

HUNTINGDONSHIRE DISTRICT COUNCIL

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

Meeting/Date: Corporate Governance Committee
22 March 2017

Report by: 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 (DPIs) and this report provides the Committee with an update on the current level of returns and with an opportunity to consider any action that might be necessary to encourage those Councillors 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 disclosable pecuniary or other interests of Members of the District Council. The Monitoring Officer 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 an 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 version.

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, 44 have had their full Register published on the District Council's website. 27 Parishes have vacancies including 1 having a full register with two vacancies and two outstanding forms.
- 3.3 In terms of individual DPIs, 608 out of a total of 650 have been received from Parish Councillors; only two are outstanding and 40 are vacant. The up to date position on each Council is noted in Appendix 1. Farcet currently have two DPI forms outstanding for recently co-opted councillors. The Committee will appreciate that it is unlikely that there will ever be a complete return at any one time because of the 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 continually pursues those Parish Councils where DPIs are 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 are regularly contacted by email to submit DPI forms as soon as possible.

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 DPIs 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 that they have adopted a Code of Conduct, but records indicate that all Town and Parish Councils have adopted a Code. 56 of those Parish Councils have adopted a Code based on that adopted by the District Council. 11 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

- 9.1 The Committee take a role in 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.

CONTACT OFFICER

Lisa Jablonska, Elections and Democratic Services Manager
01480 388004