



<b>CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY –SHADOW OVERVIEW AND SCRUTINY COMMITTEE</b>	AGENDA ITEM No.8
	PUBLIC REPORT

**TITLE: CODE OF CONDUCT AND REGISTER OF INTERESTS**

<b>R E C O M M E N D A T I O N S</b>	
<b>FROM :</b>	
<b>Lead Officer</b>	Kim Sawyer, Interim Monitoring Officer
<b>RECOMMENDATIONS</b>	
<p>The Shadow Committee are asked to note the code of conduct and the requirement to complete a register of interests following Members' appointment to the Overview and Scrutiny Committee.</p>	

**1. PURPOSE AND REASON FOR REPORT**

- 1.1 The purpose of the report is to advise members of the requirement to complete a register of interest following their appointment.

**2. BACKGROUND**

- 2.1 The Board adopted its code of conducts at its first meeting. By law, and in accordance with the code, members must register their disclosable pecuniary interests within 28 days of being elected or appointed to the Combined Authority, or one of its committees or sub-committees, or following the adoption of a code of conduct. The Code is attached (Appendix 1)
- 2.2 This requirement applies to co-opted members, observes and members of non-executive committees.
- 2.3 Councillors are required to complete a register of interest form as a member of their constituent councils and this is published on the Council's website. Much of the information on that form also applies to the combined authority. However, some questions only relate to the constituent council's area, such as interests in property and land. As the combined authority encompasses a wider area, Members will need to complete a supplementary form to declare any interests relating to the combined authority area.
- 2.4 The supplementary form is attached (Appendix 2). Once the Combined Authority website is live, each member's profile will provide a link to the members interest form on their constituent council website, and the supplementary form will be published on the Combined Authority's website.
- 2.5 Members of the Overview and Scrutiny Committee will be required to complete the supplementary form within 28 days of their appointment following the annual meeting.



**3. FINANCIAL IMPLICATIONS**

3.1 There are no financial implications.

**4. LEGAL IMPLICATIONS**

4.1 This is dealt with in the report.

**5. EQUALITIES IMPLICATION**

5.1 N/A

**6. BACKGROUND DOCUMENTS**

6.1 N/A.

**7. APPENDIX**

Appendix 1 – Code of Conduct

Appendix 2 - Declaration of Interest form (supplementary)

## Appendix 1

### Chapter 14 - Part 1 – Member Code of Conduct

#### 1. Principles of Public Life

1.1. The Members' Code of Conduct is intended to promote high standards of behaviour amongst the Members and co-opted Members of the Combined Authority.

1.2. The Code is underpinned by the following principles of public life, which should be borne in mind, when interpreting the meaning of the Code:

##### i. Selflessness

Holders of public office should act solely in terms of the public interest.

##### ii. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

##### iii. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

##### iv. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

##### v. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

##### vi. Honesty

Holders of public office should be truthful.

##### vii. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.



## Part 1 – General Provisions

- 1.1 You are a Member or co-opted Member of the Combined Authority and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 1.2 Accordingly, when acting in your capacity as a Member or co-opted Member -
  - 1.2.1 You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
  - 1.2.2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
  - 1.2.3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
  - 1.2.4 You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
  - 1.2.5 You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
  - 1.2.6 You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box overleaf.
  - 1.2.7 You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
  - 1.2.8 You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.



## Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority's Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.<sup>1</sup>

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.

---

<sup>1</sup> A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.



## Part 2 – Interests

### 1. Disclosable Pecuniary Interests

1.1. Disclosable pecuniary interests are specified in the table below:

<b>Subject</b>	<b>Prescribed description</b>
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 Combined Authority) for any expenses incurred by you in carrying out your duties as a member, or towards your election expenses.</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 with the Combined 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> <p>This includes a contract between the Combined Authority and any body in which you, or a person specified in paragraph 1.2 below, has a beneficial interest</p>
Land	Any beneficial interest in land which is within the Combined Authority's area
Licences	Any licence (alone or jointly with others) to occupy land in the Combined Authority's area for a month or longer.
Corporate Tenancies	<p>Any tenancy where (to your knowledge):</p> <p>(a) the landlord is the Combined Authority; and</p> <p>(b) the tenant is a body in which you, or a person listed in paragraph 1.2 below, has a beneficial interest</p>



