

STANDARDS COMMITTEE

24 APRIL 2024

REPORT OF THE MONITORING OFFICER

A.1 ANNUAL REPORT ON DECLARATIONS OF INTEREST AND ASSOCIATED MATTERS

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To present the Committee with an overview on the register of, and declarations of, interests made by Members from 1 January 2023 until 31 March 2024.

EXECUTIVE SUMMARY

It was agreed at the meeting of the Standards Committee held on 29 June 2016 that, as part of its annual work programme, the Committee would receive an annual report on declarations of interest and associated matters. The Standards Committee included the annual item at its meeting on 15 March 2023 (minute no. 28).

RECOMMENDATION(S)

It is recommended that -

- (a) the Committee notes the contents of this report, subject to any comments or recommendations that the Committee may wish to make following its consideration of the report; and
- (b) the Committee requests that the Monitoring Officer issue a reminder to all Members that, when declaring Interests at Committee et cetera meetings, they should use the correct terminology for such Interests as detailed in Appendix B of the adopted Members' Code of Conduct.

REASON(S) FOR THE RECOMMENDATION(S)

To provide a timely update to the Committee as part of its agreed work programme.

ALTERNATIVE OPTIONS CONSIDERED

There are no alternative options associated with this report.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Declarations of Interest in accordance with the Members' Code of Conduct, forms part of effective and positive governance, being a theme of the previous Corporate Plan for 2020-24 and Financial Sustainability and Openness within the Corporate Plan for 2024-2028 adopted by full Council at its meeting in November 2023 (minute. No. 76).

Members' Declaration of Interests comes within Principle A of the Council's Annual Governance Statement - Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

The Council's Code of Conduct for Members sets out the requirements for Councillors regarding the registration and disclosure of interests. The relevant legislation is the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

During the period covered by the report, the District Council changed its Code of Conduct with effect from May 2023 by adopting the Local Government Association's Model Code of Conduct, consequently the description of the non-DPI changed from Personal Interests to Other Registerable Interests and Non-Registerable Interests as defined in the Local Government Association's Model Code of Conduct.

The Council has approved and adopted a Local Code of Corporate Governance, which is consistent with the principles of the **CIPFA / SOLACE Delivering Good Governance in Local Government Framework (2016 Edition)**. A copy of the Council's Code is available to be viewed or downloaded from the website (www.tendringdc.gov.uk) or can be obtained by contacting the Assistant Director – Governance.

The Annual Governance Statement explains how the Council has complied with the Code, and also meets the requirements of the Accounts and Audit Regulations 2015, regulation 6(1), which requires an authority to conduct a review, at least once in a year, of the effectiveness of its systems of internal control and include a statement reporting on the review with any published Statement of Accounts.

FINANCE AND OTHER RESOURCE IMPLICATIONS

There are no finance or resource implications associated with this report.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	The agendas for the Council, Cabinet and Committee meetings include declarations of interest as a formal item of business.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	This is an annual report presented to the Standards Committee for openness and transparency in its decision making.

MILESTONES AND DELIVERY

This is an annual report presented to the Committee in accordance with the work programme.

ASSOCIATED RISKS AND MITIGATION

Not presenting this information could have a detrimental impact on the Council's reputation.

OUTCOME OF CONSULTATION AND ENGAGEMENT	
None undertaken.	
EQUALITIES	
Equality considerations are taken into account for each decision made.	
SOCIAL VALUE CONSIDERATIONS	
Social value considerations are taken into account for each decision made.	
IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030	
This is taken into account for each decision made.	
OTHER RELEVANT IMPLICATIONS	
Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.	
Crime and Disorder	Not applicable
Health Inequalities	Not applicable
Area or Ward affected	No Wards are directly affected by the contents of the report.
ANY OTHER RELEVANT INFORMATION	
None	

PART 3 – SUPPORTING INFORMATION

BACKGROUND
<p>In accordance with the Committee's Work programme, this is an annual report on declarations of interest and associated matters. This report covers the period from 1 January 2023 to 31 March 2024 and provides statistics on:</p> <ul style="list-style-type: none"> • the number of declarations of interest made at meetings; • the number of offers of gifts and hospitality that have been registered by Members during this period; and • updates to the Members' Register of Interests. <p>The data has been collated from the Committee system Modern.gov which the Council started using as of August 2016 and from Members' submissions.</p> <p><u>Register of Members' Disclosable Pecuniary Interests</u></p> <p>The Council is required to publish the 'Register of Disclosable Pecuniary Interest' on its website in accordance with the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, which prescribes the categories of interests.</p> <p>It is confirmed that the Council's website includes a Register of Disclosable Pecuniary Interests and Other Registerable Interests for all District Councillors and that this is updated when a Member provides details of an amendment direct to the Monitoring Officer. Any entry,</p>

which is relevant to a business item on an agenda, must be declared by the individual Member and they must subsequently remove themselves from the meeting, unless a prior dispensation has been granted by the Monitoring Officer.

