

STANDARDS COMMITTEE – 18TH JULY 2007**MEMBER'S REGISTER OF INTERESTS**

Report of the: Monitoring Officer

Status: For Consideration and Approval

Executive Summary: Paragraph 8(1)(a) of the new Model Code of Conduct for Local Authority Members (the Code) lists all the interests that will have to be entered in the Member's Register of Interests. There are no transitional provisions which would enable the carrying forward of existing registrations of member's interests. Accordingly, every member will be required to make a new registration of interests within 28 days of the day on which the authority adopts the Code. Additional interests now have to be registered which has necessitated the introduction of a new Member's Register of Interests which is attached as an Appendix to this report.

This report supports the Key Aim of effective management of Council resources.

Portfolio Holder Cllr. Loney

Head of Service Head of Legal and Committee Services – Mrs. Christine Nuttall

Recommendation: It be RESOLVED that:

Members consider and approve the new Member's Register of Interests (the form)

Background

Paragraph 8(1)(a) of the Code lists all the interests that will have to be entered on the form. These interests are more extensive than under the existing Code and the requirements are precise. There are no transitional provision which would enable the carrying forward of existing registrations of member's interests. Accordingly, every member will be required to make a new registration of interests within 28 days of the day on which the authority adopts the Code. These changes have resulted in the need for the form the contents of which this Committee is asked to consider and approve.

Introduction

1 The categories of interests that now need to be registered are as follows: -

- Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority.
- Any body: exercising functions of a public nature; or directed to charitable purposes or

one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union); or of which you are a member or in a position of general control or management.

- 2 Any employment or business carried on by you.
- 3 Any person or body who employs or has appointed you.
- 4 Any person or body other than a relevant authority (“relevant authority” includes this Council) who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties.
- 5 Any person or body who has a place of business or land in your authority’s area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued shared capital (whichever is the lower).
- 6 Any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in the preceding paragraph.
- 7 Any person from whom you have received a gift or hospitality with an estimated value of at least £25.
- 8 Any land in your authority’s area in which you have a beneficial interest.
- 9 Any land where the landlord is your authority and the tenant is you, or a firm in which you are a partner, a company of which you are a remunerated director, or a corporate body in which you have share of a value described above.
- 10 Any land in your authority’s area for which you have a licence along or jointly with others to occupy for 28 days or longer.
- 11 The form adopts user friendly language and examples to help Members understand the information required.
- 12 There is a separate form attached to the Protocol on Gifts and Hospitality which Members can make use if they receive gifts and hospitality which they can complete and send to the Monitoring Officer in order for it to be attached to the Member’s Register of Interests. The Protocol on Gifts and Hospitality will be an Appendix to the Constitution.

Keeping the Information up to Date

- 13 The Code requires that a Member must within 28 days of becoming aware of any new personal interest or change to any personal interest that has been registered, register details of that new personal interest or change by providing written notification to the Monitoring Officer.

Possible Exception – Sensitive Information

- 14 Under paragraph 14 of the Code, where a Member considers that the information relating to any of the Member's personal interests is sensitive information and the Monitoring Officer agrees, the Member need not include that information when registering that interest, or, as the case may be, a change to that interest. "Sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subject to violence or intimidation. The Member will need to contact the Monitoring Officer if the Member wishes to seek her agreement to the omission of any information under this provision.

Key Implications

Financial

- 15 It is not envisaged that there are any direct additional financial consequences associated with introducing the form.

Legal, Human Rights etc.

- 16 Section 81(1) of the Local Government Act 2000 states: "The Monitoring Officer of each relevant authority must establish and maintain a register of interests of the members and co-opted members of the authority.
- 17 The Local Authorities (Model Code of Conduct) Order 2007 Part 2 Paragraph 8(1)(a) lists all the interests that will have to be entered in the register of interests.
- 18 Part 3 Paragraph 13 sets out the time limits on registration and Part 3 Paragraph 14 the requirements relating to sensitive information.

Resource (non-financial)

- 19 It is inevitable that following the adoption of the Code, some Officer time will be spent in circulating the form and helping Members to complete the form.

Value For Money

- 20 The requirements of the Code to register personal interests is precise. However, if a person wishes to inspect the register of interests to establish whether a Member has a conflict of interest in a matter, they cannot do so if the information in the register is vague or general. The form should overcome this problem and should provide clarity and transparency thus ensuring value for money.

Conclusions

- 21 The form will enable Members to register their personal interests within 28 days of the day on which the authority adopts the Code. The form being a public document should provide clarity and transparency for Members and the

public alike on what interests a Member holds and when there may be a conflict of interest.

Sources of Information: Local Government Act 2000
The Local Authorities (Model Code of Conduct)
Order 2007

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Corporate Resources Director

Dr. Pav Ramewal

RISK ASSESSMENT STATEMENT

Not to introduce the form would mean that Members would not be in a position to make a new registration of their interests within 28 days of the day on which the authority adopts the Code. Accordingly Members would be in breach of the Code which could have serious repercussions for this Authority