

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Monitoring Officer	Report Number: JAC29
To: Joint Audit and Standards Committee	Date of meeting: 30 June 2014

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. Introduction of e-forms and provision of training.
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 All councillors have now completed updated Register of Interest forms. The newly elected councillors for the South Cosford ward and for the Stowmarket (North) ward respectively have also complied with this requirement.

Parish Council Register of Interests

8.2.2 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 19 June 2014, 98% (previously 94%) of parish councillors within the Mid Suffolk district have submitted completed forms. Compliance by parish councillors within the Babergh district remains at 97%.

8.2.3 Since the previous meeting of the Committee, the Monitoring Officer has been in contact with the clerks of Ashbocking, Earl Stonham, Wingfield and Aldham parish councils to ensure compliance with the statutory requirements. After protracted correspondence, Ashbocking and Earl Stonham parishes have submitted completed forms. Wingfield parish council within Mid Suffolk district and Aldham parish council within Babergh district have not yet complied. The Monitoring Officer has made arrangements to attend the next meeting of Aldham parish council on 2 September 2014. Wingfield parish council was contacted on 6 March, 25 March and 30 April 2014. The Ward Councillor was contacted on 5 June 2014. The Monitoring Officer will provide an update to the Committee at the November meeting.

8.2.4 There is now only 1 out of 67 (previously 1) parish/town council in Babergh and only 1 out of 95 (previously 3) parish council in Mid Suffolk from whom no Registers have been received, as identified in the Table below:

Babergh district	Mid Suffolk district
Aldham	Wingfield

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 and an audit has been carried out to ensure that the data is up-to-date and accurate.
- 8.2.6 Since the previous meeting of the Committee, the Mid Suffolk parish/town council registers have been placed on its website and an audit has been carried out to ensure the data is up-to-date and accurate.
- 8.2.7 Work has also progressed on a shared IT – Legal ODT project to enable parish clerks to use e-forms placing the Register of Interest forms direct onto the relevant website. It is anticipated that initial testing of this e-publication system will take place in early autumn and that it will be fully operational by May 2015. Updates on this project will be provided to Members quarterly.

9. Appendices

9.1 None.

10. Background Papers

10.1 None.

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