



Register of Disclosable Pecuniary Interests

Guidance Notes and Form

Please complete the Register of Pecuniary Interests Form (Pages 5-7), detach and return to:

**Monitoring Officer
Derbyshire Dales District Council
Town Hall
Bank Road
Matlock
DE4 3NN**

For your information and reference please retain the guidance notes.

Register of Disclosable Pecuniary Interests Guidance

Every elected or co-opted Councillor is required to notify the Monitoring Officer (within 28 days of being elected or co-opted onto the authority) of all current 'Disclosable Pecuniary Interests' of which they are aware, and update the register within 28 days of being re-elected or re-appointed. The Secretary of State has issued Regulations setting out what constitutes a 'Disclosable Pecuniary Interest'.

The Localism Act 2011 provides that this will cover the interests not just of the Councillor, but also her/his spouse, civil partner or person with whom s/he lives as if they were spouses or civil partners, in so far as the Councillor is aware of her/his partner's interests.

Failing to register any such interest, failure to register within 28 days of election or co-option, or the provision of misleading information on registration without reasonable excuse, will be criminal offences. Prosecution is at the instigation of the Director of Public Prosecutions. Once a Councillor has made their initial registration, it is her/his responsibility to keep it up to date and to notify the Monitoring Officer in writing of any changes within 28 days of it taking place.

These notes give general guidance on what items Councillors should include on the Disclosable Pecuniary Interests form. The onus is on the individual Councillor to make their own judgement about making a declaration and they should not rely on direction from an officer, though if in doubt they can seek advice.

Sandra Lamb
Monitoring Officer
April 2019

Relevant part of Disclosable Pecuniary Interests Form	Guidance
<p>Employment, office, trade, profession or vocation Any employment, office, trade, profession or vocation carried on for profit or gain.</p>	<p>You should show every employment, office, trade, profession or vocation that you and your spouse/partner receive remuneration for other than simply repayment of expenses – a good example is; would you have to declare for income tax purposes?</p> <p>Give a short description of the activity concerned; for example ‘Computer Operator’ or ‘Accountant’.</p> <p>Where you hold an office, give the name of the person or body which appointed you. In case of a public office, this will be the authority which pays you.</p>
<p>Sponsorship Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred in carrying out duties as a Councillor or towards election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>	<p>You should declare the name of any person or body who has made any payments to you towards your expenses as a councillor or towards your election expenses. You do not need to declare the amounts of any payments, only the name of the person or body making them.</p> <p>It refers to payment of election expenses by a third party – you do not need to declare if you pay your election expenses yourself. This would usually mean a political party at election time.</p>
<p>Contracts Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority –</p> <ul style="list-style-type: none"> (a) Under which goods or services are to be provided or works are to be executed; and (b) Which has not been fully discharged. 	<p>You should list any contract made between yourself or your spouse/partner or a body in which either of you have a beneficial interest and Derbyshire Dales District Council (or an organisation contracted to carry out business on its behalf):-</p> <ul style="list-style-type: none"> a) under which goods or services are to be provided or works are to be executed; and b) which has not been fully discharged.

Continued on Page 9

REGISTER OF DISCLOSABLE PECUNIARY INTERESTS

Councillor's Name:	
Parish/Town Council Name:	

This form must be completed by an elected Councillor or co-opted Councillor within 28 days of adoption of the Code of Conduct 2012 or within 28 days of becoming a Councillor or co-opted Councillor of the authority.

A Disclosable Pecuniary Interest is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners). Further Guidance Notes can be found on page 4.

Please insert 'none' in the appropriate box where there are no interests and 'joint' where such interest affects you and your partner equally.

I GIVE NOTICE below under the appropriate headings, my interests and those of my partner of which I am aware, that are Disclosable Pecuniary Interests as defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

(a) Employment

Employment, office, trade, profession or vocation carried on for profit or gain.

Councillor	Partner

(b) Sponsorship

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by me in carrying out duties as a Councillor, or towards my election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Councillor	Partner

(c) Contracts

Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority –

- (a) under which goods or services are to be provided or works are to be executed; and
- (b) which has not been fully discharged

Councillor	Partner
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(d) Land

Any beneficial interest in land which is within the area of the relevant authority.

