

# Southend-on-Sea Borough Council

Report of Chief Executive and Town Clerk  
to

## Standards Committee

on

3 December 2003

Report prepared by: John Williams

Agenda  
Item No.

9

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### Declarations of Interest and Gifts/Hospitality pursuant to the Members' Code of Conduct – Southend-on-Sea Borough Council and Leigh-on-Sea Town Council Members

*A Part I Public Agenda Item*

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#### 1. Purpose of Report

- 1.1 To update the Committee on the arrangements which currently operate for Members of the Council and Leigh-on-Sea Town Council to register interests and gifts/hospitality.

#### 2. Recommendation

- 2.1 That the report be noted.

#### 3. Background

- 3.1 When Members are elected or co-opted to Southend-on-Sea Borough Council or the Leigh-on-Sea Town Council they sign a Declaration of Acceptance of Office. In this Declaration they agree to abide by the Code of Conduct. Part 3 of the Code of Conduct (a copy of which is attached at **Appendix 1**) sets out the statutory obligations in S.81 of the Local Government Act 2000 to;

- (a) Register financial and other prescribed interests with the Monitoring Officer within 28 days of their election.
- (b) To notify the Monitoring Officer of any changes to their interests within 28 days of becoming aware of any such change.
- (c) To provide written notification to the Monitoring Officer within 28 days of receiving any gift or hospitality over the value of £25.

- 3.2 The Register of Financial and other interests referred to in 3.1 above is a public register which I hold. I also hold the Register of Gifts and Hospitality (referred to in 3.1) although this is not a public register.

- 3.3 With regard to Borough Councillors, I ensure that all new Councillors and co-opted members sign the Declaration of Acceptance of Office and also supply me with details of their financial and other interests for inclusion in the Register. I also keep the register of gifts/hospitality which Members have declared and also a separate book in respect of gifts/hospitality received by the Mayor. With regard to Leigh-on-Sea Town Council, their Town Clerk, Geoff Fulford, carries out these responsibilities on my behalf and supplies me with copies of the Register entries.

- 3.4 The arrangement for registering Members interests and gifts/hospitality has recently been subject to a routine Internal Audit study. Internal Audit have made 2 recommendations which I have now implemented;

- (a) In every case a Member should provide a written declaration of gifts/hospitality received which should be retained – in some cases I had completed a register entry based on an oral declaration by a Member; but I no longer do so.
- (b) That the register of gifts/hospitality be reviewed on a quarterly basis to ensure interests are properly registered within 28 days and that any unusual trends are picked up. I will now do this.

3.5 Notwithstanding the fact that a Member has declared an interest in the Register, he or she is still bound by the obligation in the Code to declare any personal interest which he/she has in a matter which is considered at a meeting of the authority. I regularly give advice to Members on the rules regarding declarations of personal interests and prejudicial interests (which necessitate a withdrawal from the meeting).

3.6 I have sent several letters to Members reiterating the need to ensure that they comply with the interest and gift/hospitality rules and to keep their registrations up to date. For example I attach at **Appendix 2** a letter which I sent to Members in July 2003 which included a general warning to be careful about accepting gifts and hospitality.

In the light of the recent statistics from the Standards Board for England (see **Appendix 3** attached), which show that 50% of all complaints they receive about Members breaching the Code of Conduct relate to failure to register interests, this is clearly very important.

#### **4. Background Papers**

4.1 Local Government Act 2000 and Regulations made there under.

#### **5. Appendices**

5.1 **Appendix 1** – Part 3 the Members Code of Conduct relating to the registration of interests and hospitality.

5.2 **Appendix 2** – Registering and Declaring Interests and Gifts/Hospitality – letter from Deputy Town Clerk dated 14 July 2003.

5.3 **Appendix 3** – Recent statistics from the Standards Board for England on complaints.