Securities	Any beneficial interest in securities of a body where:  (a) that body (to your knowledge) has a place of business or land in the Combined Authority's area; 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 person in paragraph 1.2 (below) has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
------------	---

1.2. You must declare an interest if:

- (a) It is your interest, or
- (b) It is an interest of:
  - (i) your spouse or civil partner;
  - (ii) a person with whom you are living as husband and wife, or
  - (iii) a person with whom you are living as if you were civil partners

and you are aware that that other person has the interest.

## 2. Other Disclosable Interests

- 2.1. You must declare the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £100.
- 2.2. You should not act or take decisions in order to gain financial or other material benefits for yourself, your family, or your friends. You must declare and resolve any interests and relationships

## 3. Registration of Disclosable Pecuniary Interests and Other Interests

- 3.1. Subject to paragraph 0 below (sensitive interests), you must, within 28 days of:
  - (a) this Code being adopted or applied by the Combined Authority; or

(b) your election or appointment (where that is later)

notify the Monitoring Officer in writing of any disclosable pecuniary interests and other interests you have at that time.

- 3.2. Subject to paragraph 0 below (sensitive interests) you must, within 28 days of becoming aware of any new disclosable pecuniary or other interest or any change to any such interest, notify the Monitoring Officer in writing of that new pecuniary interest or change.

#### **4. Disclosable Pecuniary Interests in matters considered at meetings or by a Single Member**

- 4.1. If you attend a meeting and are aware that you have a disclosable pecuniary interest in any matter to be considered at that meeting:
- (a) if the interest is not entered in the register of members' interests you must disclose to the meeting the fact that you have a disclosable pecuniary or other interest in that matter;
  - (a)
  - (b) if you have not already done so, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure; and
  - (c) whether the interest is registered or not you must not unless you have obtained a dispensation from the Monitoring Officer to participate, or participate further, in any discussion of the matter at the meeting
  - (d) whether the interest is registered or not you must not, unless you have obtained a dispensation from the Audit and Governance Committee participate in any vote, or further vote, taken on the matter at the meeting.

#### **Sensitive Interests**

- 4.2 Where you consider (and the Monitoring Officer agrees) that the nature of a disclosable pecuniary or other interest is such that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to intimidation or violence, it is a "sensitive interest" for the purposes of the Code and the details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.





CAMBRIDGESHIRE  
& PETERBOROUGH  
COMBINED AUTHORITY

Appendix 2

**REGISTER OF MEMBERS’  
FINANCIAL AND OTHER  
INTERESTS**



CAMBRIDGESHIRE  
& PETERBOROUGH  
COMBINED AUTHORITY

**FOR COUNCILLORS APPOINTED  
TO THE COMBINED AUTHORITY**

You must declare your interests on this form. The interests are recorded in a register. The register of interests is maintained by the Monitoring Officer and will be published on the Combined Authority’s website.

If you are a Councillor, you will have completed a form for your local council. This form aims to provide additional information that relates to the combined authority area that is not on your Council register.

You need not repeat information that is on your Council register.

**Name:** .....

**Member of**.....:

*(Please state which bodies you have been appointed to eg Combined Authority, the Audit and Governance Committee or the Overview and Scrutiny Committee or another body of the Combined Authority)*

**MEMBERS INTERESTS**

**PART 1: DISCLOSABLE PECUNIARY INTERESTS**

Please complete each section for you and your civil partner, spouse or partner you live with.

Please note: For the purposes of the register, an interest of your spouse or civil partner, which is listed in the national rules, is **your** disclosable pecuniary interest. The Combined Authority’s website will not name your partner. It must show all disclosable pecuniary interests and those that relate to your spouse, civil partner as your interests.

