

LOCALISM ACT 2011 – s.34 CRIMINAL OFFENCE INVESTIGATIONS IN KENT AND MEDWAY

1. Security protective marking

1.1 Not restricted.

2. Summary of changes

2.1 This is the first document in this category - therefore no historical revisions.

3. Application

3.1 This policy applies in Kent and Medway, to the handling and investigation of alleged criminal offences created by Section 34 of the Localism Act 2011 and specifically related to Disclosable Pecuniary Interests (DPIs) as defined in Appendix A to this policy.

3.2 DPI offences apply to elected members (Councillors) and voting co-opted members of all Kent and Medway Councils (borough, city, county, district, parish/town and unitary) and also encompass those interests of their spouses or partners living at the same address.

4. Purpose

4.1 The purpose of this policy is to:

- (a) Provide guidance and clarify the role of Monitoring Officers and the Police in the handling of complaints relating to DPIs;
- (b) Provide guidance on the initial investigation and handling by the Police, of alleged criminal offences relating to DPIs;
- (c) Assist Police officers and staff in identifying and correctly categorising alleged DPI offences;
- (d) Avoid prejudicing any prosecution and/or continuing investigation into alleged DPI offences.

4.2 There may be risks of adverse publicity, if the Police fail to investigate alleged DPI offences correctly. The actus reus of such offences may also be indicative of wider corruption and Bribery Act offences which are investigated by the Serious Economic Crime Unit in SCD at Force Headquarters. It is important that supervising staff reviewing complaints, reports and investigation logs of such alleged offences, are aware of the sources of adverse publicity and conduct reviews in accordance with Section 6 of this policy.

5. Localism Act 2011 Offences – definition and description

5.1.1 Section 34 of the Localism Act creates DPI offences (detailed in Appendix B) that are all summary only (brought within a period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge) and if proven, could result in the disqualification of the person concerned as well as the imposition of a fine.

No proceedings may be brought more than three years after the commission of the offence, or, in the case of a continuous contravention, after the last date on which the offence was committed.

5.1.2 Investigators should note that whilst these are summary only offences, they require the consent of the Director Public Prosecutions to proceed. There is therefore a level of seriousness attached to these offences but, conversely, they do not allow a specific power of search for example under PACE - Sec 8, Sec 18 or Sec 32.

5.1.3 As DPI offences apply to and can only be committed by members (Councillors) and voting co-opted members of the Kent and Medway Councils, police officers should be mindful of the need for impartiality

to political parties and the potential for media impact on the issues surrounding such offences. An example would be a Council's planning committee dealing with a planning application where there is intense local interest in the outcome.

- 5.1.4 Officers should also be mindful of both local and national elections being held around the dates of the DPI complaints and act in accordance with **Purdah Policy C04**.
- 5.1.5 If a pre-election period has commenced and a DPI complaint has been made about a person standing for election, then the complaint shall be recorded and investigated in the normal manner however care should be exercised when approaching any witnesses or suspect about the matter as this could be interpreted as favouring one party or candidate over another. If in doubt contact D/Sgt SECU or Legal Services for advice.
- 5.2 Offences under the Localism Act 2011 should not be prosecuted under that Act where the alleged offence(s) involves more serious and substantial crimes e.g. Misconduct in Public Office, Fraud Act 2006 or Bribery Act 2010. These will be recorded and dealt with in the usual manner and with reference to the relevant force policy and the SECU public corruption team.

6. Initial action on receipt of complaint of Localism Act 2011 offence

Outlined below is the standard operating procedure (SOP) for reporting arrangements as agreed between Kent and Medway Councils' Monitoring Officers and the Kent Police.

See Appendix D - SOP flow chart

It should be noted that these offences are summary only and so these procedures should be followed expeditiously.

6.1 Classes of persons reporting to Police

It is expected that alleged DPI offences will be reported to the Police from one of the following classes of persons, though this list is not exhaustive:-

- Political rival or associate of the named suspect;
- Council employee;
- Council's Monitoring Officer (having first applied the Legal Jurisdiction Test referred to in para.6.1.2 below before referral to the Police);
- Member of the public;
- Members of the press by enquiry to Kent Police Media office;
- Persons who feel aggrieved at a recent decision of the Council or suspect.

Such reports may present as verbal reports, via email or letter to the District Commander for example or by telephone to the FCR. They may also be made by persons approaching officers on patrol or by way of attendance at the front counter. They may also be made anonymously via any of these routes.

