

**WEST DEVON BOROUGH COUNCIL  
MEMBERS' CODE OF CONDUCT  
GENERAL NOTICE OF REGISTRABLE  
INTERESTS 2012/13**



I, (name)

being a Member/Co-opted Member of West Devon Borough Council,

give notice below of those interests which I am required to declare under The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and West Devon Borough Council's Code of Conduct.

I understand that in so doing I must also declare not only my own interests but also any interest I am aware of that belongs to my spouse or partner, as defined in the Council's Code of Conduct.

**DISCLOSEABLE PECUNIARY INTERESTS**

**1 (a) Your Employment, Office, Trade, Profession or Vocation**

**Please give details of (i) every employment, job, trade, business or vocation you have, for which you receive any benefit or gain (i.e. profit, salary or benefit in kind) including a short description of the activity e.g. 'Accountant' or 'Farmer' and (ii) the name of any employer or body, firm or company which you own or in whose securities you have any beneficial interest.**

<p>(i) Description of your employment, job, vocation, trade or business carried on for profit or gain</p>	
<p>(ii) Name of employer, body,</p>	

<p>firm or company by which you are employed or in which you are a partner or a remunerated Director or in whose securities you have a beneficial interest</p>	
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**1 (b) Your Spouse or Partner’s Employment, Office, Trade, Profession or Vocation**

Please give details of (i) every employment, job, trade, business or vocation your spouse or partner has and of which you are aware, for which he or she receives any benefit or gain (i.e. profit, salary or benefit in kind) including a short description of the activity e.g. ‘Accountant’ or ‘Farmer’ and (ii) the name of any employer or body, firm or company which they own or in whose securities they have any beneficial interest.

<p>(i) Description of their employment, job, vocation, trade or business carried on for profit or gain</p>	
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<p>(iii) Name of employer, body, firm or company by which your partner is employed or in which they are a partner or a remunerated Director or in whose securities they have a beneficial interest</p>	
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**2. Sponsorship**

Please give details of any person or body (other than the Borough Council) who has made any payment to you in respect of your election or any expenses you have incurred in carrying out

**your duties as a Borough Councillor.**

**3 (a) Securities: Interests in Companies**

Please give details of body which has a place of business or owns land in the Borough Council's area and in which you have a beneficial interest (a shareholding) of more than £25,000 (nominal value) or more than 1/100<sup>th</sup> of the total share issue of that body (whichever is the lower) or if there is more than one class of share, the total nominal value of shares in any class of that body of more than 1/100<sup>th</sup> of the total shares of that class

*Note: It is not necessary to declare the nature or size of the holding, simply the name of the company or other body.*

**3 (b) Securities: Interests in Companies owned by your partner**

Please give details of body which has a place of business or owns land in the Borough Council's area and in which you are aware that your spouse or civil partner has a beneficial interest (a shareholding) of more than £25,000 (nominal value) or more than 1/100<sup>th</sup> of the total

share issue of that body (whichever is the lower) or if there is more than one class of share, the total nominal value of shares in any class of that body of more than 1/100<sup>th</sup> of the total shares of that class

*Note: It is not necessary to declare the nature or size of the holding, simply the name of the company or other body.*

**4(a) Contracts: for Goods, Works or Services with the Council**

Please give details of any current, existing contracts for goods, works or services between the Borough Council and you or any body, firm or company by which you are employed or which you own or in which you have a beneficial interest, as referred to at 3 above.

**4(b) Contracts: for Goods, Works or Services between the Council and your partner**

Please give details of any current, existing contracts for goods, works or services between the Borough Council and your spouse or partner, or with any body, firm or company by which they are employed or which they own or in whose securities they have a beneficial interest, as referred to at 3 above.

**5(a) Landholdings and Licenses in the Area**

Please give the address or other description (sufficient to identify the location) of any land or property in the Borough Council's area in which you have a beneficial interest, indicating whether you are the owner, lessee or tenant. You should include land in which you may have a licence, alone or with others, to occupy for a period of one month or longer.

**You must include the land and house you live in and for example any allotments you rent or use.**

**5(b) Landholdings and Licenses in the Area belonging to your partner**

**Please give the address or other description (sufficient to identify the location) of any land or property in the Borough Council's area in which you are aware that your spouse or partner has a beneficial interest, indicating whether they are the owner, lessee or tenant. You should include any land in which they may have a licence, alone or with others, to occupy for a period of one month or longer, such as for example any allotments they rent or use.**

**6(a) Corporate Tenancies: Land leased from West Devon Borough Council**

**Please give the address or other description (sufficient to identify the location) of any land leased or licensed from the Borough Council by you or any body firm or company by which you are employed or which you own or in which you have a beneficial interest (specified at 3 above).**

**6(b) Corporate Tenancies: Land leased from West Devon Borough Council by your partner**

**Please give the address or other description (sufficient to identify the location) of any land that you are aware of that is leased or licensed from the Borough Council by your spouse or partner or any body firm or company by which they are employed or which they own or in whose securities they have a beneficial interest (specified at 3 above).**

## OTHER REGISTERED INTERESTS

### 7. Membership of Other Bodies

Please give details of your membership of, your connection with, or any position of general control or management in, any bodies in the categories listed below.

