

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Monitoring Officer	Report Number: JAC52
To: Joint Audit and Standards Committee	Date of meeting: 16 March 2015

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 and a new complaints system has been put in place. A pool of 'independent persons' was appointed for an initial two year period and, following a successful recruitment exercise, three independent persons have been appointed in September 2014 for a further two year period. These arrangements 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. Additional officer time has been allocated to assist with the on-going maintenance of these records. Councillors are aware of the importance of keeping these records up to date.

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. As at 5 March 2015, 100% 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 further contact with the clerk of Aldham Parish Council. I am pleased to report that although Aldham Parish Council within Babergh district has not yet complied, Register of Interest forms were requested and sent out on 3 February 2015. The clerk to Aldham Parish Council confirmed on 5 March 2015 that the Register of Interest forms were distributed to the individual parish councillors at the meeting of the parish council the previous week. A verbal update will be provided to the Committee on the latest position.

8.2.4 There is now only 1 out of 67 (previously 1) Parish/Town Council in Babergh from whom no Registers have been received, as identified in the Table below:

Babergh district	Mid Suffolk district
Aldham	N/A

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. Both the Babergh and Mid Suffolk 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 additional officer time allocated for the continuous maintenance of the records has been fully utilised. On average, three amended Register of Interest forms are received from parish councils per week and officers also deal with associated queries on an on-going basis.
- 8.2.7 Internal testing of the e-form solution enabling parish clerks to submit Register of Interest forms electronically has been carried out by officers. This has identified a couple of technical issues which are being addressed. It is intended to launch the system in May 2015. The Monitoring Officer will provide a further update to the Committee on this initiative at the June 2015 meeting.

9. Appendices

9.1 None.

10. Background Papers

10.1 None.

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