

<p style="text-align: center;"><b>Chilterns Conservation Board</b> <b>Code of Conduct for Members</b></p>
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The Chilterns Conservation Board (“the Board”) adopted this Code of Conduct for members on 21<sup>st</sup> January 2005. This Code of Conduct is based on and incorporates the Model Code of Conduct for National Park Authorities and the Broads Authority (SI 3577/2001).

Every elected member of the Board, as well as any co-opted member, must sign an undertaking to observe the Board’s Code of Conduct. Any person may then make a complaint to the Standards Board for England that a member has acted in breach of the Board’s Code of Conduct.

The application of this Code of Conduct, and its continued appropriateness to meeting the needs of the Board’s members will be monitored and kept under review by the Standards Committee.

### **Scope of the Code of Conduct**

1. (1) A member must observe the Board’s code of conduct whenever he—
  - a. conducts the business of the Board;
  - b. conducts the business of the office to which he has been appointed; or
  - c. acts as a representative of the Board,and references to a member's official capacity shall be construed accordingly.
  
- (2) The Code of Conduct shall not, apart from paragraphs 4 and 5a below, have effect in relation to the activities of a member undertaken other than in an official capacity.
  
- (3) Where a member acts as a representative of the Board—
  - a. on another relevant authority, he must, when acting for that other authority, comply with that other authority's code of conduct;
  - b. on any other body, he must, when acting for that other body, comply with the authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.
  
- (4) In this code, “member” includes a co-opted member of the Board.

### **General Obligations**

2. A member must—
  - a. promote equality by not discriminating unlawfully against any person;

- b. treat others with respect; and
  - c. not do anything which compromises or which is likely to compromise the impartiality of those who work for, or on behalf of, the Board.
- 3. A member must not—
  - a. disclose information given to him in confidence by anyone, or information acquired which he believes is of a confidential nature, without the consent of the person authorised to give it, or unless he is required by law to do so; nor
  - b. prevent any person from gaining access to information to which that person is entitled by law.
- 4. A member must not in his official capacity, or any other circumstance, conduct himself in a manner which could reasonably be regarded as bringing his office or the Board into disrepute.
- 5. A member—
  - a. must not in his official capacity, or any other circumstance, use his position as a member improperly to confer on or secure for himself or any other person, an advantage or disadvantage; and
  - b. must, when using or authorising the use by others of the resources of the Board—
    - (i) act in accordance with the Board's requirements; and
    - (ii) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the Board or of the office to which the member has been elected or appointed.
- 6. A member must when reaching decisions—
  - a. reach those decisions on the basis of the merits of the particular case and in the public interest;
  - b. have regard to any relevant advice provided to him by the Board's monitoring officer acting in pursuance of his duties under section 5(2) of the Local Government and Housing Act 1989;
  - c. not act or cause the Board to act unlawfully, in such a manner that would give rise to a finding of maladministration, in breach of any undertaking that the Board has given, or for the advantage of any particular person or interest rather than in the public interest;
  - d. have regard to the Board's obligations under the Human Rights Act 1998.

7. A member must, if he becomes aware of any conduct by another member which he reasonably believes involves a failure to comply with the Board's Code of Conduct, make a written allegation to that effect to the Standards Board for England as soon as it is practicable for him to do so. A copy of the allegation should be submitted to the Board's monitoring officer. When so notified, the monitoring officer will inform the member concerned of a complaint made against him and the nature of that complaint. When so notified, the monitoring officer will then advise, in appropriate cases, any other regulatory agency.

### **Personal Interests**

8. (1) A member must regard himself as having a personal interest in any matter if the matter relates to an interest in respect of which notification must be given under paragraphs 13 and 14 below, or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, ratepayers, or inhabitants of the Chilterns Area of Outstanding Natural Beauty, the well-being or financial position of himself, a relative or friend or—
  - a. any employment or business carried on by such persons;
  - b. any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
  - c. any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
  - d. any body listed in sub-paragraphs (a) to (e) of paragraph 14 below in which such persons hold a position of general control or management.
- (2) In this paragraph and in paragraph 10(2) below—
  - a. "relative" means a spouse, partner, parent, parent in law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons;
  - b. "partner" in sub-paragraph 2(a) means a member of a couple who live together.

