

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Monitoring Officer	Report Number: JAC16
To: Joint Audit and Standards Committee	Date of meeting: 4 November 2013

UPDATE ON COMPLIANCE WITH THE LOCALISM ACT 2011

1. Purpose of Report

- 1.1 To update Members on the measures taken to comply with the requirements within Chapter 7 of the Localism Act and to identify any further actions required.

2. Recommendations

- 2.1 That the measures taken to comply with the requirements within Chapter 7 of the Localism Act 2011 be noted.
- 2.2 That the Committee identifies any further steps required to be taken.

The Committee is able to resolve this matter.

3. Financial Implications

- 3.1 None directly arising from this report. The new measures have however impacted upon staff resources.

4. Risk Management

- 4.1 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
The Council breaches its obligations under the Localism Act	Low	Marginal	Training provided and guidance issued to explain requirements of the new code. All measures already undertaken except publication of parish registers on website at MSDC.
Register of interests forms are not completed by all councillors	High	Critical	Monitoring Officer working with Parish Clerks to ensure accurate, up-to-date data is being used; and continues to pursue outstanding forms

5. Consultations

- 5.1 The issue regarding non return of register of interests forms has been raised at the Suffolk Monitoring Officers Group.

6. Equality Analysis

6.1 Not relevant to this report.

7. Shared Service / Partnership Implications

7.1 None.

8. Key Information

8.1 This report identifies the actions outstanding to secure full compliance with Chapter 7 of the Localism Act 2011 by (i) the Councils, (ii) parish/town councils and (iii) councillors.

8.2 Chapter 7 came into effect on 1 July 2012 and introduced a new standards regime for all councils. A new Local Code of Conduct has been adopted across Suffolk, a new complaints system has been put in place and a pool of 'independent persons' has been appointed. These arrangements were made at the outset and appear to be working effectively. There are however still some outstanding actions as follows:-

District Councillor Register of Interests

8.2.1 Across both Councils all but two Babergh councillors have completed updated Register of Interests forms. Reminders have been issued to the councillors, the latest on 18 October 2013. The Register should have been completed by 29 July 2012.

Parish Council Register of Interests

8.2.2 Likewise, all town/parish councillors were required to complete new Register of Interests forms which are held on a public register by the district council. Action taken since the last committee meeting has resulted in a further increase in compliance. As at 22 October 2013, 91% (previously 85%) of parish councillors within the Babergh district and 89% (previously 75%) of those within the Mid Suffolk district have submitted completed forms.

8.2.3 However, there are 4 out of 67 (previously 7) parish/town councils in Babergh and 7 out of 95 (previously 19) parish councils in Mid Suffolk from whom no Registers have been received, as identified in the Table below. The latest reminder was sent out by the Monitoring Officer on the 18 October to the clerks of those councils. The Suffolk Association of Local Councils has also previously issued reminders.

Babergh district	Mid Suffolk district	
Aldham	Ashbocking	Thurston
Little Cornard	Earl Stonham	Wetheringsett-Cum-Brockford
Semer	Henley	Wingfield
Wherstead	Stuston	

8.2.4 The following action has been taken since the last meeting of this committee:

- Consultation with the Suffolk Monitoring Officers Group;
- Letters to Parish Clerks;
- Letters to District Councillors;
- Further advice given on declaration and registration of interests:
 - guidance issued on action to be taken
 - item included in the October 2013 Parish Councils' Newsletter and;
- An audit commenced to ensure the data is up-to-date and accurate following the recent attempts to increase compliance

Publication of Registers

8.2.5 All of the completed district council Register of Interests forms have been placed on the Councils' respective websites as required by the Localism Act. The Babergh parish/town council registers have been placed on its website although this has meant individually checking and scanning hundreds of forms.

8.2.6 It has not yet been possible to overcome the technical ICT problems in hosting the Mid Suffolk parish/town registers. An alternative solution has been identified which should be in place within the next few months. In the future all Registers in both authorities will be submitted electronically. To enable this to happen, starting in November further training will be provided to the technical staff, and then to clerks and Committee Services at a later date.

9. Appendices

9.1 None.

10. Background Papers

10.1 None.

Authorship:

Monica Blades-Chase
Interim Corporate Manager – Legal

01449 724679 / 01473 825729
monica.blades-chase@babergh.gov.uk

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