

Register of Interests

Disclosable Pecuniary Interests

The Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 introduce new arrangements for the Registration of Interests. The new rules came into effect on 1st July 2012. The rules relate to Disclosable Pecuniary Interests. There are other interests which require disclosure and these are dealt with below – Local Choice Disclosures.

All District and Town/Parish Councillors are required to complete and submit a new register of interests form covering the new requirements within 28 days of the new code coming into effect.

The Regulations require that:

- The Monitoring Officer has to keep a register of interests and make it available at all reasonable times, and must also publish it on the Authority's website. This must include all Disclosable Pecuniary Interests.
- If a member or co-opted member:
 - is present at a meeting of the Authority, or any Executive meeting, or any Committee, sub-committee, joint committee or joint sub-committee of the Authority or the Executive, and
 - has a "Disclosable Pecuniary Interest" in any matter to be considered, or that is being considered, at the meeting; and
 - is aware of the interest in question

then the Council's Code of Conduct and Council Standing Orders require that the Councillor must disclose the interest to the meeting and leave the Chamber.

- Likewise, if a member discharging a function alone (as an Executive member or as a ward member) has a "Disclosable Pecuniary Interest" in a matter to be, or being, dealt with in the discharge of the function, and is aware of the interest, he or she must not take any steps in relation to that matter.
- In both these cases the member must notify the monitoring officer of the interest within 28 days, if he or she has not done so previously. The interest will then be registered by the Monitoring Officer.
- There are provisions to prevent the disclosure of "sensitive" interests, where the member and the Monitoring Officer agree that disclosure would give rise to a risk of violence or intimidation, and for the Authority to grant a dispensation to allow participation in a meeting on certain specified grounds.
- It is a criminal offence without reasonable excuse:
 - not to notify the monitoring officer of a "Disclosable Pecuniary Interest" within the relevant 28 day period

- to participate in discussion or to vote despite such an interest
- to take steps to discharge a function alone (as an Executive member) despite such an interest.
- It is also a criminal offence to provide information which is false or misleading, if you know this to be the case or are reckless as to whether it is the case.

The Act says that a “Disclosable Pecuniary Interest” is:

- an interest of the member in question, of his or her spouse or civil partner, or of someone with whom the member is living as husband and wife or as if they were civil partners – these are all called “relevant persons” in the Regulations
- it must be an interest of which the member is aware, and
- it must be of a kind specified in the Regulations.

The Regulations specify:

- The relevant person’s employment, office, trade, profession or vocation, carried on for profit or gain
- Sponsorship – any payment of expenses as a member, or your election expenses
- Any contract between the relevant person, or a body in which the relevant person has a beneficial interest, and the authority, for the provision of goods or services or the execution of works, which has not been fully discharged
- Any beneficial interest in land in the authority’s area
- Any licence to occupy land in the area for a month or longer
- Any tenancy where the authority is the landlord and the relevant person has a beneficial interest in the body that is the tenant
- Any beneficial interest in securities in a body over a prescribed value where the body has a place of business or land in the authority’s area.

Local choice disclosures.

The Code of Conduct adopted by the District council on the 25th July 2012 requires members to register and disclose other interests, pecuniary or non-pecuniary, or the interests of other people with whom they are connected other than just their partner or spouse. In addition the Council’s Standing Orders require Councillors in this situation to disclose the interest to the meeting and leave the Chamber. The main sanction for a breach of the Code is censure.

The interests listed in the District Council’s Code of Conduct are:-