

Dear Councillors,

The proposal to place the Register of Interests on the Poundstock Parish Council website has arisen from the need to be open and transparent with the public and meet the requirements of the relevant legislation.

Since the elections in May 2021, Poundstock Parish councillor's Register of Interests (ROIs) have NOT been available for inspection by the public.

Please consider the Legislation, Monitoring Officer's comment, CALC's comments and the following points:

- If a member of the public wishes to inspect our Register of Interests they are unable to do so either on our website or the Cornwall Council website. ROIs have been unavailable since May 2021
- We are legally required to publish the Register of Interests on our parish council website (local Government act 2011 s29 (7))
- The Monitoring Officer for Cornwall Council was consulted. The response stated that the parish council '*are of course free to publish the forms should you wish to do so.*'
No conditions or caveats were attached to this statement.
- CALC comments.
- My response to the CALC comments.

Legislation

LOCAL GOVERNMENT ACT 2011

s29 Register of interests

(7) A parish council must, if it has a website, secure that its register is published on its website.

MONITORING OFFICER CORNWALL COUNCIL- email 2 August 2021

Officers are still processing the 2000+ register of interests form we have received, this includes checking them prior to publication.

Unfortunately this takes some time however, if you get any complaints please

refer the person to me and I will respond, you are of course free to publish the forms should you wish to do so.

Simon JR Mansell MBE | Group Manager (Assurance)
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"Cornwall Council's Legal Service no longer uses DX"

CALC – email 28 July 2021

Further to your email, there is a national agreement (1) on the interpretation of the requirement to publish the registers of interest on the council's website.

In order to ensure that there is only one source of access to the documents and to avoid any doubt over updates and changes, it is nationally recommended that a local council publishes a link to the principal council to meet the requirement (2).

Some parishes choose to publish the registers as well, but in my experience this is not common. I understand that Cornwall Council is experiencing delays in posting the registers for those elected in May.

However I can reassure your chair that those members who have provided the Monitoring Officer with a copy of their forms will have met the test for the declaration of interests.

I believe that it is in the interest of the council and its members (3) to wait for Cornwall Council's site to be updated in case the MO decides to grant redactions to sensitive interests or there are any amendments which need to be made. If any member of the council believes that as a result of delay the council should be responsible for its own publication (4) then this will need to be a decision of council as it will require considerable time from you to ensure that the format etc is

consistent and accurate (5).

Comments on points raised by CALC

(1) Councils are free to make their own decisions despite a 'national agreement'.

20% of town and parish councils have placed the ROIs on their own websites
Local parish councils such as Maramchurch, Kilkhampton and Camelford have published ROIs on their websites.

(2) Monitoring Officer states '**you are of course free to publish the forms should you wish to do so.**' No caveats or conditions given with this statement.

(3) Parish councils should place the interests of the public first.

(4) Legal responsibility

LOCAL GOVERNMENT ACT 2011

s29 Register of interests

(7) A parish council must, if it has a website, secure that its register is published on its website.

(5) It is the responsibility of the councillor to ensure accuracy of the forms before submitting them to the clerk.

Thank you for your attention in this matter.

Cllr Brenda Alison

Poundstock Parish Council