Councillor	Partner
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(e) Licenses

Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

Councillor	Partner
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(f) Corporate Tenancies

Any tenancy where to my knowledge -

- (a) the landlord is the relevant authority, and
- (b) the tenant is a body in which the relevant person has a beneficial interest

Councillor	Partner
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(g) Securities

Any beneficial interest in securities of a body where—

(a) that body (to my knowledge) has a place of business or land in the area of the relevant authority; and

(b) either —

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) 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 the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Councillor	Partner
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Signed (Councillor)

Date

NOTE – A Councillor must, within 28 days of becoming aware of any change in the interests specified above, provide written notification to the Clerk of the relevant parish council and send immediately to the Monitoring Officer, Derbyshire Dales District Council, of that change.

Received by Monitoring Officer Date..... Initials

Published on web site Date Initials

Relevant part of Disclosable Pecuniary Interests Form	Guidance
<p>Land Any beneficial interest in land which is within the area of the relevant authority.</p>	<p>You should include any land and buildings in the area of the District in which you or your spouse/partner have a beneficial interest. You should give the address or a brief description to identify it. If you live in the District you should include your home under this heading whether as owner, lessee or tenant.</p> <p>You should also include any property from which you receive rent, or of which you are the mortgagee.</p> <p>The Monitoring Officer has also advised that any land in the District area in the ownership of a charity or organisation of which you or your spouse/partner are a trustee should also be included in this section.</p> <p>“Land” also includes any buildings or parts of buildings.</p>
<p>Licences Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.</p>	<p>You should include land in the area of the District which you or your spouse/partner have a right to occupy, but neither own nor have tenancy of. You should give the address or a brief description to identify it.</p> <p>“Land” includes any buildings or parts of buildings.</p>
<p>Corporate Tenancies Any tenancy where (to your knowledge) – (a) The landlord is the relevant authority; and (b) The tenant is a body in which the relevant person has a beneficial interest.</p>	

Relevant part of Disclosable Pecuniary Interests Form	Guidance
<p>Securities Any beneficial interest in securities of a body where –</p> <p>(a) That body (to your knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) Either –</p> <p>(i) The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) 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 the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class</p>	<p>You should list the names of any companies, industrial and provident societies, co-operative societies, or other bodies corporate that (to your knowledge) are active in the District and in which you or your spouse/partner have a substantial interest. You do not need to show the extent of your interest.</p> <p>You have a substantial interest if you own shares or other securities in the company with a nominal value of more than £25,000 or more than 1/100th of the issued share or securities. If there are several classes of shares or securities, the fraction of 1/100th applies to any of these classes.</p> <p>The company or body corporate is active in the District if it has land or a place of business in the District.</p>

Guidance Notes

Definitions

- *'Relevant Person' means the Councillor and his/her partner or equivalent as further defined on page 1.*
- *'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.*
- *'Securities' excludes money deposited with a building society.*

1. Register of Interests

All interests notified to the Monitoring Officer will be included in the Register of Interests, a copy of which will be available for public inspection and will be published on the District Council's website (and relevant parish/town council's website if they have one).

2. Sensitive Interests

Where you consider that disclosure of the details of a disclosable pecuniary interest (DPI) could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer (MO) agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the Register will exclude details of the interest, but may state that you have a DPI, the details of which are withheld.

3. Non participation in case of disclosable pecuniary interest.

If, when acting in your official capacity as defined in the Code of Conduct, you have a DPI in any matter to be considered or being considered –

- You may not participate in any discussion of the matter
- You may not participate in any vote taken on the matter
- If the interest is not registered, you must disclose the interest
- If the interest is not registered and is not the subject of a pending notification you must notify the MO of the interest within 28 days
- You must also leave the meeting chamber in accordance with your authority's standing orders.

4. Dispensations

The Authority may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI. Contact the MO (or parish/town council clerk) for further guidance).

5. Offences

It is a criminal offence to

- Fail to notify MO of any DPI within 28 days of election
- Fail to disclose a DPI at a meeting if it is not on the register
- Fail to notify the MO within 28 days of a DPI that is not on the register that you have disclosed to a meeting
- Participate in any discussion or vote on a matter in which you have a DPI
- Knowingly or recklessly providing information that is false or misleading in notifying the MO of a DPI or in disclosing such interest to a meeting

The criminal penalties available to a court are to impose a fine not exceeding level 5 (£5000) on the standard scale and disqualification from being a councillor for up to 5 years.