Any Body or Organisation to which you have been appointed or nominated by the Borough Council as its representative

Any other body exercising functions of a public nature  
*(e.g. County, Town or Parish Council; National Park Authority; Health, Police or Fire Authority or Quasi Autonomous Non-Governmental Body)*

Any body directed to charitable purposes  
*(e.g., an Industrial and Provident Society or Charity)*

Any Body whose principle purpose is to influence public opinion or policy or which, in your view, might create a conflict of interest in carrying out your duties as a Borough Councillor.

*(e.g. Political Party; Trade Union, Professional Association, Local Action Forum, Civic Society or Interest Group)*

**DECLARATION**

I recognise that if I fail to comply with the Code of Conduct for Members of West Devon Borough Council or:

- (i) omit any information that should be included in this Notice;
- (ii) give false or misleading information; or
- (iii) do not tell the Monitoring Officer of any changes to this Notice or new interests I acquire,

that may be a criminal offence and/or the matter may be referred to the Council's Standards Committee for investigation.

Signed : .....

**FOR OFFICE USE ONLY**

Received: ..... Update .....



## Register of Members' Interests: guidance notes

The information specified in this form is required by the Localism Act 2011 and the Relevant Authorities (Discloseable Pecuniary Interest) Regulations 2012. (SI 1464)

### **Important notes**

#### **All information:**

Under the Act and the Regulations you must register your pecuniary interests. If you fail to do so, and then participate (speak or vote or both) at a Council or committee meeting, you may be committing a criminal offence. See the notes below for more information on that.

Under the Code of Conduct adopted by the Council you should also register any interest that you have that any ordinary person might think would influence your judgment of any issue that you are asked to consider as a councillor. If you fail to do that it may be contrary to the Code, but it will *not* be an offence.

You must complete this form, sign and date it, and return it to the Monitoring Officer at West Devon Borough Council within 28 days of your election/appointment or within 28 days of your Council adopting the Code of Conduct (whichever is the later)

You must inform the Monitoring Officer, by completing and returning an Amendment Form, of any changes to your existing interests or about any new interests within 28 days of becoming aware of change/new interest

The information that you give on this form is required to be kept in a Register that must be available for inspection by the public. It must also be available for inspection on the Council's website so it is important that you keep it up to date.

Gifts or hospitality received for a value of £100.00 or more should be included on a separate form.

#### **Sensitive Information**

The Act provides that if information relating to your interests is "sensitive", that is to say if you and the Monitoring Officer agree that disclosure of its details could lead you, or someone connected with you, to be vulnerable to violence or intimidation, it need not be included in the Register, even if it is a discloseable pecuniary interest.

You must notify the Monitoring Officer within 28 days of any change which means that the information is no longer sensitive.

NB. Please read the accompanying guidance notes for help in completing this form

## Explanatory Notes to help you complete the Register

The new legislation about the member's code of conduct has some similarities to the previous rules ("the 2007 Code") but it also has some important differences.

### Similarities:

- you still have to comply with the General Principles of Public Life set by the Nolan Committee, and the Council has agreed that that all 10 of the Principles should continue to apply.
- You still have to register your interests with the monitoring officer
- The interests that you have to register are quite similar to those that you had to register before, but the legal description of them has changed. They are no longer "personal" and "prejudicial" but "pecuniary" and "non-pecuniary"
- The "discloseable pecuniary interests" ("DPI") are set in Regulations and are not so different to the list of personal interests under the 2007 Code; you have to state whom you work for, name anyone who sponsors you, describe the land you own or rent, any contracts you or your partner have with the Council and the name companies in which you hold shares
- You still need not register interests that are sensitive
- You are still entitled to apply for a dispensation if so many members have a DPI that it hinders the conduct of authority business

### Differences:

- There is now no model code and each authority has to adopt its own
- There is less emphasis on interests that a member of the public might think would make your judgment biased, for reasons other than financial reasons
- You now have to register the "discloseable pecuniary interests" that you are aware of which belong to the person you live with – that is to say, to your spouse, your civil partner, or the person you live with as though you were husband and wife or civil partners. These people are for convenience referred to below as your "spouse or partner"
- If you participate in a meeting when you have a DPI, and no dispensation, you may commit a criminal offence
- It is a requirement that all your registered interests, and those of your spouse or partner, be published on the Council's website as well as being available for inspection in the office

In addition to the discloseable pecuniary interests, the Council has resolved that certain other interests that a lay person might think would influence your judgment should also be listed in the register, in the interests of being open and transparent. These are similar to the "other personal interests" that did not need to be registered under the 2007 Code but which you were encouraged to declare at meetings.

