

**Agenda Item No: 6**

**Report 126/14  
No:**

**Report Title: Annual Report on the establishment and maintenance of a Register of Interests 2014/2015**

**Report To: Audit and Standards Committee Date: 22 September 2014**

**Ward(s) Affected: All**

**Report By: Catherine Knight, Assistant Director of Corporate Services**

**Contact Officer-**

**Name: Zoe Downton**

**Post Title: Committee Officer, Democratic Services**

**E-mail: [zoe.downton@lewes.gov.uk](mailto:zoe.downton@lewes.gov.uk)**

**Tel no: 01273 471600**

**Purpose of Report:**

To confirm to councillors that the Register of Interests is being maintained in accordance with the Council's Constitution.

**Officers Recommendation(s):**

- 1 To receive and note the annual report by the Monitoring Officer.

**Reasons for Recommendations**

- 1 The remit of the Audit and Standards Committee includes a requirement to consider the Monitoring Officer's annual report on the establishment and maintenance of a register of interests of members and co-opted members of the Council. The Monitoring Officer has further requested that the annual report submitted to the Committee also outlines the number and nature of standards complaints received.
- 2 **Information**
  - 2.1 Section 29 of the Localism Act 2011 requires the Council's Monitoring Officer to establish and maintain a register of interests of the members and any co-opted members of the District Council. This section makes clear that the Monitoring Officer must similarly establish and maintain a register of interests for each Town and Parish Council within the District. The Monitoring Officer is responsible for ensuring that these registers are available for public inspection and that they are published on the authority's website.
  - 2.2 In accordance with the Council's Code of Conduct, each councillor is responsible for completing a register of members' interests form annually in order to maintain an up to date register of financial and other interests of members.

- 2.3** The Code also requires each councillor to register details of any new personal interest or change of any personal interest in writing to the Council's Monitoring Officer within 28 days of becoming aware of any such new interest or change of interest. Each councillor is made aware of their obligation to inform the Council's Monitoring Officer at the same time as being issued with the form for completion on an annual basis.
- 2.4** The Council's Committee Section issues each councillor with a form on which to register their interests for each municipal year. Forms were issued to councillors in July 2014 for the 2014/2015 municipal year. At the time of writing this report, 24 out of 41 councillors have returned completed forms. Those outstanding are being contacted individually in order that the Council maintains an up to date register.
- 2.5** Returned forms are made available for public inspection on the Council's website at <http://cmispublic.lewes.gov.uk/Public/Members.aspx> . Any changes or updates received during the year are published in the same way. The register can also be inspected by contacting the Head of Democratic Services.
- 2.6** Town and Parish Councillors within Lewes District are also required to complete a register of member's interests form in accordance with their Town or Parish Council's Code of Conduct. The Town and Parish Council clerks forward details of those interests to Democratic Services for publication on the Lewes District Council's website at [www.lewes.gov.uk/community/2323.asp](http://www.lewes.gov.uk/community/2323.asp).
- 2.7** The Localism Act 2011 defined certain interests as being "disclosable pecuniary interests". Section 34 of the Localism Act 2011 makes it a criminal offence for a member or co-opted member to fail, without reasonable excuse, to comply with requirements under the Act to register or declare disclosable pecuniary interests, or take part in discussions or to vote at meetings without registering his/her interest or disclosing its existence at the meeting.
- 2.8** The Council has a responsibility to deal with Standards matters for both Lewes District Council and the Town and Parish Council's within the District. The Appendix to this report contains information on the number of complaints received, the number of complaints progressed, Standards Panels held and the number of complaints per Council.

### **3 Financial Appraisal**

There are no additional financial implications arising from this report.

### **4 Legal Implications**

None over and above those set out in the body of this report.

### **5 Sustainability Implications**

I have not completed the Sustainability Implications Questionnaire as this report is exempt from the requirement because it is an internal monitoring report.

## **6 Risk Management Implications**

I have completed the Risk Management Checklist, and this Report is exempt from the requirement.

## **7 Equality Screening**

I have given due regard to equalities issues and, as this is an internal monitoring report with no key decisions, screening for equalities is not required.

## **8 Background Papers**

Minutes of the Full Council Meeting held on 4 December 2013 - <http://cmispublic.lewes.gov.uk/Public/Meeting.aspx?meetingID=652>

Audit and Standards Committee Remit (part 11, pages W10 - W12 of the Constitution) – <http://www.lewes.gov.uk/council/1565.asp>

Code of Conduct of Members of the Council (part 5, pages L1 – L15 of the Constitution) – <http://www.lewes.gov.uk/council/1565.asp>

Register of Interests of Members and Co-opted Members of the Council (part 5, page M1 of the Constitution) - <http://www.lewes.gov.uk/council/1565.asp>

## **9 Appendix**

Appendix – Standards Complaints about councillor conduct received by Lewes District Council's Monitoring Officer 2013/14.

## Appendix

### Standards Complaints about councillor conduct received by Lewes District Council's Monitoring Officer 2013/14

Number of Complaints Received	8	
Number of Complaints taken forward by the Monitoring Officer (in consultation with the Independent Person) as warranting formal action	5	
Number of Complaints not progressed and reason why	3	<p>One complaint related to an incident which was 2 years out of date. In addition the Monitoring Officer adjudged the content of the complaint to be trivial.</p> <p>One complaint was capable of resolution through an independent investigation which was at that time being carried out in respect of Seaford Town Council. Rather than duplicate investigations it was referred to the Seaford investigator who dealt with it.</p> <p>One complaint was dealt with by way of a letter from the Monitoring Officer and did not need to progress further.</p>
Number of Complaints where no breach of code was found	4	This is out of the 5 complaints taken forward with the Monitoring Officer (see above)
Number of matters resolved by local resolution	3	For example, at Peacehaven Town Council local resolution included the District Council drafting a Protocol to help the Town Council to deal with a specific issue.
Number of Standards Panels held	3	A Standards Panel consists of two District Councillors and one Town/Parish Councillor.
Cost to the District Council of engaging investigators	Approx. £4500	One investigation is still ongoing, this will be a further cost of around £4000 in the 2014/15 year.

### Complaints per Council

Hamsey Parish Council	1
Lewes District Council	2
Peacehaven Town Council	1
Seaford Town Council	3
East Chiltington Parish Council	1