<b>Q1</b>	<b>CONTRACTS</b>
1.1	<p>Do you have any contracts with the Combined Authority for goods or services which has not been discharged? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services for this Combined Authority)</p> <p>If NO or NOT KNOWN, please state here and go to Q1.2</p>



If YES, please provide details of the goods or services provided	
Does the information provided relate to:	
You	
Your Civil Partner, spouse or partner you live with	
<p>1.2 Does any body, in which you hold a beneficial interest, have any contracts with the Combined Authority for goods or services which has not been discharged? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services for this Combined Authority)</p> <p>If NO or NOT KNOWN, please state here and got to Q2.</p> <hr/> <p>If YES, please provide details of the goods or services provided</p> <p>Does the information provided relate to:</p>	
You	
Your Civil Partner, spouse or partner you live with	

<b>Q2 LAND LICENCES AND CORPORATE TENANCIES</b>	
<p>2.1 Do you hold any beneficial interest in land within the Cambridgeshire and Peterborough Combined Authority's area? (A beneficial interest is one in which you have some proprietary interest in land or buildings, or parts of land or buildings. You should include your home under this heading as owner, lessee or tenant and any land in which you are joint owner, lessee or tenant. You should also include any property from which you receive rent, or of which you are a mortgagee).</p> <p>If NO, please state here and go to Q2.2 _____</p> <p>If YES, please give the address or a brief description of the land:</p> <p>Does the information provided relate to:</p>	
You	
Your Civil Partner, spouse or partner you live with	
<p>2.2 Do you have a licence to occupy land for a month or longer within the Cambridgeshire and Peterborough Combined Authority area? (A licence is a contract</p>	



granting you the right to occupy land or buildings on a non exclusive basis. Please include any licence which you have jointly with others)

If NO, please state here and go to Q4.3 \_\_\_\_\_

If YES, please give details of the licence (the address or a brief description of the land)

Does the information provided relate to:

You	
Your Civil Partner, spouse or partner you live with	

**2.3** Do you have a beneficial interest in any body which is the tenant of land where the Combined Authority is the landlord? (Please provide details of any land or buildings where Cambridgeshire and Peterborough Combined Authority is the landlord and the tenant is a body on which you have some proprietary interest for your own benefit e.g. your business. You should give the address or a brief description to identify the tenancy and the body which is the tenant)

If NO, please state here and go to Q3 \_\_\_\_\_

If YES, please provide the address(es) or other descriptions(s) of any land interest:

Does the information provided relate to:

You	
Your Civil Partner, spouse or partner you live with	

**Q3 SECURITIES**

**3.1** Do you have a beneficial interest in a class of securities of a body that:  
(a) has a place of business in the Combined Authority's area and  
(b) that exceeds the nominal value of £25,000 or 1/100 of the total issued shared capital of that body?

(If you own shares or other form of equity in a company or other body which has a place of business within the Cambridgeshire and Peterborough Combined Authority area, you will need to consider whether the interest is to be included. Identify the nominal value; this is the amount of shares indicated on the certificate; not the market value. If this exceeds £25,000, you need to register the name of the company or body. If this is less than £25,000 but your holding is more than 1% of the total issued share capital, you need to register the name of the company or body)

If NO, please state here and go to the signatory part of this form.

If YES, please provide details:



Does the information provided relate to:	
You	
Your Civil Partner, spouse or partner you live with	

**PART 2**

**NON-PECUNIARY (OTHER INTERESTS)**

Use this section to declare which are not Disclosable Pecuniary Interests, but which might be affected by Combined Authority business.

You should declare at meetings any interests of a partner or family member which might be affected by business under discussion.

Non Statutory Disclosable Interests (note – these are not Disclosable pecuniary interests) – please provide details of any other interest you wish to declare but which are not disclosable pecuniary interests. Examples are set out in the guidance note attached to the end of this document.	
You	
Your Civil Partner, spouse or partner you live with	

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please return this form to the Monitoring Officer, Cambridgeshire and Peterborough Combined Authority, c/o Town Hall, Bridge Street, Peterborough, PE1 1HG or by email to kim.Sawyer@peterborough.gov.uk

Signature of Monitoring Officer: \_\_\_\_\_ Date: \_\_\_\_\_



## **Guidance Notes for the Register of Members' Disclosable Pecuniary Interests and Non Statutory Disclosable Interests (other)**

### **Part 1 – Disclosable Pecuniary Interests**

These notes provide guidance about the information members should include on the register of disclosable pecuniary interests form. The relevant section of the register is given in bold, followed by the corresponding guidance.

