking actually takes places?
2. As fracking, in its strictest sense, applies to the extraction of gas from shale, will the similar methodologies used in coal bed methane extraction be included in these compensatory mechanisms? and
3. What proposals does the Prime Minister have to ensure that sufficient funds will be available to local authorities at district and county level and at national level to deal with any environmental damage and other consequential losses if the proposed compensatory mechanisms prove to be insufficient?"

13 **URGENT BUSINESS TIME**

To consider any other items deemed by the Chairman of the Council to be urgent in accordance with the Local Government Act 1972.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting. Basic translations of specific reports and the Minutes are available on request in 12 different languages.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Rebecca Brough, Team Leader - Democratic Support, telephone: (01304) 872304 or email: rebecca.brough@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Subject: **PROVISIONAL PROGRAMME OF ORDINARY MEETINGS 2014/15**

Meeting and Date: **Council – 29 JANUARY 2014**

Report of: **David Randall, Director of Governance**

Classification: **Unrestricted**

Purpose of the report: The Constitution requires that the Programme of Ordinary Meetings be set at the Annual Meeting of the Council. This report seeks to gain an indication of Council’s view prior to formal adoption at the AGM to facilitate arrangements being made.

Recommendation: Council is requested to approve in principle the Programme of Ordinary Meetings for 2014/15 subject to final ratification at the Annual Meeting of Council in May 2014.

1. Summary

In order to provide Members, Officers, other partner local authorities and the general public with as much notice as possible, a provisional Programme of Ordinary Meetings is presented to the Council in January each year prior to its final ratification at the Annual Meeting of the Council.

2. Introduction and Background

2.1 The Programme of Ordinary Meetings for 2014/15 is based on a 6-8 week cycle that commences with a meeting of the Cabinet and ends with a meeting of the Council. In between those two points all other committee business takes place.

2.2 Wherever possible efforts have been made to avoid school holiday dates.

2.3 When the Programme of Ordinary Meetings for 2013/14 was set by Council, the date of the European Parliamentary Elections was not known and an Annual Meeting of the Council was set for 2 April 2014. Now that the date has been set for European Parliamentary Elections it is proposed to move the date for the 2014 Annual Meeting to 7 May 2014.

2.4 It should be emphasised that the programme set out in Appendix 1 only applies to Committees with scheduled meetings. It does not apply to any Committees that are called on an ad-hoc basis as business warrants, such as the General Purposes Committee.

3. Identification of Options

3.1 There are three options available to the Council:

3.2 Option A - To approve in principle the Programme of Ordinary Meetings for 2014/15 as set out in Appendix 1 for ratification at the Annual Meeting of Council to be held in May 2014.

3.3 Option B – To approve in principle the Programme of Ordinary Meetings for 2014/15 with amendments.

3.4 Option C – To not approve the provisional Programme of Ordinary Meetings for 2014/15.

4. **Evaluation of Options**

4.1 The recommended option is Option A as this supports the existing decision route cycle and avoids wherever possible school holidays and significant local Elections and Party Conferences.

4.2 Options B and C are not recommended as it may require adjustments to the existing decision route cycle.

4.3 In the event that any Member wishes to propose Option B, thereby changing the provisional Programme of Ordinary Meetings, they are asked to contact the Democratic Services Manager prior to the date of the meeting at which this report is considered in order that the feasibility of rearranging the meeting can be established.

5. **Resource Implications**

There are no resource implications arising from this report as set out. However, if significant changes were to be made to the Programme of Ordinary Meetings then this may need to be re-evaluated.

6. **Appendices**

Appendix 1 – Programme of Ordinary Meetings 2014/15

7. **Background Papers**

None.

