

**REGISTER OF MEMBERS' INTERESTS
GENERAL NOTICE OF REGISTRABLE INTERESTS**

GUIDANCE NOTES FOR DISTRICT /TOWN AND PARISH COUNCILS

Every elected, re-elected or co-opted Member of Mid Devon District Council or a Town or Parish Council within Mid Devon District is required to notify the Monitoring Officer (within 28 days of being elected, re-elected or co-opted onto the authority) of all current "disclosable pecuniary interests" of which they are aware. 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 Member, but also of his/her spouse, civil partner or person with whom he/she lives as if they were spouses or civil partners, in so far as the Member is aware of his/her partner's interests. Please note that a bridged version of your Declaration of Interest will be published on the Council's website. The interests you declare in relation to your spouse/civil partner or person with whom you live as if you were a spouse or civil partner will appear on the website as your interests. Your signature will not be published.

Failure to register any such interest, failure to register within 28 days of election, re-election or co-option, or the provision of misleading information on registration without reasonable excuse, will be criminal offences and is liable on conviction to a fine currently not exceeding £5,000 and/or disqualification as a Member for up to 5 years.

These notes give general guidance on what items Members should include on the disclosable pecuniary interests form.

Members' attention is drawn to the following:

- The onus is on the individual Member to use their own judgment about making a declaration as the Member is personally responsible for the accuracy of the contents
- If in doubt about whether or not something should be declared, Members are urged to err on the side of openness and avoid the risk of not registering something in error
- Complete the register with sufficient detail to accurately identify what the interest is, as failing to do so could place the Member at risk of failing to comply with the Localism Act 2011

- Mark ‘**none**’ on the register if you have no interest to register in any category. Do **not** leave a box empty.
- Do not use initials, abbreviations or acronyms
- If you are a Member of any other authority, please complete a separate form for each one

Relevant part of disclosable pecuniary interests form	Guidance
<p><u>Employment</u>, office, trade, profession or vocation carried out for profit or gain.</p>	<p>You should show every employment, office, trade, profession or vocation that you and your partner have to declare for income tax purposes.</p> <p>Give a short description of the activity concerned; for example, “Computer Operator”, “Accountant”, “Nurse”, “Property Developer”, “Retired” etc.</p> <p>If you are an employee, you should give the name of your employer; if employed by a company, please give the name of the company paying your wages or salary, not that of the ultimate holding company.</p> <p>If you are a Partner or Director, please give the name of the Partnership or Company.</p> <p>If you are Self Employed, please give your trading name and the nature of your business.</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>Sponsorship received in respect of carrying out duties as a member of my Council area, or towards my election expenses</p>	<p>You should declare the name of any person or body that has made any payments to you in the last year 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> <ul style="list-style-type: none"> • This would usually mean a political party at election time and • 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>You do not need to include payments or Members' allowances from your Parish/Town Council.</p>
<p>Any beneficial interest in <u>securities</u> (stocks, shares, bonds...) of a body where (a) that body has a place of business or land in my Council area and</p> <p>Either</p> <p>The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body</p> <p>Or</p> <p>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>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 your Council area and in which you or your 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>This requirement also covers shared securities held in the name of other people (e.g. trustees) in which you have a beneficial interest. You do not need to show the actual amount of your beneficial interest.</p> <p>Please note that the nominal value is the value on the face of the security and not its value at the time acquired or its current monetary value.</p> <p>A company or body corporate is active in your Council area if it has land or a place of business in your Council area.</p>

<p><u>Contracts</u> between myself (or body in which I have a beneficial interest) and the Council (or organisation contracted to carry out business on its behalf)</p>	<p>You should list any contract made between yourself or your partner or a body in which either of you have a beneficial interest and the 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. <p>You need not include details of the financial arrangements, but state briefly the contractor, what the contract is and for how long.</p> <p>Where the contract relates to use of land or a property, it must be identified.</p>
<p><u>Land or property</u> in my Council area in which I have a beneficial interest</p>	<p>You should include any land in your Council area in which you or your 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>When the information to be recorded relates to a house or a flat, this does not present any difficulty in providing an address. However, the registration of other land interests such as farm land or other land with no address is problematic: in these circumstances, you should include sufficient information to enable it to be identified (e.g. a map should be attached to the form).</p> <p>“Land” includes any buildings or parts of buildings (and, e.g. allotments). Please attach a map if appropriate.</p> <p>You do not need to register land that you own that is outside your Council’s area.</p>
<p><u>Any licence</u> (alone or jointly with others) to occupy land in my Council area for a month or longer</p>	<p>You should include land in the area of your Council area which you or your partner have a right to occupy, but neither own nor have a tenancy of. This could include where you live with a partner or family member who owns the property. You should give the address or a brief description to identify it.</p> <p>“Land” includes any buildings or parts of buildings. Please attach a map if appropriate.</p>

<p>Any <u>tenancy</u> where (a) the landlord is the Council; and (b) the tenant is a body in which the relevant person has a beneficial interest</p>	<p>“Land” includes any buildings or parts of buildings. Please attach a map if appropriate.</p>
<p><u>Membership</u> of other bodies as follows:</p> <p>(a) Body to which I have been appointed or nominated by the authority as its representative;</p> <p>(b) Public authority or body exercising functions of a public nature;</p> <p>(c) Company, industrial and provident society, charity or body directed to charitable purposes;</p> <p>(d) Body whose principal purposes include the influence of public opinion or policy</p>	<p>(a) This will include, for example, where the Council has appointed you to sit on an outside body.</p> <p>(b) This includes regional and local development agencies, other government agencies, other Councils, public health bodies, organisations carrying out housing functions and school governing bodies.</p> <p>(c) This will include, for example National Trust, English Heritage, Rotary Club, Lions Club, local charitable trusts and Freemasons. Freemasons who are members of the Grand Charity must register membership of the Grand Charity in their Register of Members’ Interests. If an individual lodge is one which has charitable status or could be described as a body directed towards charitable purposes, then membership of that lodge would also need to be registered.</p> <p>(d) This will include membership of a political party as well as membership of any pressure group or other organisation which includes lobbying as one of its principal purposes.</p>

Disclosure of Gifts and Hospitality

You must reveal the name of any person from whom you have received a gift or hospitality with an estimated value of at least £25 which you have received in your capacity as a member of the Council.

You must register any gifts or hospitality **worth £25 or over** that you receive **in connection with your official duties as a Member**, and the source of the gift or hospitality. (An accumulation of small gifts received over a short period that add up to £25 or over should also be registered).

You automatically have a personal interest in a matter under consideration if it is likely to affect a person or body who gave you a gift or hospitality that is registered. If that is the case, you must declare at the meeting the existence and nature of the gift or hospitality, the person who gave it to you and how the business under consideration relates to that person.

Once three years have passed since you registered the gift or hospitality in your Register of Interests, your obligation to disclose that interest to any relevant meeting ceases.

Gifts received in a personal capacity do not need to be registered.