

Ludgvan Parish Council

Guidance to Councillors – Declaring Interests

It is the responsibility of each individual Councillor to complete the Register of Interest within 28 days of election/co-option to office, and to decide when it is necessary to declare an interest. Expert advice is available from the Monitoring Officer (Cornwall Council), or from the Cornwall Association of Local Councils. Advice should be sought in advance of the meeting where the interest will arise, this will likely be apparent when reading the agenda for the meeting.

The Ludgvan PC [Member's Code of Conduct](#) deals with declaration of interests and participation at meetings. It identified two types of interests – disclosable pecuniary interests (included on the Register of Interest), and non-registerable interests.

Disclosable pecuniary interests generally relate to a Councillor's financial affairs and are set out by law. Importantly, it also includes the same financial matters of the Councillor's spouse, or civil partner, or a person who they are living with as husband, wife, or civil partner.

Non-registerable interests include a range of matters including council appointments, memberships of other bodies, and where the reasonable person would view a councillor's interest in the matter being considered as greater than would affect the majority of residents in the affected area such that it is likely to prejudice their judgement of the public interest.

The Department for Communities and Local Government have published guidance: [Openness and transparency on personal interests](#) (September 2013)

Councillors must:

- Declare any interest whether disclosable pecuniary interest or non-registerable interest) in any business which is to be discussed by the council where the councillor attends the meeting
- Disclose the interest before the relevant agenda item, or whenever it becomes apparent that they have an interest
- Disclose the nature of the interest as this has to be included in the minutes.

If a Councillor has a disclosable pecuniary interest, then they must not:

- Participate in any discussion of the business at the meeting
- Participate in any vote or further vote taken on the matter at the meeting.

Councillors must leave the room for items where they have a disclosable pecuniary interest.

These prohibitions apply to any form of participation, including speaking as a member of the public.

In certain circumstances you can request a dispensation from the council, from these prohibitions.

More guidance on interests, especially with regard to planning matters, has been produced by the Planning Advisory Service, including [this document with advice on Interests, Bias and Pre-determination relating to Planning Matters](#).