Contact Officer: Louise Cooke, Democratic Services Manager

DOVER DISTRICT COUNCIL – PROGRAMME OF MEETINGS – 2014/15 *DRAFT*

Committee	Start at (H)	2014								2015				
		May (A)	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May (J)
Cabinet	11.00 am	12	2	7		8	6	3	1	5	2 ^(E)	2 30	13	
Council	6.00 pm	7 ^(A)		23		17		26		28 ^(C)		4 ^(B)		20 ^(A)
Dover Joint Transportation Board	6.00 pm			10		11				11		26		16
Governance Committee	6.00 pm		26			25 ^(D)				4		26		
Licensing Committee	4.30 pm		18			17		26		28		30		
Planning Committee	6.00 pm	8	5	3 31	28	18	16	13	18	22	12	12	2 30	28
Regulatory Committee	10.00 am		17			9		18			10		14	
Scrutiny (Community & Regeneration) Committee	6.00 pm	14	11	9		10	8	5	3	7	4	11	15	
Scrutiny (Policy & Performance) Committee	6.00 pm	13	10	15		23	14	11	9	13	10 ^(F)	10 31	14	
South Kent Coast Health and Wellbeing Board	3.30 pm		24			16		25		20		31		
Standards Committee	10.00 am		25			10				17		25		
Joint Staff and Health & Safety Consultative Fora ^(G)	2.30 pm		4			3				17		11		
Scrutiny Call-In Meetings ^(I)	6.00 pm	27	17	24		23	21	18	16	20	17	17	23	
Publication of Notice of Forthcoming Key Decisions	N/A													

Footnotes

- (A) Denotes the Annual Meeting of Council.
The AGM for the municipal year 2013/14 is to be held on 2 April 2014.
- (B) Denotes Budget and Council Tax Setting Meeting
- (C) Council Tax Base
- (D) Final Accounts
- (E) Budget and Medium-Term Financial Plan
- (F) Budget Scrutiny Meeting
- (G) Denotes that these meetings are not open to the public

- (H) All meetings generally commence at the times indicated above but are subject to change.
- (I) These meetings will not be held unless an Executive decision is called in by Scrutiny
- (J) The date for the ordinary election of the Council is **Thursday 7 May 2015**.

These meetings will be held at the Council Offices, White Cliffs Business Park, Dover CT16 3PJ unless otherwise indicated

DOVER DISTRICT COUNCIL – PROGRAMME OF MEETINGS – 2014/15 *DRAFT*

Access to Meetings and Information	Democratic Support
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Subject: LOCALISM ACT 2011 – REVIEW OF THE CODE OF CONDUCT FOR MEMBERS AND PROPOSED AMENDMENTS

Meeting and Date: Standards Committee – 4 December 2013
Council – 29 January 2014

Report of: David Randall, Director of Governance & Monitoring Officer and Harvey Rudd, Solicitor to the Council & Deputy Monitoring Officer

Classification: Unrestricted

Purpose of the report: For the Council to review the Council of Conduct for Members which was adopted in June 2012.

Recommendation:

1. That the Council revises the Code of Conduct for Members as indicated at Appendix 1 and incorporates the proposed amendments bringing them into effect of 1 February 2014.
2. That the Council commends the revised Code of Conduct to the town and parish councils within the district incorporating the additional change explained at paragraph 3..4 of this report.
3. That the Council adopts the practice of inviting members to make voluntary declarations of interest as explained at paragraph 4 of this report.

1. Summary

This report makes recommendations for minor revisions to the Code of Conduct for Members adopted by the Council in June 2012.

2. Introduction and Background

2.1 In accordance with the requirements of the Localism Act 2011 the Council adopted a locally drawn Code of Conduct for members in June 2012. As members will recall the previous statutory standards regime ceased to operate at midnight on 30 June 2012. In adopting the Code the Council asked the Monitoring Officer to keep the Code and its associated arrangements under review and report further to the Council or the Standards Committee as he considers necessary. The Monitoring Officer was authorised to make amendments to the Arrangements for receiving, administering and dealing with complaints. Therefore, the arrangements are not the subject of this report.

2.2 A working Group of the Association of Kent Secretaries was charged with keeping the Model Code of conduct under review. This working Group reported to the Association of Kent Secretaries in the summer of 2013. The recommendations for revision to the Code are shown on the Code reproduced at Appendix 1.

