

## ARBORFIELD AND NEWLAND PARISH COUNCIL

### DISCLOSABLE PECUNIARY INTERESTS

This note explains the requirements of the Localism Act 2011 (Ss 29-34) and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, in relation to disclosable pecuniary interests.

These provisions are enforced by criminal sanction. They come into force on 1 July 2012.

#### 1. Notification of disclosable pecuniary interests

Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'.

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) within the following descriptions:

(In the extracts from the Regulations below, 'M' means you and 'relevant person' means you and your partner, as above)

Subject	Prescribed Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>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 M in carrying out duties as a member, or towards the election expenses of M.</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>
Contracts	<p>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> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge):

Subject	Prescribed Description
	(a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where:  (a) that body (to M's 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.

These descriptions on interests are subject to the following definitions:

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“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;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment 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.

## 2. Register of interests

Any interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the authority's website. This is now a legal requirement and will not require your separate agreement.

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### **3. Sensitive interests**

Where you consider that disclosure of the details of a disclosable pecuniary interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer 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 disclosable pecuniary interest, the details of which are withheld under Section 32(2).

### **4. Offences**

It is a criminal offence to:

- Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election;
- Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest 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 disclosable pecuniary interest;
- As an executive member discharging a function acting alone, and having a disclosable pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest;
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting;

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

## ARBORFIELD & NEWLAND PARISH COUNCIL

Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Register of Member's & their Spouse's or Partner's Disclosable Pecuniary Interests.

Please read the attached guidance when completing this register.

I, Councillor..... ANDY BAILEY .....

A Member of Arborfield & Newland Parish Council, give notice that the following disclosable pecuniary interests, of myself and those of my spouse/partner (delete as necessary) (name)..... ANITA BAILEY ..... are provided below.

I have set out, under the appropriate headings, my/our interests which I/we are required to declare pursuant to the Act and Regulations and have put 'none' where I/we have no such interests under any heading.

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

By you

By your spouse/partner

..... NONE .....

..... NONE .....

### 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 you in carrying out duties as a member, or towards your 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.

..... NONE .....

### 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.

You

Your Spouse/Partner

(a)..... *NONE* .....

(a)..... *NONE* .....

(b).....

(b).....

### Land

Any land in your authority's area in which you/your spouse/partner have a beneficial interest ( which includes your home if it lies within the authority's area)

You

Your Spouse/Partner

..... *NONE* .....

..... *NONE* .....

### Licences

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

You

Your Spouse/Partner

..... *NONE* .....

..... *NONE* .....

### 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.

You

Your Spouse/Partner

(a)..... *NONE* .....

(a)..... *NONE* .....

(b).....

(b).....

### Securities

## Changes to Registration of Disclosable Pecuniary Interests, Pecuniary Interests and Personal Interests and Disclosure of Gifts and Hospitality.

Notification of disclosable pecuniary interests, pecuniary interests, personal interests and disclosure of gifts and hospitality.

I understand that I must, within 28 days of becoming a member or co-opted member, notify the Monitoring Officer of any 'disclosable pecuniary interests', pecuniary interests, personal interests and disclosure of gifts and hospitality, including any changes to sensitive information and provide written notification of that change.

I recognise and understand that it is a criminal offence to:

- Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election
- Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register
- Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest 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 disclosable pecuniary interest
- As an executive member discharging a function acting alone, and having a disclosable pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting

and that any breach of these regulations in the above terms can be referred to the Police and or the Director of Public Prosecutions for criminal proceedings.

Signed: .....

(Councillor)

Date: .....

Received

Signed: .....

(By or on behalf of the Monitoring Officer Wokingham Borough Council)

Date: .....

# ARBORFIELD AND NEWLAND PARISH COUNCIL

## REGISTER OF MEMBERS INTERESTS

### PERMISSION TO PUBLISH ON THE WEBSITE.

Members' forms on the Council's website will never be changed or altered by anyone in any way with regard to their content. The only change that can happen is that they can be replaced with an updated form submitted by yourself and then only by a limited number of officers who have access. We consider this level of security is adequate in this context.

I approve the publication of my Registers of Interests form onto the Council's Website.

Name..... Andy Bailey .....

Signature.....  .....

Date..... 22/11/23 .....