### **Disclosure of Personal Interests**

9. A member with a personal interest in a matter who attends a meeting of the Board at which the matter is discussed must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

## **Prejudicial Interests**

10. (1) Subject to sub-paragraph (2) below, a member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest.
- (2) A member may regard himself as not having a prejudicial interest in a matter if that matter relates to—
  - a. another relevant authority of which he is a member,
  - b. another public authority in which he holds a position of general control or management;
  - c. a body to which he has been appointed or nominated by the Board as its representative;
  - d. the functions of the Board in relation to statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where the member is in receipt of such pay from a relevant authority;
  - e. any functions of the Board in respect of an allowance or payment made under sections 173 to 176 of the Local Government Act 1972 or section 18 of the Local Government and Housing Act 1989;
  - f. farming or land in the Chilterns Area of Outstanding Natural Beauty unless it relates particularly to any employment or business carried on, or land owned by himself, a relative or a friend.

## **Participation in Relation to Disclosed Interests**

11. A member with a prejudicial interest in any matter must—
  - a. withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless he has obtained a special dispensation from the Board's Standards Committee.
  - b. not seek improperly to influence a decision about that matter.
12. For the purposes of this Part, "meeting" means any meeting of—
  - a. the Board; or
  - b. any of the Board's committees, sub-committees, joint committees, or joint sub-committees.

## **Registration of Financial and Other Interests**

13. Within 28 days of his appointment to office, a member must register his financial interests in the Board's register maintained under section 8(1) of the Local Government Act 2000 by providing written notification to the Board's monitoring officer of—
  - a. any employment or business carried on by him;
  - b. the name of the person who employs him or who has appointed him, the name of any firm in which he is a partner, and the name of any company for which he is a remunerated director;
  - c. the name of any person other than a relevant authority, who has made a payment to him in respect of any expenses incurred by him in carrying out his duties;
  - d. the name of any corporate body which has a place of business or land in the Chilterns Area of Outstanding Natural Beauty, and in which the member has a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
  - e. a description of the any contract for goods, services or work made between the Board and himself or a firm in which he is a partner, a company of which he is a remunerated director, or a body of the description specified in sub-paragraph (d) above;
  - f. the address or other description (sufficient to identify the location) of any land in which he has a beneficial interest and which is in the Chilterns Area of Outstanding Natural Beauty;
  - g. the address or other description (sufficient to identify the location) of any land where the Board is the landlord and the tenant is a firm in which he is a partner, or a company of which he is a remunerated director, or a body of the description in sub-paragraph (d) above; and
  - h. the address or other description (sufficient to identify the location) of an land in the Chilterns Area of Outstanding Natural Beauty in which he has a licence (alone or jointly with others) to occupy for 28 days or longer.
  
14. Within 28 days of his appointment to office, a member must register his other interests in the Board's register maintained under section 8(1) of the Local Government Act 2000 by providing written notification to the Board's monitoring officer of his membership of or position of general control or management in any—
  - a. body to which he has been appointed or nominated by the Board as its representative;
  - b. public authority or body exercising functions of a public nature;

- c. company, industrial and provident society, charity or body directed to charitable purposes;
- d. body whose principal purposes include the influence of public opinion or policy; and
- e. trade union or professional association.

15. A member must within 28 days of becoming aware of any change to the interests specified in paragraphs 13 and 14 above, provide written notification to the Board's monitoring officer of that change.

### **Registration of Gifts and Hospitality**

16. A member must within 28 days of receiving any gift or hospitality over the value of £25, provide written notification to the Board's monitoring officer of the existence and nature of that gift or hospitality.