

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Update on Code of Conduct and Register of Disclosable Pecuniary Interests

Meeting/Date: Corporate Governance Committee – 25th January 2023

Executive Portfolio: Councillor M Hassall, Executive Councillor for Corporate and Shared Services

Report by: Elections and Democratic Services Manager

Ward(s) affected: All Wards

Executive Summary:

The Monitoring Officer has a duty to establish and maintain a register of Disclosable Pecuniary Interests (DPIs). This report provides the Committee with details of the current level of returns by Town and Parish Councillors and by District Councillors. It also contains a breakdown of the adoption by Town and Parish Councils of Codes of Conduct.

Recommendation:

The Committee is

RECOMMENDED

to consider and comment on the report.

1. PURPOSE OF THE REPORT

- 1.1 Chapter 7 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of disclosable pecuniary or other interests of Members of the District Council. In addition, the District Council is responsible for maintaining the Register for Town and Parish Councils. The register is open for inspection at the District Council's offices and published on the District Council's website. Where a Town or Parish Council has a website, the District Council is required to provide that Council with the information necessary to enable it to publish their current register on its own website. Information in respect of the DPIs of each Town and Parish Council is presented in Appendix 1.
- 1.2 Each Town and Parish Council also has a duty to adopt a Code of Conduct. All Town and Parish Councils were requested to advise the Monitoring Officer when their Council had adopted a new Code and to confirm whether it was identical to that adopted and promoted by the District Council or alternatively the version produced by the National Association of Local Councils (NALC) or any other.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The Committee is responsible for maintaining high standards of conduct by Members of the District and Town and Parish Councils, for monitoring the operation of the Code of Conduct and for considering the outcome of investigations in the event of breaches of the Code. The District Council has a duty to maintain and publish the Registers of Pecuniary Interests of the District and Town and Parish Councils. Those Members who fail to comply with the 2011 Act are guilty of an offence and liable to a maximum fine of £5,000 and disqualification for up to five years.
- 2.2 This report describes the current position in relation to both matters.

3. ANALYSIS

- 3.1 All DPI forms that have been received have been published. Any changes made have also been published.
- 3.2 Of 71 Town and Parish Councils, 26 have had their full Register published on the District Council's website, 45 Parishes have published their Register with vacancies and 6 Parish Councils currently have a form outstanding.
- 3.3 In terms of individual DPIs, 562 out of a total of 652 have been received from Parish Councillors; with 83 vacant and 7 outstanding. The up-to-date position on each Council is noted in Appendix 1. It is unlikely that there will ever be a complete return at any one time because of the ever-changing Parish Council membership.
- 3.4 All District Councillors' DPI forms are uploaded onto the Council's website.

4. KEY IMPACTS / RISKS

- 4.1 The Corporate Team regularly requests updates from those Parish Councils where DPIs are outstanding. Similarly, incomplete or inaccurate forms are returned to Parish Councils with a request to revise and return. All Parish Councils are asked twice a year to verify details held by the District Council regarding DPIs and the Code of Conduct adopted by each Parish Council.

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 5.1 Parish Clerks are regularly reminded by email to submit DPI forms as soon as possible following any changes.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 The Council's strategic priorities include collaboration with partners to enhance community resilience. By ensuring that DPIs are published, the Council is supporting local accountability and transparency in decision making which contributes to the objective to develop stronger and more resilient communities to enable people to help themselves.

7. LEGAL IMPLICATIONS

- 7.1 There is no legal obligation upon a Town or Parish Council to notify the Monitoring Officer that it has adopted a Code of Conduct. Records indicate, however, that all Town and Parish Councils have adopted a Code. 18 of those Parish Councils have adopted one based on that adopted by the District Council. 46 Town and Parish Councils have adopted the Local Government Association Model Code, 5 Councils have opted for the Code promoted by NALC, and two have adopted their own version of the Code. The up to date position on each Council is noted in Appendix 2.

8. REASONS FOR THE RECOMMENDED DECISIONS

- 8.1 The Committee take a role in maintaining high standards of conduct by elected Members and monitoring the Code of Conduct.

9. LIST OF APPENDICES INCLUDED

Appendix 1 - Town and Parish Councils Disclosable Pecuniary Interests (DPI) forms.

Appendix 2 - Town and Parish Council New Standards Regime and Code of Conduct.

10. BACKGROUND PAPERS

None.

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