6.1.2 Legal jurisdiction criteria test

If the complaint has been made directly to the Council, it has been agreed that the Monitoring Officer will have ensured that the following legal jurisdiction criteria test has been met prior to referring the complaint to the Police. Conversely, if the complaint has been made directly to the Police, the D/Insp IMU will request that the Monitoring Officer applies this test and gives an opinion prior to further Police involvement:

- (a) Did the alleged conduct after the commencement of section 34 of the Localism Act?
- (b) Was the person complained of a member of the Council at the time of the alleged conduct?

- (c) Was the person complained of acting in an official capacity at the time of the alleged conduct?
- (d) Did the alleged conduct occur when the person complained of was acting as a member of another authority?
- (e) If the facts could be established as a matter of evidence, could the alleged conduct be capable of a breach of the Code of Conduct?
- (f) The complaint is not about dissatisfaction with the Council's decisions, policies and priorities.

In the event that the legal jurisdiction test is passed then a criminal investigation will be commenced by the Police in line with this policy and established police procedures. The suspect will be put on notice when invited by the Investigating Officer to interview under PACE.

In the case that the alleged conduct was committed before the commencement of the Localism Act 2011 or is an expression of dissatisfaction with the Council's decisions or the matter is in relation to a different authority then the complainant should be informed and the matter referred either to the Council's Monitoring officer or to the other authority.

6.2 Nature of crime reported.

Not all members of the public, Councillors or Council employees will recognise a DPI offence and so they will most likely report their complaint as one of the following types:-

- Corruption;
- Fraud by abuse of position of trust;
- Bribery;
- Misconduct in Public Office;
- Breach of Council's code of conduct.

6.3 Actions to be taken following reporting of a Localism Act 2011 Offence

6.3.1 In all cases, a Storm record should be created that records the details of the allegations as follows:-

- Name and address and contact details of complainant/informant;
- Name and address of suspect – if known;
- Grounds for complaint – i.e. detailing the DPI offence (see Appendix B to this policy) and any supporting information such as dates of meetings etc?

The Storm record should then be tagged with 'IMU' unless the suspect is a Police officer or member of Police staff in which case it will be referred to the Professional Standards Dept.

6.3.2 Allocation to and appointment of Investigating Officer

On recording a DPI complaint as an alleged crime, it should be assessed by the D/Insp IMU (Force SPOC's for this policy) and allocated to a person of the rank of no less than Detective Sergeant based on a different Division to the area where the offence was committed. This is to minimise the risk of the Investigating Officer and the suspect being known to each other in a personal or professional capacity. This should be the Reactive D/Sgt unless the matter is serious or complex in which case, advice from the D/Sgt SECU should be sought. If the suspect is a Police officer or member of Police staff, the investigation will be referred to the Force Professional Standards Department.

Prior to acceptance of the criminal investigation by the Police, the D/Insp IMU will make contact with the relevant Council Monitoring Officer and request that they undertake the Legal Jurisdiction Test. Provided this test criteria is met, the allegation will be recorded as a crime and a Police Investigating Officer will be appointed.

6.3.3 Initial Investigative review by Crime Supervisor/Investigating Officer.

- The Investigating Officer must make early contact with the relevant Council Monitoring Officer outlining the nature of the allegation (this should be done as soon as practicable as there are time limits on the prosecution of these offences). The Council's Monitoring Officer will provide assistance with regard to evidential capture. The Monitoring Officer will also determine who within their Council to notify, this may include the Chief Executive, Leader or Press Officer for example, but will be at their discretion.
- If not already undertaken, the Council's Monitoring Officer will be asked to undertake the Legal Jurisdiction Test (para. 6.1.2 above).

In liaising with the Monitoring Officer, the Investigating Officer should:

- Request that the [Members'] register of interests be checked and minutes of relevant Council meetings be made available or be sign posted to their whereabouts;
- Inquire whether the named suspect has been the subject of similar complaints in the past;
- Inquire whether the named informant has been the subject of similar complaints in the past;
- Ask for any other relevant material or intelligence on the alleged offence, the suspect(s) and witness(es) involved or the circumstances surrounding it;
- Ask for any other information relating to the disclosable pecuniary interest complaint that is held by the Council;
- Ascertain whether it is possible through the circumstances complained of, that the suspect or another party has substantially benefited by the failure to disclose the disclosable pecuniary interest;
- Ascertain if a substantial DPI crime has been committed OR another substantive crime e.g. Bribery Act, misconduct in public office at common law, or fraud by abuse of position of trust

NB – The Localism Act 2011 requires Monitoring Officers to establish and maintain a register of interests of elected members and voting co-opted members. Sensitive interests (whether or not disclosable pecuniary interests) are separately recorded by Monitoring Officers. The 'sensitive register' is similar in definition to the sensitivity of Police information and includes the risk of subjection to personal violence or threat of life. Initial investigators should be mindful of the existence of such sensitive information and, in accordance with established principles; they should not record such interests on any CAD storm report or crime report log.