There have been two requests for dispensation during this period. Additionally, a dispensation for all District Members was granted by the Monitoring Officer for the purpose of the report of the Assistant Director (Finance & IT) – Formal Confirmation of Council Tax Amounts for 2024/25 Following the Notification of the Precepts from the Major Precepting Authorities, heard at the meeting of the Human Resources and Council Tax Committee on 26 February 2024.

Declarations of interest at meetings

Members are required to declare Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests at meetings and those recorded on the committee system, as declared by District Councillors for the period 1 January 2023 to 31 March 2024 are set out in Appendix A to this report. All minutes of the meetings also record the declarations. **The Committee will note that the Appendix only refers to Personal Interests (which were in place prior to May 2023) and not ‘Other Registerable Interests’, which are set out in the current adopted Members’ Code of Conduct. This is because Members are still referring to Personal Interests when making such declarations at meetings. That being so, the Committee may wish to request that all Members be issued with a reminder.**

Use of blanket dispensations

Tendring District Council’s former Members’ Code of Conduct at paragraph 7.3, as agreed by full Council in January 2018, contained blanket dispensations for any business of the Authority where that business relates to the Council functions in respect of:

- i. housing, where the Member is a tenant of the Authority provided that those functions do not relate particularly to their tenancy or lease;
- ii. school meals or school transport and travelling expenses, where the Member is a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- iii. statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where the Member is in receipt of, are entitled to the receipt of, such pay;
- iv. an allowance, payment or indemnity given to Members;
- v. any ceremonial honour given to Members; and
- vi. setting Council Tax or a Precept under the Local Government Finance Act 1992

Since their introduction, only category iv and vi dispensations have been relied upon at meetings of the Cabinet and full Council.

The current Code of Conduct which took effect in May 2023 does not include blanket dispensations consequently, the Monitoring Officer gave a blanket dispensation for the purposes of setting Council Tax under the Local Government Finance Act 1992, at the District Council’s budget meeting on 13 February 2024 (minute no. 115).

Declarations of offers/receipt of gifts and hospitality

Following the Standards Committee review of the Council’s Gift and Hospitality Policy for

Members, guidance and a notification form was produced for all District Councillors in May 2016. Reference to declarations of offers/receipt of gifts and hospitality was included within the mandatory Members' Code of Conduct training delivered by the Monitoring Officer in June and July 2023. There has been one recorded declaration of offers/receipt of gifts and hospitality made by District Councillors in the time period covered by this report.

Members' Register of Interests

Pursuant to the Localism Act 2011, within 28 days of becoming a Member or re-election or re-appointment to office, Members must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 of the Members' Code of Conduct, namely, Disclosable Pecuniary Interests (DPIs) which are as described in the "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. Members should also register details of other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).

At the conclusion of the May 2023 District, Town and Parish Council elections, all Members received the relevant Disclosable Pecuniary Interest and Other Registerable Interests form as part of their induction procedure, to complete and return to the Monitoring Officer, for inclusion on the Council's website within a central register. Registration and the obligations to disclose DPIs, Other Registerable Interests and Non-Registerable Interests and the effect on participation was covered within the mandatory Members' Code of Conduct training delivered by the Monitoring Officer in June and July 2023.

PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.

It was agreed at the meeting of the Standards Committee held on 29 June 2016 that, as part of its annual work programme, the Committee would receive an annual report on declarations of interest and associated matters.

Full Council on 22 November 2022 (minute no. 51) - **RESOLVED** that Council approves:-

- (a) the adoption of the Local Government Association's Model Members' Code of Conduct, as set out in Appendix 2, for the purposes of Sections 27 & 28 of the Localism Act 2011, with a commencement date of the Annual Meeting of the Council in May 2023.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

There are no background papers associated with this report.

APPENDICES

Appendix A – Table of Members' Declarations of Interest made at Council, Cabinet or Committee meetings 1 January 2023 to 31 March 2024.

REPORT CONTACT OFFICER(S)

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