3. **The Proposed Revisions.**

- 3.1 It will be noted the proposed revisions to the Code of Conduct are relatively modest. The principal reason for this is that across the County there has been a significant decline in the number of complaints against elected members and that in operating the new Code few problems have been encountered.
- 3.2 The only changes proposed to the Code relate to the definitions of “Associated Person” and “Member”.
- 3.3 In the case of “Associated Person” the existing text of the Code is deficient in that the definition should clearly include a body and not just individuals – please see paragraph 1(a). Further, paragraphs 1(b) and (c) need to be related to the subject members and not just to other people.
- 3.4 The Code of conduct for Town and Parish Councils is not reproduced here. It follows the District Code with the substitution of ‘Town Council’ of “Parish Council” for “District Council” where appropriate. One additional change to the Town and Parish Code is recommended which does not feature in the recommended changes to the District Code. The change relates to paragraph 7 of the Code which deals with gifts and hospitality. Under the 2012 Parish Code notification of gifts and hospitality was to be made to the Monitoring Officer. It is now proposed that the town or parish clerk should receive these notifications. Accordingly, in paragraph 7 of the Town and Parish Code the word “Clerk” is to be substituted for the words “Monitoring Officer” wherever they appear.

4. **Other Interests**

- 4.1 A feature of The Kent Model Code is that the interests required to be disclosed whether as Disclosable Pecuniary Interests or Other Significant Interests, are either financial in nature or related to a regulatory function. On several occasions members themselves have felt the need to make disclosures which whilst not required by the Code of Conduct they feel, are necessary in the interests of transparency. This practice has been reinforced by the republication by the Department of Communities and Local Government in September 2013 of a guide for councillors “Openness and transparency on personal interests”. The guide suggests that apart from the duty to register and disclose interests under a formal Code, there is a separate duty to make declarations in conformity with the seven principles of public life which appear as Annex 1 to the Kent Code.
- 4.2 Hitherto it has not been the practice of the Council to make any provision within agendas for the declaration of interests other than those which are required by the Code. This can readily be addressed by inviting members on each agenda to declare as follows:-

“Declarations of Interest: - To declare any interests which fall under the following categories,

- a) Disclosable Pecuniary Interests (DPI)
- b) Other Significant Interests (OSI)
- c) Voluntary Announcements of Other Interests”

There would then be an explanation of (c) in the following terms.

“: **Voluntary Announcements of Other Interests** not required to be disclosed as DPI’s or OSI’s, i.e. announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: an effect on the financial position of a Member, relative, close associate, employer, etc; OR an application made by a Member, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].”

The above follows a practice already adopted by Ashford Borough Council.

10. **Appendices**

Appendix 1 – Kent Model Code of Conduct for Principal Councils

11. **Background Papers**

Localism Act 2011

Contact Officer: David Randall, Director of Governance & Monitoring Officer

Dover District Council Kent Code of Conduct for Members

Preamble

- (A) The Code of Conduct that follows is adopted under section 27(2) of the Localism Act 2011.
- (B) The Code is based on the Seven Principles of Public Life under section 28(1) of the Localism Act 2011, which are set out in Annex 1.
- (C) This Preamble and Annex 1 do not form part of the Code, but you should have regard to them as they will help you to comply with the Code.
- (D) If you need guidance on any matter under the Code, you should seek it from the Monitoring Officer or your own legal adviser – but it is entirely your responsibility to comply with the provisions of this Code.
- (E) In accordance with section 34 of the Localism Act 2011, where you have a Disclosable Pecuniary Interest it is a criminal offence if, without reasonable excuse, you:
 - (a) Fail to notify the authority's Monitoring Officer of the interest before the end of 28 days beginning with the day on which you became a member
 - (b) Fail to disclose the interest at meetings where the interest is not entered in the authority's register
 - (c) Fail to notify the authority's Monitoring Officer of the interest before the end of 28 days beginning with the date of disclosure at a meeting, if the interest is not entered in the authority's register and is not the subject of a pending notification
 - (d) Take part in discussion or votes, or further discussions or votes, at meetings on matters in which you have the interest which are being considered at the meeting.
 - (e) Fail to notify the authority's Monitoring Officer of the interest before the end of 28 days beginning with the date when you become aware that you have such an interest in a matter to be dealt with, or being dealt with, by you acting alone in the course of discharging a function of the authority.
 - (f) Take any step in relation to a matter being dealt with by you acting alone in the course of discharging a function of the Authority, except a step for the purpose of enabling the matter to be dealt with otherwise than by you.
 - (g) knowingly or recklessly provide false or misleading information in any of the above disclosures or notifications.
- (F) Any written allegation received by the Authority that you have failed to comply with the Code will be dealt with under the arrangements adopted by the Authority for such purposes. If it is found that you have failed to comply with the Code, the Authority may have regard to this failure in deciding whether to take action and, if so, what action to take in relation to you.

