

HUNTINGDONSHIRE DISTRICT COUNCIL

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

Meeting/Date: Standards Committee – 3 March 2016

Executive Portfolio:

Report by: Beverley Morrison, Members' Support Assistant

Ward(s) affected: All Wards

Executive Summary:

The Monitoring Officer has a duty to establish and maintain a register of disclosable pecuniary interests and this report provides the Committee with an update on the current level of returns and to consider any action that might be necessary to encourage those Councils who continue to fail to return their forms to comply.

Recommendation(s):

The Committee is requested to consider and comment on the report.

1. WHAT IS THIS REPORT ABOUT?

- 1.1 Chapter 7 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the District Council and also continues to be responsible for maintaining the Register for Parish Councils. The register has to be open for inspection at the District Council's Offices and published on the District Council's website. Where a Parish Council has a website, the District Council is also 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 Parish Council is presented in the Appendix to this report.
- 1.2 Each 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 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 both 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 5 years.
- 2.2 This report describes the current position in relation to both of these matters.

3. ANALYSIS/REPORT

- 3.1 The DPI forms that have been received have been published. Any changes made to pecuniary interests also have been published.
- 3.2 Of 71 Town and Parish Councils, 66 have had their full Register published on the District Council's website. Clerks from the remaining 5 Parish Councils have been reminded to send in outstanding DPI forms as soon as possible.
- 3.3 In terms of individual DPIs, 605 out of a total of 650 have been received from Parish Councillors; 4 are outstanding and 41 are vacant. The up to date position on each Council is noted in Appendix 1. The Committee will appreciate that it is unlikely that there will ever be a complete return at any one time because of ever changing nature of the system.
- 3.4 All District Councillors' DPI forms are loaded onto the Council's website.

4. KEY IMPACTS? HOW WILL THEY BE ADDRESSED?

- 4.1 The Member Support Assistant continues to pursue those Parish Councils where DPIs are still outstanding. Similarly, incomplete or inaccurate forms are returned to Parish Councils with a request to revise and return.

5. WHAT ACTIONS WILL BE TAKEN

- 5.1 Parish Clerks have been contacted by email to submit DPI forms as soon as possible. The situation will be monitored.
- 5.2 The Committee may recall that they had suggested, at a previous meeting, that they or the Chairman should give notice of their intention to visit meetings of the Parish Councils where DPIs are outstanding to explain how important it was for their Members to complete the forms. Members are asked to indicate whether they still wish to pursue this option or, given the few involved, whether they would prefer the Member Support Assistant to continue to pursue the forms in the usual way. Outstanding Parish Councils' DPI's are due from:- Farcet, Stilton and Wyton on the Hill. All Parish Clerks have been emailed mid-February for all outstanding forms.

6. LINK TO THE CORPORATE PLAN

- 6.1 The Council has a stated commitment to working with our communities and ensuring they get involved with local decision making by ensuring that DPI's are published and the Council is supporting local accountability and transparency in decision making.

7. CONSULTATION

- 7.1 Not applicable

8. LEGAL IMPLICATIONS

- 8.1 There is no legal obligation upon Town and Parish Councils to notify the Monitoring Officer, records indicate that all Town and Parish Councils have adopted a Code of Conduct. Fifty-six of those Parish Councils have adopted a Code based on that adopted by the District Council. Eleven Town and Parish Councils have opted for the Code promoted by NALC, and four have adopted their own version of the Code. The up to date position on each Council is noted in Appendix 2.

9. REASONS FOR THE RECOMMENDED DECISIONS

The Committee take a role for maintaining high standards of conduct by Members and for monitoring the Code of Conduct.

10. 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

BACKGROUND PAPERS

None.

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