

STANDARDS COMMITTEE

CODE OF CONDUCT – REGISTER OF MEMBERS’ INTERESTS 13th September 2007

Report of the Monitoring Officer

PURPOSE OF REPORT

To advise the Committee of the action taken and to be taken to ensure that an up to date register of interests is maintained.

This report is public

RECOMMENDATIONS

(1) That the report be noted.

1.0 Introduction

1.1 The revised Code of Conduct adopted by the Council on the 21st May 2007 requires Members within 28 days of the adoption of the Code, or within 28 days of their election, to register details of their personal interests as set out in paragraph 8(1)(a) of the Code, by providing written notification to the Monitoring Officer.

1.2 Section 81(1) of the Local Government Act 2000 requires the Monitoring Officer of each relevant authority to establish and maintain a register of interests of the members and co-opted members of the authority. This means that the Monitoring Officer must establish and maintain a register for the City Council and for all the parish councils within the district. The register must be open for inspection by members of the public at all reasonable hours.

1.3 It is recognised as good practice for a Standards Committee to monitor compliance with the requirement to register personal interests, and the purpose of this report therefore is to advise the Committee of the action that has been taken to date, and the further action that will be taken to ensure that the requirements are complied with.

2.0 Proposal Details

2.1 City Councillors were advised at the time of the adoption of the revised Code of Conduct, and in the subsequent training sessions, of the need to register their personal interests within 28 days of adoption of the Code. As the registration of interests forms were received, the Monitoring Officer looked at each one. Clearly,

the Monitoring Officer does not have the knowledge to be able to “check” each form, but was able to point out any apparent omissions, for example membership of political groups or ownership of a home property, for further consideration by the individual Member and possible amendment of the registration.

- 2.2 Where forms were not received within 28 days, reminders were sent, and at the time of writing this report, interests forms have been received from all of the 60 City Councillors, and from the independent Members of this Committee. A follow-up reminder has also been sent to all Councillors advising them of the need to register any changes to their personal interests within 28 days of the change, and enclosing a form for this purpose. The letter in particular reminded them of the ongoing requirement to register any gifts or hospitality to the value of £25 or more.
- 2.3 It is intended that at the start of each municipal year in May, a further letter will be sent to all Members reminding them of the need to register any changes. It is intended that this letter will require a response from each Member, either a declaration to the effect that there has been no change, or the return of a completed “change” form. This will enable the Monitoring Officer to be satisfied that each Member has properly considered the issue of their personal interests.
- 2.4 With regard to the councillors of the thirty parishes within the district, it is more difficult to monitor the registration of interests. The Monitoring Officer does not have day to day contact with parish councillors, and the point of contact is the Clerk to each parish council. A further complication with regard to the parish councils at present is that each council has until the 1st October 2007 to adopt the revised Code of Conduct. Some adopted it in May, and others in June or July; others are known to be waiting until September. This means that there is no uniform date by which personal interests have to be registered; the deadline will in each case be 28 days after the date of adoption. However, following the May elections, parish councillors were under an obligation to register their interests under the old Code. Member Services are currently assisting the Monitoring Officer by checking the interest forms that have been received against a database of parish councillors, and against any information available as to whether a parish council has adopted the revised Code. Where a registration form has not been received, this is being followed up with the relevant parish clerk. However, the full picture will not be known until 28 days after the last parish council has adopted the Code. Further monitoring information will be provided to a future meeting of this Committee, and it is intended that Clerks will be asked to circulate “change” forms at the start of each municipal year to ensure that the register is kept up to date.

3.0 Conclusion

- 3.1 The Committee is asked to note the report.

CONCLUSION OF IMPACT ASSESSMENT
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(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None

FINANCIAL IMPLICATIONS/SECTION 151 OFFICER COMMENTS
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There are no financial implications for the Council.
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LEGAL IMPLICATIONS/MONITORING OFFICER COMMENTS

Legal Services have been consulted and have no comments. The report has been prepared by the Monitoring Officer as adviser to the Standards Committee, and the officer responsible for maintaining the register of interests.

BACKGROUND PAPERS

None

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