



## COUNCIL

12 0000 2023

### SUPPLEMENTARY PAPERS

**TO: ALL MEMBERS OF THE COUNCIL**

The following report was not available for publication with the rest of the agenda which was published prior to the meeting of the Executive referred to.

Susan Halliwell  
Chief Executive

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(i) <u>By Councillor Gaw to Councillor Gillbe, Executive Member for Planning and Transport</u>	
(a) <i>Can the Executive Member give an update on the progress of the Draft Local Plan, relative to its previously agreed timetable for consultation and implementation?</i>	
(ii) <u>By Thomas Parker to Councillor Temperton, Leader and Executive Member for Council Strategy and Climate Change</u>	
(a) <i>As part of the last administration a review of the Member's Code of Conduct was completed. Whilst this made some slight progress, the behaviours of members towards other Councillors and Officers did not substantially improve as the Code lacked teeth and the 'tone from the top' did not sufficiently ensure that it was embedded and that the culture changed.</i>	

*Will the new Council administration commit to the following?:*

- *A full review of the Member's Code of Conduct so that it is strengthened and reinforces a higher standard of behaviour that the public expect from their elected officials;*
- *Strengthening the rules on disclosable interests so that all there*

*is more transparency of any member's personal financial gain derived from their position at the Council (excluding their allowances);*

- *Ensuring that a new culture is fostered both at the member and officer level so that the new Code can be properly embedded; and*
- *A more robust process for holding members to account where these standards are not met*

## Public Participation

**Meeting:** Council  
**Date:** 12 July 2023

**From:** Councillor Gaw

**To:** Councillor Gillbe

**Question:**

*“Can the Executive Member give an update on the progress of the Draft Local Plan, relative to its previously agreed timetable for consultation and implementation?”*

**Answer:**

Following the decisions of the Executive 21 March 2023, officers have been working on the Modifications to the Local Plan in line with the Local Plan Inspectors letter received 19th January. I have agreed with the Executive Director Place Planning and Regeneration that the draft modifications should be forwarded to the Planning Inspectorate, for agreement prior to public consultation. The Inspectors have been provided with the modified plan and will be reviewing the Council’s modifications and will come back to the Council in due course, confirming whether the Council should consult, or whether further modifications are required. It is anticipated that due to the Inspectors workloads and holidays that they will come back to the council over the summer period. It is likely that consultation on the modifications will take place following the summer holiday period. This is broadly in accordance with the timeframe set out in the report to the Executive in March, albeit the Council is now in the hands of the Inspectorate as to when consultation can commence.

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## Public Participation

**Meeting:** Council  
**Date:** 12 July 2023  
**From:** Thomas Parker  
**To:** Councillor Temperton

### Question:

*“As part of the last administration a review of the Member’s Code of Conduct was completed. Whilst this made some slight progress, the behaviours of members towards other Councillors and Officers did not substantially improve as the Code lacked teeth and the ‘tone from the top’ did not sufficiently ensure that it was embedded and that the culture changed.*

*Will the new Council administration commit to the following?:*

- 1. A full review of the Member’s Code of Conduct so that it is strengthened and reinforces a higher standard of behaviour that the public expect from their elected officials;*
- 2. Strengthening the rules on disclosable interests so that all there is more transparency of any member’s personal financial gain derived from their position at the Council (excluding their allowances);*
- 3. Ensuring that a new culture is fostered both at the member and officer level so that the new Code can be properly embedded; and*
- 4. A more robust process for holding members to account where these standards are not met.”*

### Answer:

Thank you for your question. As I set out in my speech to Full Council in May I am firmly committed to the Nolan Principles and was involved with the review you mention in your question. In answer to your specific questions:

1. The Code of Conduct is an important element of the Council’s overall Governance framework. The responsibility for oversight of the Code falls within the terms of reference of the Governance and Audit Committee rather than the Executive. The operation of the Code is kept under review by the Committee which receives a standards report from the Monitoring Officer annually highlighting the number of code complaints each year and their outcomes. In short, the maintenance of good behaviour is a cross party matter for which all of us as Bracknell Forest Councillors must take personal responsibility. This was reflected in the recent changes to the Code which resulted in its obligations being reworded in the first person eg **“I treat others with respect”** rather than **“you will treat others with respect”**. I understand that the Committee is due to receive the Monitoring Officers report for 2022/23 next week and will no doubt make any necessary recommendations as appropriate.
2. The rules on Disclosable Pecuniary Interests are set out in legislation and there is no local discretion over their application. The Council’s Code does however include an enhanced level of transparency due to the provisions relating to Affected Interests which require disclosure in a broader category of scenarios where financial interests may be affected. These were introduced locally in 2012 and provide an additional layer of transparency over and above the Disclosable Pecuniary Interest provisions.

3. On the matter of culture, this is an important point and Members are currently receiving training on the Code of Conduct around embracing positive behaviours. Similarly, Officers are through the appraisal cycle required to positively demonstrate adherence to Council values and behaviours.
4. Finally, the lack of adequate sanctions available under the Standards regime remains a topic of debate across local authorities. We are restricted to what is already included under our local arrangements and these arrangements exclude either suspension or disqualification due to legal restrictions. Such sanctions that do exist such as removal from committees, censure by the Council and reporting of breaches to the press are used creatively to ensure that they provide adequate deterrents against falling standards of behaviour.