THE CODE

1. Interpretation

In this Code:

"Associated Person" means (either in the singular or in the plural):

- (a) a family member or any other person or body with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- (b) any person or body who employs or has appointed you or such persons, any firm in which you or they are a partner, or any company of which you or they are directors; or
- (c) any person or body in whom you or such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- (e) any body in respect of which you are in a position of general control or management:
 - (i) exercising functions of a public nature; or
 - (ii) directed to charitable purposes; or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).

"Authority" means Dover District Council.

"Authority Function" means any one or more of the following interests that relate to the functions of the Authority:

- (a) housing - where you are a tenant of the Authority provided that those functions do not relate particularly to your tenancy or lease; or
- (b) school meals or school transport and travelling expenses - where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which your child attends;
- (c) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - where you are in receipt of, or are entitled to the receipt of, such pay;
- (d) an allowance, payment or indemnity given to members of the Authority;
- (e) any ceremonial honour given to members of the Authority;
- (f) setting council tax or a precept under the Local Government Finance Act 1992.

"Code" means this Code of Conduct.

"Co-opted Member" means a person who is not an elected member of the Authority but who is a member of:

- (a) any committee or sub-committee of the Authority, or
- (b) and represents the Authority on, any joint committee or joint sub-committee of the Authority; and
- (c) who is entitled to vote on any question that falls to be decided at any Meeting.

"Disclosable Pecuniary Interest" means those interests of a description specified in regulations made by the Secretary of State (as amended from time to time) as set out in Annex 2 and where either it is:

- (a) your interest or
- (b) an interest of your spouse or civil partner, a person with whom you are living as husband and wife, or a person with whom you are living as if you were civil partners and provided you are aware that the other person has the interest.

"Interests" means Disclosable Pecuniary Interests and Other Significant Interests.

"Meeting" means any meeting of:

- (a) the Authority;
- (b) the executive of the Authority;
- (c) any of the Authority's or its executive's committees, sub-committees, joint committees and/or joint sub-committees.

"Member" means a person who is a member of the Authority and includes a Co-opted Member.

"Other Significant Interest" means an interest (other than a Disclosable Pecuniary Interest or an interest in an Authority Function) in any business of the Authority which:

- (a) may reasonably be regarded as affecting the financial position of yourself and/or an Associated Person to a greater extent than the majority of:
 - (i) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
 - (ii) (in other cases) other council tax payers, ratepayers or inhabitants of the Authority's area; or
- (b) relates to the determination of your application (whether made by you alone or jointly or on your behalf) for any approval, consent, licence, permission or registration or that of an Associated Person;

and where, in either case, a member of the public with knowledge of the relevant facts would reasonably regard the interest as being so significant that it is likely to prejudice your judgment of the public interest.

"Register of Members' Interests" means the Authority's register of Disclosable Pecuniary Interests established and maintained by the Monitoring Officer under section 29 of the Localism Act 2011.

"Sensitive Interest" means information, the details of which, if disclosed, could lead to you or a person connected with you being subject to violence or intimidation.

Scope

2. You must comply with this Code whenever you act in your capacity as a Member or Co-opted Member of the Authority.

General obligations

3. (1) You must, when using or authorising the use by others of the resources of the Authority:
- (a) act in accordance with the Authority's reasonable requirements; and
 - (b) ensure that such resources are not used improperly for political purposes (including party political purposes).
- (2) You must not:
- (a) bully any person;
 - (b) intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with this Code;
 - (c) do anything that compromises, or is likely to compromise, the impartiality or integrity of those who work for, or on behalf of, the Authority;
 - (d) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - (i) you have the written consent of a person authorised to give it; or
 - (ii) you are required by law to do so; or
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is:
 - reasonable and in the public interest; and
 - made in good faith and in compliance with the reasonable requirements of the Authority;
 - (e) prevent another person from gaining access to information to which that person is entitled by law;
 - (f) conduct yourself in a manner which could reasonably be regarded as bringing your office or the Authority into disrepute;
 - (g) use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.