It is a legal requirement that each member must register their disclosable pecuniary interests and those of their partner. (N.B. DCLG guidance suggests that the member may choose to register their partner's interests as if they were their own).

Each individual member must make their own judgement about making a declaration and they should not rely on a direction from an officer, though if in doubt they should seek advice from the Monitoring Officer. If you require any assistance in completing your members interests form, please contact the Monitoring Officer at [kim.sawyer@peterborough.gov.uk](mailto:kim.sawyer@peterborough.gov.uk) for assistance.

All members are required to complete the form within 28 days of the code of conduct having been adopted by the Combined Authority or within 28 days of being elected, re-elected or appointed to the Combined Authority.

Outside of this period, when members have declared a disclosable pecuniary interest at a meeting and that interest was not on their register, they must update their register within 28 days of that meeting. The same rule applies to members making decisions when acting alone.

Failure to register or to declare a “disclosable pecuniary interest” is a criminal offence. So is speaking and voting, unless you have a dispensation. This is punishable by a fine of up to £5,000 and/or disqualification as a Combined Authority Member for up to five years.

### **3. CONTRACTS**

You should describe all contracts, of which you/ your spouse, partner are aware, which are not fully discharged, and which are:

- (a) contracts between the Combined Authority and yourself/ your spouse, partner for the supply of goods, services or works to the Combined Authority or on the Combined Authority's behalf; and
- (b) contracts between a firm in which you/ your spouse, partner are a partner, or a company of which you are a Director, or in which you have a beneficial interest and the Combined Authority for the supply of goods, services or works to the Combined Authority or on the Combined Authority's behalf.

You need not say what the financial arrangements are, but should say for how long the contract is.

#### **4. LAND LICENCES AND CORPORATE TENANCIES**

You should declare any land in the Combined Authority area in which you/your spouse, partner have a beneficial interest (that is, in which you/ your spouse, partner have some proprietary interest for your own benefit). You should give the address or a brief description sufficient to identify it. If you/your spouse, partner live in the Combined Authority area you should declare your home as owner, lessee, or tenant.

You should also declare any property from which you/your spouse, partner receive rent, or of which you are the mortgagee.

You should declare land in the Combined Authority area which you/your spouse, partner have a right either alone or jointly with another to occupy for 28 days or longer, but neither own nor have a tenancy of.

You should declare the address or a brief description to identify it.

You should list any tenancies of property of which you/your spouse, partner are aware where the landlord is the Combined Authority, and the tenant is either a firm in which you/your spouse, partner are a partner or a company of which you/your spouse, partner are a Director or in which you/your spouse, partner have a beneficial interest.

Note: "Land" includes any buildings or parts of buildings.

#### **5 SECURITIES**

If you/ your spouse, partner own shares or other form of equity in a company or other body which has a place of business within the Cambridgeshire and Peterborough Combined Authority area, you will need to consider whether the interest is to be registered.

Identify the nominal value; this is the amount of shares indicated on the certificate; not the market value. If this exceeds £25,000, you need to register the name of the company or body.

If this is less than £25,000 but your/your spouse, partner's share is more than 1% of the total issued share capital, you need to register the name of the company or body.

#### **Part 2 – Non-Statutory Disclosable Interests**

Non Statutory Disclosable Interests (note – these are not disclosable pecuniary interests)

You should provide details of any other interests you wish to declare but which are not disclosable pecuniary interests. Examples could include membership of, or position of control or management in any body to which you have been appointed by the Combined Authority as its representative;

This category should not include organisations through which you have a disclosable pecuniary interest. Such organisations should be listed in the appropriate place elsewhere on the register.



## **Sensitive Information**

1. Where you consider that the information relating to any of your/your spouse, partner's personal interests is sensitive information, and your authority's Monitoring Officer agrees, you need not include that information when registering that interest, or as the case may be, a change to that interest.
2. You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under the previous paragraph is no longer sensitive information, notify the Director of Governance asking that the information be included in the authority's register of members' interests.
3. "Sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

This page is intentionally left blank