

Appendices: 1



NORTHAMPTON
BOROUGH COUNCIL

STANDARDS COMMITTEE REPORT

Report Title	Openness and Transparency on Personal Interests – Department for Communities and Local Government Guidance
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	17 th February 2014
Policy Document:	No
Directorate:	Borough Secretary

1. Purpose

- 1.1 To provide the Standards Committee with the most recent Guide for Councillors on Openness and Transparency on Personal Interests issued by the Department for Communities and Local Government.

2. Recommendations

- 2.1 The Standards Committee is recommended to note the content of this Report and the September 2013 Guide for Councillors on Openness and Transparency on Personal Interests at Appendix 1 (the “Guide”).

3. Issues and Choices

3.1 Report Background

- 3.1 The Localism Act 2011 (the “Act”) introduced a new regime from 1st July 2012, for the registration by Councillors of personal interests.
- 3.2 The Act repealed the concept of personal interests and personal and prejudicial interests. Instead the Act requires Councillors to register Disclosable Pecuniary Interests (which are statutory) and any other types of personal interests that are locally determined as requiring registration. The current Northampton Borough Council Members’ Code of Conduct, which came into effect on 1st July 2012 incorporates these requirements of the Act.

3.3 The Guide was first published by DCLG in August 2012 after the new regime for registration of interests had come into force, and has been updated by DCLG twice since then. The Guide:

- provides Councillors with practical information about how to be open and transparent about their personal interests;
- covers which personal and pecuniary interests should be declared by Councillors and entered in the authority's Register of Interests;
- sets out what having a disclosable pecuniary interest will prevent a Councillor from doing and how a dispensation from these restrictions can be applied for;
- clarifies issues such as how pecuniary interests of spouses and partners should be declared and dealt with and how sensitive interests are dealt with;
- sets out the penalty for failing to declare a Disclosable Pecuniary Interest;
- sets out DCLG's view that there is not a requirement for Councillors to apply for a dispensation to take part in the business of setting council tax or a precept - the Guide was updated in this regard following national debate and publicity on this issue in the period leading up to budget setting in 2013; and
- makes it clear in this most recent version that Councillors should register their membership of any trade union as a personal interest. (The Northampton Borough Council Members' Code of Conduct does already specifically require this).

3.4 Councillors are asked to note the general principles referred to in the Guide and continue to refer any specific queries regarding the registration and disclosure of personal interests to the Monitoring Officer.

4. Implications (including financial implications)

4.1 Policy

4.1.1 N/A

4.2 Resources and Risk

4.2.1 None specifically arising from this Report.

4.3 Legal

4.3.1 Legal implications are contained in the body of the Report.

4.4 Equality

4.4.1 4.4.1 None specifically arising from this Report.

4.5 Consultees (Internal and External)

4.5.1 Not applicable.

4.6 Other Implications

4.6.1 Not applicable.

5. Background Papers

5.1 None

6. Report Author

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