Registering Disclosable Pecuniary Interests

4. (1) You must, before the end of 28 days beginning with the day you become a Member or Co-opted Member of the Authority, or before the end of 28 days beginning with the day on which this Code takes effect (whichever is the later), notify the Monitoring Officer of any Disclosable Pecuniary Interest.
- (2) In addition, you must, before the end of 28 days beginning with the day you become aware of any new Disclosable Pecuniary Interest or change to any interest already registered, register details of that new interest or change, by providing written notification to the Monitoring Officer.
- (3) Where you have a Disclosable Pecuniary Interest in any matter to be dealt with, or being dealt with, by you acting alone in the course of discharging a function of the Authority (including making a decision in relation to the matter),

then if the interest is not registered in the Register of Members' Interests and is not the subject of a pending notification, you must notify the Monitoring Officer before the end of 28 days beginning with the day you become aware of the existence of the interest.

Declaring Interests

5. (1) Whether or not a Disclosable Pecuniary Interest has been entered onto the Register of Members' Interests or is the subject of a pending notification, you must comply with the disclosure procedures set out below.
- (2) Where you are present at a Meeting and have a Disclosable Pecuniary Interest or Other Significant Interest in any matter to be considered, or being considered, at the Meeting, you must:
 - (a) disclose the Interest; and
 - (b) explain the nature of that Interest at the commencement of that consideration or when the Interest becomes apparent (subject to paragraph 6, below); and unless you have been granted a dispensation or are acting under paragraph 5(4):
 - (c) not participate in any discussion of, or vote taken on, the matter at the Meeting; and
 - (d) withdraw from the Meeting room in accordance with the Authority's Procedure Rules whenever it becomes apparent that the business is being considered; and
 - (e) not seek improperly to influence a decision about that business.
- (3) Where you have a Disclosable Pecuniary Interest or Other Significant Interest in any business of the Authority where you are acting alone in the course of discharging a function of the Authority (including making an executive decision), you must:
 - (a) notify the Monitoring Officer of the interest and its nature as soon as it becomes apparent; and
 - (b) not take any steps, or any further steps, in relation to the matter except for the purpose of enabling the matter to be dealt with otherwise than by you; and
 - (c) not seek improperly to influence a decision about the matter.
- (4) Where you have an Other Significant Interest in any business of the Authority, you may attend a Meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the Meeting for the same purpose. Having made your representations, given evidence or answered questions you must:
 - (a) not participate in any discussion of, or vote taken on, the matter at the Meeting; and
 - (b) withdraw from the Meeting room in accordance with the Authority's Procedure Rules.

Sensitive Interests

6. (1) Where you consider that the information relating to any of your Disclosable Pecuniary Interests is a Sensitive Interest, and the Monitoring Officer agrees,

the Monitoring Officer will not include details of the Sensitive Interest on any copies of the Register of Members' Interests which are made available for inspection or any published version of the Register, but may include a statement that you have an interest, the details of which are withheld under this paragraph.

- (2) You must, before the end of 28 days beginning with the day you become aware of any change of circumstances which means that information excluded under paragraph 6(1) is no longer a Sensitive Interest, notify the Monitoring Officer asking that the information be included in the Register of Members' Interests.
- (3) The rules relating to disclosure of Interests in paragraphs 5(2) and (3) will apply, save that you will not be required to disclose the nature of the Sensitive Interest, but merely the fact that you hold an interest in the matter under discussion.

