

At the **SPECIAL MEETING** of the **DORCHESTER TOWN COUNCIL** held in the Council Chamber, Municipal Buildings, Dorchester on Tuesday, 26th June, 2012:

**PRESENT** The Mayor (Councillor A.J. Canning) in the Chair.

Councillors K.E. Armitage, T.C.N. Harries, S.C. Hosford, G.M. Jones, Trevor Jones, A.J. Lyall, P.G. Mann, R.B. Potter, M.E. Rennie and D.S. Roberts.

**APOLOGIES** for absence were received from Councillors V.J. Allan, C.S. Biggs, R.M. Biggs, E.S. Jones, F.E. Kent-Ledger, T.F. Loakes and D. Taylor.

18. **FINAL ACCOUNTS 2011-12 & ANNUAL GOVERNANCE STATEMENT**

The Council considered its draft Final Accounts for 2011-12 together with the Audit Commission's Annual Return duly signed by the internal auditor. Members also had before them a report from the Council's Financial Services Provider on the Statement of Accounts 2011-12.

Following discussion it was

**RESOLVED**

That the draft Final Accounts for 2011-12 be noted and that the Annual Return summarising the financial information contained in the Accounts and incorporating the Annual Governance Statement be approved and signed by the Chairman and the Clerk accordingly.

19. **MUNICIPAL BUILDINGS EXTERNAL REPAIRS – APPLICATION FOR LOAN SANCTION**

The Council considered a report by the Town Clerk which reminded Members of the need for repairs to the exterior of the Corn Exchange and of the estimated cost of £60,000 for those repairs identified so far to be carried out. However it was clear that the difficulty in obtaining access to undertake a fully detailed survey may well mean that other work was identified once the scaffold had been erected and it was therefore considered prudent to include a substantial contingency in the overall funding package to enable any additional work to be carried out as part of the same contract.

The Council had already agreed that an application should be made for loan sanction to enable this work to proceed and Members were asked to give formal approval to the making of an application to take a loan of £80,000 over ten years on an annuity basis and at a fixed interest rate so that the work could proceed as soon as possible.

It was

**RESOLVED**

That an application be made for loan sanction in the sum of £80,000 in respect of the proposed external

repairs to the Municipal Buildings, the loan to be on an annuity basis and at a fixed interest rate.

20. **MEMBERS CODE OF CONDUCT**

The Council considered a draft Members Code of Conduct which had been prepared to comply with the requirements of Section 27 of the Localism Act 2011. The draft had been based on a model code prepared by the National Association of Local Councils and was recommended to town and parish councils for adoption by all district council Monitoring Officers in Dorset.

It was noted that the additional interests set out in Appendix B to the draft Code were not mandatory and that some councils were choosing not to adopt this part of it due to the constraints on participation applied by paragraphs 12 and 13 which required a Member to withdraw from a meeting where a matter in which he/she had an Appendix B interest arose.

Members felt that the interests in Appendix B and the accompanying provisions of the Code of Conduct should be the subject of further review and should therefore not be adopted at this time.

Following discussion it was

**RESOLVED**

- (1) That the amended draft Members Code of Conduct, as set out at Appendix I be adopted.
- (2) That the content and operation of the Code be reviewed in six months time.

The Council rose at 7.27pm.

Mayor

## **DORCHESTER TOWN COUNCIL**

### **MEMBERS CODE OF CONDUCT** **(adopted by resolution on 26th June 2012)**

#### **Introduction**

Pursuant to section 27 of the Localism Act 2011 Dorchester Town Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council including the business of the office to which they were elected or appointed or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

#### **Definitions**

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee, sub-committee or panel of the Council, or is a member of, and represents the Council on, any joint committee, joint sub-committee or joint panel of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee, sub-committee or panel.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, panels, joint committees, joint sub-committees or joint panels.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

#### **Member obligations**

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations:

1. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

### **Registration of interests**

6. Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register all interests which fall within the categories set out in Appendix A.
7. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register any interests in Appendix A.
8. A member shall register any change to interests or new interests in Appendix A within 28 days of becoming aware of it.
9. A member need only declare on the public register of interests the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

### **Declaration of interests**

10. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.
11. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.
12. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate, the member shall disclose the nature of the interest and withdraw from the meeting. He/she may speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

### **Dispensations**

13. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendix A if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

**SPECIFIED PECUNIARY INTERESTS**

Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried out 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(a).
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.
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.