<b>DISCLOSEABLE PECUNIARY INTERESTS</b>
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<p><b>Employment, office, trade, profession or vocation</b></p>	
<p><i>Prescribed description:</i> 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 have to declare for income tax purposes. Give a short description of the activity concerned, for example, “Computer Operator” or “Accountant”</p> <p>State your employer’s name and address. If employed by a company, give the name of the company paying your wages or salary, not that of the ultimate holding company.</p> <p>Where you hold an office, give the name of the person or body which appointed you. In the case of a public office, this will be the authority which pays you. In the case of a teacher in a maintained school, the local education authority; in the case of an aided school, the school’s governing body.</p> <p>You do not need to say how much you earn.</p> <p>You must also register and disclose every employment, office, trade, profession or vocation that you are aware of in which your spouse or partner is engaged. You should complete the form in the same way as for your own interests.</p> <p>You should add the name and address of your partner’s employer, appointing body and so on as for your own. If they are employed by a company, give the name of the company paying their wages or salary, not that of the ultimate holding company.</p>
<p><b>Sponsorship</b></p>	
<p><i>Prescribed description:</i> 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 you in carrying out duties as a member, or towards your election expenses.</p>	<p>Give the names of people or bodies who have made payments to you towards your expenses as a Councillor (excluding payments made to you by the Council itself) or towards your election expenses within the last 12 months before the date of this notification.</p>

<p>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 do not need to give the amounts of any payments.</p> <p>This includes any payment made by your political party and agent at the election and any payment or financial benefit from a trade union.</p>
<p><b>Contracts</b></p>	
<p><i>Prescribed description:</i> 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</p>	<p>You should describe all current contracts which are:</p> <ul style="list-style-type: none"> <li>• contracts for the supply of goods, services or execution of works to or for the Council or on the Council's behalf; and</li> <li>• made between your Council and yourself or</li> <li>• made between the Council and a company or firm in which you have a beneficial interest or of which you are a director or a partner or</li> <li>• made between the Council and your spouse or partner or a company or firm in which your spouse or partner is a director of business partner</li> <li>• and which is still operating</li> </ul> <p>You do not need to say what the financial arrangements are, but you should say for how long the contract is for. Once the contract has been fully discharged it can come off the register.</p>
<p><b>Land</b></p>	
<p><i>Prescribed description:</i> Any beneficial interest in land which is within the area of the relevant authority</p>	<p>You should list include any land in your Council's area in which you have a <b>beneficial interest</b>: i.e. land in which you have some proprietary interest for your own benefit.</p> <p>You should give the address (including postcode) or a brief description to identify it. If you live in the Council's area you should include your home under this heading (whether you occupy it as owner, occupier, lessee, licensee or tenant).</p>

	<p>You should also include any property from which you receive rent, or of which you are the mortgagee.</p> <p>“Land” includes any buildings or parts of buildings, but it does <i>not</i> include an interest such as an easement or other right over land which doesn’t carry with it a right for you or your partner or spouse to occupy the land or to receive income from it. You need not register those.</p>
<b>Licences</b>	
<p><i>Prescribed description:</i> Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.</p>	<p>If you or your spouse or partner have a <b>licence</b> to occupy land you need only register it if the licence is for a month or longer.</p>
<b>Corporate tenancies</b>	
<p><i>Prescribed description:</i> 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>	<p>You should list any tenancies of property where the <b>landlord is the Council</b> and the tenant is yourself, or a company of which you or your spouse or partner are a director or in whose securities you or they or have a beneficial interest</p>
<b>Securities</b>	
<p><i>Prescribed description:</i> Any beneficial interest in securities of a body where— (a) that body (to your 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.</p> <p>In this context “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment</p>	<p>You should list the names of any companies, industrial and provident societies or other corporate bodies that (to your knowledge) has land or a place of business in our area and in which you, or your spouse or partner hold shares or other securities of over £25,000.</p> <p>The extent of your interest or the actual amount of your holding doesn’t need to be disclosed, and you do not need to disclose money in a bank or building society.</p>

<p>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.</p>	
<p><b>OTHER REGISTRABLE INTERESTS</b></p>	
<p>Any interest where you think a reasonable person with knowledge of the relevant facts may either regard the interest itself as so significant, or otherwise as having so much greater impact upon you than upon the majority or residents or inhabitants in the affected area, that it may prejudice your judgement of the public interest</p>	
<p>Any membership of any body</p>	<p>This includes membership of bodies to which you were appointed or nominated by the Council (either at the Annual Meeting or subsequently) to serve as the Council's own representative. These can be statutory bodies, outside organisations or charities.</p>
<p>Any other area which, in your view, might create a conflict of interest in carrying out your duties as a Borough Councillor, including but not confined to the receipt of gifts or hospitality to a value greater than £100.</p>	<p>This is to allow you to be open about such other aspects of your personal affairs, if you so wish, and to declare the receipt of substantial gifts or hospitality that anyone might think would influence you</p>