Gifts and Hospitality

7. (1) You must, before the end of 28 days beginning with the day of receipt/acceptance, notify the Monitoring Officer of any gift, benefit or hospitality with an estimated value of £100 or more, or a series of gifts, benefits and hospitality from the same or an associated source, with an estimated cumulative value of £100 or more, which are received and accepted by you (in any one calendar year) in the conduct of the business of the Authority, the business of the office to which you have been elected or appointed or when you are acting as representative of the Authority. You must also register the source of the gift, benefit or hospitality.
- (2) Where any gift, benefit or hospitality you have received or accepted relates to any matter to be considered, or being considered at a Meeting, you must disclose at the commencement of the Meeting or when the interest becomes apparent, the existence and nature of the gift, benefit or hospitality, the person or body who gave it to you and how the business under consideration relates to that person or body. You may participate in the discussion of the matter and in any vote taken on the matter, unless you have an Other Significant Interest, in which case the procedure in paragraph 5 above will apply.
- (3) You must continue to disclose the existence and nature of the gift, benefit or hospitality at a relevant Meeting, for 3 years from the date you first registered the gift, benefit or hospitality.
- (4) The duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Authority for this purpose.

Dispensations

8. (1) The [Standards] Committee, or any sub-committee of the [Standards] Committee, or the Monitoring Officer (where authorised) may, on a written request made to the Monitoring Officer (as appointed Proper Officer for the receipt of applications for dispensation) by a Member with an Interest, grant a dispensation relieving the Member from either or both of the restrictions on participating in discussions and in voting (referred to in paragraph 5 above).

- (2) A dispensation may be granted only if, after having had regard to all relevant circumstances, the [Standards] Committee, its sub-committee, or the Monitoring Officer (where authorised) considers that:
 - (a) without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business; or
 - (b) without the dispensation, the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business; or
 - (c) granting the dispensation is in the interests of persons living in the Authority's area; or
 - (d) without the dispensation each member of the Authority's executive would be prohibited from participating in any particular business to be transacted by the Authority's executive; or
 - (e) it is otherwise appropriate to grant a dispensation.
- (3) A dispensation must specify the period for which it has effect, and the period specified may not exceed four years.
- (4) Paragraph 5 above does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under this paragraph 8.

THE SEVEN PRINCIPLES OF PUBLIC LIFE

In accordance with the Localism Act 2011, and in order to help maintain public confidence in this Authority, you are committed to behaving in a manner that is consistent with the following principles. However, it should be noted that these Principles do not create statutory obligations for Members and do not form part of the Code. It follows from this that the Authority cannot accept allegations that they have been breached.

SELFLESSNESS: You should act solely in terms of the public interest and never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

INTEGRITY: You should exercise independent judgment and not compromise your position by placing yourself under obligations to outside individuals or organisations who might seek to influence you in the performance of your official duties. You should behave in accordance with all legal obligations, alongside any requirements contained within this Authority's policies, protocols and procedures, including on the use of the Authority's resources. You should value your colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good local government. You should treat people with respect, including the organisations and public you engage with and those you work alongside.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, you should make choices on merit. You should deal with representations or enquiries from residents, members of the communities and visitors fairly, appropriately and impartially. You should champion the needs of the whole community and especially your constituents, including those who did not vote for you.

ACCOUNTABILITY: You are accountable to the public for your decisions and actions and should fully co-operate with whatever scrutiny is appropriate to your office.

OPENNESS: You should be as open and as transparent as possible about all the decisions and actions that you take to enable residents to understand the reasoning behind those decisions and to be informed when holding you and other Members to account. You should give reasons for your decisions and restrict information only when the wider public interest or the law clearly demands it. You should listen to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.

HONESTY: You have a duty to declare interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest. You should not allow other pressures, including the financial interests of yourself or others connected to you, to deter you from pursuing constituents' casework, the interests of the Authority's area or the good governance of the Authority in a proper manner.

LEADERSHIP: Through leadership and example you should promote and support high standards of conduct when serving in your public post. You should provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Authority.

ANNEX 2**Disclosable Pecuniary Interests, as prescribed by regulations, are as follows:**

The descriptions on Disclosable Pecuniary Interests are subject to the following definitions:

"the Act" means the Localism Act 2011

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest

"director" includes a member of the committee of management of an industrial and provident society

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income

"M" means a member of the relevant authority

"member" includes a co-opted member

"relevant authority" means the authority of which M is a member

"relevant period" means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1), or section 31(7), as the case may be, of the Act

"relevant person" means M or any other person referred to in section 30(3)(b) of the Act (the Member's spouse, civil partner, or somebody with whom they are living as a husband or wife, or as if they were civil partners).

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society

Interest	Description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.

Interest	Description
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge): (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where: (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.