

## CHILTERN DISTRICT COUNCIL

### Guidance Note on Completing the Notification of Members Interests

PLEASE READ THIS GUIDANCE BEFORE YOU COMPLETE THE ATTACHED FORM

**If you have any queries you can contact the monitoring officer Joanna Swift or one of the deputy monitoring officers Sue Markham and Anna Dell whose contact details are given at the end of this note.**

#### Introduction

1. Under the Localism Act 2011 the Council has a duty to promote and maintain high standards of conduct by its members. In discharging this duty the Council must adopt a code dealing with the conduct expected of councillors. This code is included in your induction pack and is also published on the Council's website. The code requires councillors to disclose certain personal interests in a public register and at council meetings.
2. The Localism Act also requires all councillors to notify the Council's monitoring officer (for town and parish councillors this is done via the Clerk) of certain pecuniary interests prescribed by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. You must do this within 28 days of becoming a member of the Council. Failure to do is a criminal offence and could lead to prosecution and disqualification from office.
3. The monitoring officer must establish and maintain a register of members' interests, make this available for inspection at the Council offices and publish it on the Council's website.
4. This guidance explains what pecuniary and personal interests you need to disclose in the register and includes the necessary notification form for you to complete. You will receive separate guidance about declaring interests at meetings during the induction programme.

#### Disclosable Pecuniary Interests

5. There are 7 categories of pecuniary interests that you must disclose in the register. Detailed information is provided on the notification form but the general headings are as follows :
  - Employment - your employment, office, trade, profession or vocation
  - Sponsorship - details of any sponsorship you received towards your election or in carrying out your duties as a councillor
  - Contracts - any contracts with the Council
  - Land - your land ownership or interests in land within the Council's area
  - Licences - any licences of land in the Council's area
  - Corporate Tenancies - any interest in tenancies with the Council
  - Securities – stocks and shares in businesses with a place of business or land in the Council's area
6. The Localism Act defines a disclosable pecuniary interest to include your own interests AND the interests of your spouse or civil partner, a person with whom you are living as husband and wife or with whom who are living as if you were civil partners. This is why the form requires you to disclose information under the heading "Your spouse or partner" in each category. However, you are only required to disclose any pecuniary interests which you are aware that your spouse or partner have.

7. The Act makes it an offence to provide information which is false or misleading or be reckless as to whether the information is true and not misleading. Failure to comply can lead to prosecution and disqualification. Therefore it is vital that you complete the information on these 7 categories of pecuniary interests as fully and accurately as possible. If you have no interest under a particular category please put "None" in the appropriate space.

### **Personal Interests under the Code of Conduct**

8. The Council's code of conduct requires you to disclose certain personal interests in the public register to ensure transparency in the Council's decision-making processes. There are 5 categories of personal interests under the following headings:
  - Appointments to Outside Bodies – bodies to which you are appointed or nominated by the Council
  - Public Bodies – bodies exercising public functions of which you are a member or in a position of general control or management
  - Charitable Bodies – bodies directed to charitable purposes of which you are a member or in a position of general control or management
  - Pressure Group and Political Parties – bodies who seek to influence public opinion or policy including any political party or trade union of which you are a member or in a position of general control or management
  - Gifts and Hospitality – any person from whom you have received a gift or hospitality worth more than £50 by virtue of your office as a councillor
9. Unlike pecuniary interests your spouse or partner's personal interests DO NOT need to be disclosed. It is just your own personal interests. If you fail to disclose any of these interests you will be in breach of the code of conduct, could be liable to a complaint under the Council's formal complaints procedure and an investigation by the monitoring officer.

### **Sensitive Interests**

10. The Localism Act provides an exception to the requirement for your pecuniary or personal interests to be disclosed on the public register where the nature of the interest is such, that the monitoring officer considers disclosure could lead to you, or a person connected with you, being subject to violence or intimidation. If you consider that you have an interest that qualifies under this exception you will need to inform the monitoring officer in writing when you return your form and give details of why your interest is sensitive.

### **Completing the Notification Form**

11. The form includes explanatory notes about the information you need to include under each category of interest. A glossary of words and definitions is also appended. Please sign and date the form before returning it to the Parish Clerk.

## Monitoring Officer Contact Details

12. If you have any queries about what you need to disclose or how to complete your notification form please contact the monitoring officer Joanna Swift or one of her deputies, Sue Markham and Anna Dell. Their contact details are as follows:

### **Joanna Swift - Head of Legal & Democratic Services**

King George V House  
King George V Road  
Amersham  
HP6 5AW

**Email:** [jswift@chiltern.gov.uk](mailto:jswift@chiltern.gov.uk)

**Tel:** 01494 732761

**Mob:** 07595 087093

### **Sue Markham – Principal Solicitor**

**Email:** [sue.markham@southbucks.gov.uk](mailto:sue.markham@southbucks.gov.uk)

**Tel:** 01895 832750

### **Anna Dell - Principal Solicitor**

**Email:** [anna.dell@southbucks.gov.uk](mailto:anna.dell@southbucks.gov.uk)

**Tel:** 01895 837232

**CHESHAM BOIS PARISH COUNCIL**

**REGISTER OF MEMBERS' INTERESTS**

**GENERAL NOTICE OF REGISTRABLE INTERESTS**

I, *(full name)* *(Please print)*

Rob Heath

a Member of *(authority)*

Chesham Bois Parish Council

**PART 1 – Disclosable Pecuniary Interests**

<b>1. Employment, office, trade, profession or vocation</b>	
Any employment, office, trade, profession or vocation carried on for profit or gain. <b>State the name of your employer/company and job title</b>	Member Employee of Billion Watt Associates LP
	Spouse/partner Employee of Billion Watt Associates LP
<b>2. Sponsorship</b>	
Any payment or provision of any other financial benefit (other than from the Council) made or provided within the last 12 months in respect of any expenses incurred in carrying out your duties as a member or towards your election expenses <b>State the name the body making the payment</b> Note: This includes any payment or financial benefit from a Trade Union	Member None
	Spouse/partner None
<b>3. Contracts</b>	

<p>Any contract (which has not been fully discharged) for the provisions of goods, services or the execution of works made between the Council and you or a firm in which you are a partner, a company of which you are a remunerated director or a company in whose securities you have a beneficial interest.</p> <p><b>Give a description of the contract</b></p>	<p>Member None</p>
	<p>Spouse/partner None</p>
<p><b>4. Land</b></p>	
<p>Any land in the Council's area in which you have a beneficial interest. This will include your place of residence if you own or rent it and it is within the Council's area. It also includes any property from which you receive rent, or of which you are the mortgagee.</p> <p><b>Give the address/description of the land</b></p>	<p>Member 14 Green Lane Chesham Bois HP6 5LQ</p>
	<p>Spouse/partner 14 Green Lane Chesham Bois HP6 5LQ</p>
<p><b>5. Licences</b></p>	
<p>Any land in the Council's area for which you have a licence (alone or jointly with others) to occupy for a month or longer. This will include any allotments that you use.</p> <p><b>Give the address/description of the land</b></p>	<p>Member None</p>
	<p>Spouse/partner None</p>
<p><b>6. Corporate Tenancies</b></p>	

<p>Any tenancy where to your knowledge the landlord is the Council and the tenant is a body in which you are a partner, a company of which you are a remunerated director or a company in whose securities you have a beneficial interest.</p> <p><b>Give a description of the tenancy</b></p>	<p>Member None</p>
	<p>Spouse/partner None</p>
<p><b>7. Securities</b></p>	
<p>A body who to your knowledge <b>has a place of business or land in the Council's area</b>, and in whom you have a beneficial interest in a class of securities that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body or if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you have a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p> <p><b>List the names of any companies, industrial and provident societies or other bodies corporate that (to your knowledge) are active in the Council's area.</b></p> <p><b>You do not need to state the extent of your interest.</b></p>	<p>Member None</p>
	<p>Spouse/partner None</p>

**PART 2 – Other Personal Interests**

You are only required to disclose your own personal interests under the headings listed below. Please state “none” where appropriate

<b>8. Membership of other bodies</b>	
<p>8.1 Any body of which you are a member or in a position of general control or management and to which you are <b>appointed or nominated by the Council</b>.                      Note: These will be need to be added after Annual Council</p> <p><b>Give the names of the body/ies</b></p>	<p>None</p>
<p>8.2 Any body exercising functions of a public nature of which you are a member or in a position of general control or management. This will include other local authorities of which you are a member. It also includes government agencies, public health bodies, council-owned companies and school governorships</p> <p><b>Give the names of the body/ies</b></p>	<p>None</p>
<p>8.3 Any body directed to charitable purposes of which you are a member or in a position of general control or management. This will include membership of any registered charities such as Rotary or Lions. Membership of masonic organisations which are registered charities with the Charities Commission will also fall within this category.</p> <p><b>Give the names of the body/ies</b></p>	<p>None</p>
<p>8.4 Any body one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management. This will include any lobby group, local pressure group or resident’s association,</p> <p><b>Give the names of the body/ies</b></p>	<p>None</p>

**9. Disclosure of Gifts and Hospitality**

Any person from whom you have received a gift or hospitality worth more than an estimated value of £50 which you have received by virtue of your office – including brief details of the gift/hospitality received.

<b>Date of receipt of Gift/ Hospitality</b>	<b>Name of Donor</b>	<b>Reason and Nature of Gift/Hospitality</b>
None		

Dated: 14-Sep-16

Signed:





## Glossary of Words and Definitions

“beneficial interest” is one where the owner of the interest is entitled to benefit from the asset concerned. Such an interest can arise directly through the legal ownership of an asset or indirectly where you are the beneficiary of a trust. It excludes those who hold assets under a trust **but are not beneficiaries** of that trust.

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

‘Disclosable Pecuniary Interest’ as a pecuniary interest of a description which is specified in regulations made by the Secretary of State and which is either an interest of the Member’s or an interest of Member’s spouse or civil partner, a person with whom the Member is living as husband and wife or a person with whom the Member is living as if they were civil partners, and the Member is aware that the other person has the interest.

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“member” includes a co-opted member;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

the “nominal value” of shares is usually the face value on the share certificate when issued (in contrast to the “market value” which can often be considerably more but may be less)