



# Wilton Town Council

## Code of Conduct

A code of conduct for elected and co-opted members of Wilton Town Council

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### Legal context

Wilton Town Council has adopted this code of conduct for councillors in accordance with Section 27 of the Localism Act 2011.

### The purpose of this policy

This Code of Conduct is adopted by the Wilton Town Council 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 Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

*10 November, 2018*

### Part 1: Definitions

1. 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 or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.
2. For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.
3. 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.

### Part 2: Member obligations

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

### **Part 3: Registration of interests**

1. 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 with the Monitoring Officer the interests which fall within the categories set out in Part 6 and Part 7 of this Code.
2. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Part 6 and Part 7.
3. A member shall register with the Monitoring Officer any change to interests or new interests in Appendices Part 6 and Part 7 of this Code within 28 days of becoming aware of it.
4. A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is of 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.

### **Part 4: Declaration of interests at meetings**

1. Where a matter arises at a meeting which relates to an interest in Part 6 of this Code 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.
2. Where a matter arises at a meeting which relates to an interest in Part 6 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.
3. Where a matter arises at a meeting which relates to an interest in Part 7, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
4. A member only has to declare his/her interest in Part 7 if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.
5. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest of a person in Part 6), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter 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.

### **Part 5: Dispensations**

1. 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 Appendices A and B 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.

## Part 6: Schedule of Disclosable Pecuniary Interests

Subject	Prescribed description
Employment, office, trade profession or vocation	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 in carrying out duties as a member, or towards your election expenses. 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.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licenses	Any licence (along 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 your 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 your 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.

## Part 7: Disclosable Pecuniary Interests – Outside Bodies

1. An interest which relates to or is likely to affect:
  - (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
  - (ii) any body:
    - (a) exercising functions of a public nature;
    - (b) directed to charitable purposes; or
    - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which the member of the Council is a member or in a position of general control or management;
  - (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office