

STANDARDS COMMITTEE – 20 DECEMBER 2007

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

8

Audit of Declarations and Registers of Interest

1. SUMMARY

This report brings to the Committee the details of the numbers of Declarations of Acceptance and Registers of Interest for District and Parish Members received by the Monitoring Officer and the times by which these were returned.

2. FORWARD PLAN

This is not a key decision and has not been included in the Forward Plan.

3. BACKGROUND

The Local Government Act 2000 and local Codes of Conduct require members of the District Council and of Parish Councils, to complete and return their Declaration of Acceptance of Office and Register of Financial Interests and provide these to the Monitoring Officer within 28 days of acceptance or appointment to office. Failure to adhere to this requirement leads to the Member being unable to act as a Councillor.

4. ISSUES

Set out below are summary tables of the numbers of returns and within what time these were received by the Monitoring Officer. Attached at Appendix A and B are the detailed sheets for the District Council and Parish Council. These include more detail, such as when the forms were signed and whether there were any evident inaccuracies or omissions. Where there has been no return received or there is an error or omission, the District Councillor or Parish Clerk is contacted, by letter/phone, to advise them of this and the potential consequences.

District Councillor's Declaration's

	Acceptance of office	Register of Financial Interest
Received within 28 days of election	49	39
Not received within 28 days of election	0	10
Not received to date	0	0

Parish Councillor's Declaration's

	Acceptance of office	Register of Financial Interest
Received within 28 days of election	36	25
Not received within 28 days of election	64	98
Not received to date	37	14

5. LEGAL IMPLICATIONS

Failure to provide the Monitoring Officer with the Declarations of Acceptance of Office and Register of Financial Interests within 28 days is a breach of the Code of Conduct. s52(1)(b) of the Local Government Act 2000 provides that the failure to comply within this period has the effect that the Member ceases to act in that role.

6. FINANCIAL AND RISK IMPLICATIONS

There is a risk that the Member or the authority could be found to have acted unlawfully if they fail to adhere to the requirements to complete and provide the relevant forms.

7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

None.

8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

None applicable.

9. RECOMMENDATIONS

That the Committee notes the returns and considers what action may be appropriate.

10. REASONS FOR RECOMMENDATIONS

To further the Committee's role in promoting high standards of ethical behaviour amongst Councillors.

11. ALTERNATIVE OPTIONS CONSIDERED

None.

12. APPENDICES

Appendix A – District Councillor Returns

Appendix B – Parish Council Returns.

13. CONTACT OFFICERS

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14. BACKGROUND PAPERS

Declarations of Acceptance of Office
Registers of Financial Interests
Code of Conduct.