

Notification by member of a local authority of personal interests

I, (full name)

BRYAN DAVID PRESTON

a Member of (authority)

DEVON & CORNWALL POLICE AUTHORITY Council

GIVE NOTICE that I have the following personal interests (please state "none" where appropriate)

PLEASE READ THE NOTES OVERLEAF

- (a) I am a member or in a position of general control or management of the following body/ies to which I have been appointed or nominated by the authority.

POLICE AUTHORITY JOINT COMMITTEE FOR SOUTH WEST
CORNWALL DRUG AND ALCOHOL REFERENCE GROUP
CORNWALL COMMUNITY SAFETY PARTNERSHIP.
PREVENT GROUPS, CORNWALL, DEVON, TORBAY, PLYMOUTH
CONTEST BOARD

- (b) I am a member or in a position of general control or management of the following body/ies exercising functions of a public nature.

CORNWALL COUNCIL
SALTASH.NET. COMMUNITY SCHOOL GOVERNING BODY
CORNWALL COLLEGE, SALTASH, COLLEGE COUNCIL
S.F.G CORNWALL NEWQUAY AIRPORT

- (c) I am a member or in a position of general control or management of the following body/ies directed to charitable purposes.

LIVEWIRE YOUTH PROJECT
FRIENDS OF ST BARBARAS HOSPITAL
ROYAL INSTITUTION OF CORNWALL

- (d) I am a member or in a position of general control or management of the following body/ies one of whose principal purposes include the influence of public opinion or policy*.

LIBERAL DEMOCRAT PARTY
CAMPAIGN FOR NUCLEAR DISARMAMENT
BRITISH HUMANIST ASSOCIATION
GMB UNION

- (e) [My Employment] [Business carried on by me] (delete whichever does not apply)

CORNWALL COUNCILLOR - MEMBER
DEVON & CORNWALL POLICE AUTHORITY - MEMBER

- (f) Name of [person] [body] who [employs] [has appointed] me.

CORNWALL COUNCIL

- (g) Name of person(s) or body/ies (other than a relevant authority) who has/have made a payment to me in respect of my election or any expenses incurred by me in carrying out my duties.

SOUTH EAST CORNWALL LIBERAL DEMOCRATS

*Including any political party or trade union.

- (h) Name(s) of any person(s) or body/ies having a place of business or land in the authority's area, and in which I have a beneficial interest in a class of securities of that person(s) or body/ies that exceeds the nominal value of £25,000, or one hundredth of the total issued share capital (whichever is lower).

NONE

- (i) Description of any contract for goods, services or works made between the authority and myself or a firm in which I am a partner, a company of which I am a remunerated director, or a person or body of the description specified in (h) above.

NONE

- (j) Details of the interests of any person from whom I have received a gift or hospitality with an estimated value of at least £25.

NONE

- (k) Address or other description (sufficient to identify location) of any land in the authority's area in which I have a beneficial interest.

HIGHER FOXHOLE
ELM GATE
SALTAM
CORNWALL
PL12 4QY


- (l) Address or other description (sufficient to identify location) of any land where the landlord is the authority and I am, or a firm in which I am a partner, a company of which I am a remunerated director, or a person or body of the description specified in (h) above is, a tenant.

NONE

- (m) Address or other description (sufficient to identify the location) of any land in the authority's area for which I have a licence (alone or jointly with others) to occupy for 28 days or longer.

NONE

Date

Signed .. 

NOTE - A member must within 28 days of becoming aware of any new personal interest or change to any personal interest specified above, register details of that new personal interest or change by providing written notification to the authority's monitoring officer (form LGA 3 may be used for this purpose).

NOTES

The Local Authorities (Model Code of Conduct) Order 2007

Personal interests

- 8.— (1) You have a personal interest in any business of your authority where either -
- (a) it relates to or is likely to affect -
 - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
 - (ii) any body -
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),of which you are a member or in a position of general control or management;
 - (iii) any employment or business carried on by you;
 - (iv) any person or body who employs or has appointed you;
 - (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
 - (vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class or securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
 - (vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
 - (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - (ix) any land in your authority's area in which you have a beneficial interest;
 - (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
 - (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
 - (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of -
 - (i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;
 - (ii) (in the case of the Greater London Authority) other council tax payers, ratepayers or inhabitants of the Assembly constituency affected by the decision; or
 - (iii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.
- (2) In sub-paragraph (1)(b), a relevant person is -
- (a) a member of your family or any person with whom you have a close association; or
 - (b) any person or body who employs or has appointed such persons, any firm in which they are partner, or any company of which they are directors;
 - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

- 9.— (1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

- (4) Sub-paragraph (i) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.
- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.^(a)

Prejudicial interest generally

- 10.—(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business -
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
 - (c) relates to the functions of your authority in respect of -
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interest arising in relation to overview and scrutiny committees

- 11.— You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where -
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

- 12.—(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority -
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held -
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
 unless you have obtained a dispensation from your authority's standards committee;
 - (b) you must not exercise executive functions in relation to that business; and
 - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(a) See the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations (SI 2000/3272).

Sensitive information

- 14.—(1) Where you consider that the information relating to any of your 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 under paragraph 13.
- (2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.
- (3) In this Code, "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.

GUIDANCE NOTES ON COMPLETING THIS FORM

- (a) If the Council has appointed or nominated you as its official representative on any outside body or bodies please set out in this section the name(s) of any such body/ies.
- (b) If you are a member, or you hold a position of general control or management, of any other public authority or body (for example, the police or fire authority for the area) details should be included in this section.
- (c) If you are a member, or you hold a position of general control or management, of any charity or similar organisation, details should be included in this section.
- (d) If you are a member, or you hold a position of general control or management, of any organisation whose main purpose is to influence public opinion or policy (for example, a lobbying or campaigning group, whether national or local) you should set out the name(s) here.
- (e) In this section you should include details of your job, or any business that you carry on. Please indicate which, by deleting those words in square brackets which do not apply.
- (f) If you are employed, or have been appointed, give in this section the name of the person or body who employs or has appointed you. Please indicate whichever applies by deleting the appropriate words in square brackets.
- (g) Complete this section by giving details of any payments you have received in respect of your election expenses (for example, from a political party or other group) or payments made to you in connection with carrying out your official duties. This does *not* include any allowance received by you from the Council of which you are a member.
- (h) If you are a shareholder of a company or similar body, which occupies premises in the Council's area, you should give details of such company or other body. This only applies if your holding is over a nominal value of £25,000 or over 1 per cent of the total share capital of a relevant company. If less than this, there is no need to complete this section.
- (i) If you are a partner in a firm or a paid director of a company, such as in (h) above, which supplies goods, services or works to the Council, you should give in this section particulars of any contract between the firm/company and the Council (continue on a separate sheet if there is not enough space).
- (j) In this section give details of the interests of any person from whom you have received a gift of hospitality with an estimated value of at least £25.
- (k) This section should be completed with details of any property or land within the Council's area, *including your home*, in which you have a "beneficial interest". Having a "beneficial interest" means being the owner, landlord or tenant of land or other property, except if it is held under a trust.
- (l) If you are a partner in a firm or a paid director of a company or similar body which is a tenant of the Council, please give the address of the premises or description of any relevant land, sufficient to identify it.
- (m) In this section you should give details of any premises or land occupied by you (either alone or with others) in respect of which you have a licence (rather than, for example, a lease or other tenancy agreement) to occupy for 28 days or more.