6.3.4 Circumstances that may indicate wider or more substantial criminal activity

The circumstances of the complaint may also be indicative of a wider, more substantive criminal act which will need referring to SECU at FHQ.

Where the reviewing officer believes that the following factors may be present, then the matter should be reported to SECU or PSD as appropriate:-

- The suspect has potentially made substantive gains from the failure to disclose the interest. e.g. suspect has voted on building works to be instigated when their family member runs a local building firm and that firm has gained from the award of the contract;
- The suspect has been the subject of similar complaints to either the Police or Council in the past from different complainants;
- There are substantial complicating factors that require detailed investigation. Possible examples are as follows:-
 - e.g. 1) The whistle-blower in the Council who has reported the complaint is now being subjected to pressure from the suspect in terms of employment or capability to continue in their role;
 - e.g. 2) There are corporations or limited companies involved with commercial interests AND the suspect or their family members or their associates are involved in these companies;
 - e.g. 3) Investigation of the alleged offences requires production orders or search warrants to review special procedure material as defined under Schedule 1 PACE (this includes business records held in confidence);

- There is a political element to either the nature, the substance of the complaint, the suspect or the informant that relates to an important public interest or local issue being promoted by one or more registered political parties;
- The complaint is made around an issue that is relevant to a local election and or the complaint is in a pre-election period or just after an election (refer to Police Policy C04).
- The circumstances of the allegation constitute a substantial crime of:-
 - Bribery as defined in the Bribery Act 2010;
 - Misconduct in public office at common law;
 - Fraud by abuse of position of trust contrary to the Fraud Act 2006.
- The reviewing officer believes that the surrounding circumstances require NIM Level 2 investigation. Examples include, but are not limited to:-
 - Risk of a 'Critical Incident';
 - Cross border criminality with a national or international context;
 - The complainant or the suspect are serving Police officers or civilian staff or are family members, or otherwise related to, serving Police officers or civilian staff;
 - There exists substantial and relevant sensitive information relating to the offence;
 - There is a serious risk of prejudice to an important public interest;
 - The reviewing officer believes that the alleged offence and the circumstances surrounding it are not suitable for investigation by Police officers in a different district or area.

It should be noted that referral of the complaint to the Serious Crime Directorate should only be made where there are substantial grounds for doing so. The essence of the Localism Act is to ensure greater transparency and public accountability and these principles should be mirrored in the Police investigation.

7. Conflict of Interest

- 7.1 Any Officer or member of Police staff who investigates DPI allegations should be mindful of the conflict of interest principles and apply them to their own personal circumstances in relation to the alleged offence being investigated.
- 7.2 There are real and substantial risks of adverse publicity if the Investigating Officer, statement taker or reviewing officer does not themselves declare any interest associated with the investigation of the alleged offence. Any Officer or member of Police staff who considers that they or another may have a conflict of interest in relation to such an allegation or investigation must seek advice on this matter from the Professional Standards Dept or Legal Services, as a matter of urgency.
- 7.3 Wider advice and support in relation to the investigation can always be sought from D/Insp IMU, SECU or Legal Services.

8. Internal Notifications

- 8.1 The Investigating Officer will expeditiously notify the DPI complaint to the relevant District Commander or in their absence, the Divisional Commander (or Deputy). If the matter is out of hours then the Duty Superintendent will be notified if appropriate to the circumstances. Any of these individuals will then consider whether the matter should be brought to the attention of the Force Gold Commander. The Investigating Officer will also notify the Divisional/Force media officer.

9. Crime Recording

- 9.1 The following actions will be taken in accordance with National Crime Recording Standards [Home Office counting rules]:-
- Offences under s.34 Localism Act are not notifiable i.e. a crime report is not required for [Home Office] National Crime Recording Standards purposes;
 - Where an investigating officer identifies a more serious notifiable offence (e.g. Pecuniary Advantage) a crime report for this crime will be created in consultation with the D/Sgt SECU / SCD. [note: fraud offences will be recorded by Action Fraud];

- Where a more substantive crime is alleged/recognised. (e.g. fraud by abuse of position of trust) then a crime report for this crime will be generated, and DS SECU/SCD notified prior to allocation;
- Where an alleged DPI offence is deemed sensitive or has NIM level 2/3 factors, a D/Sgt in SECU/SCD must be notified.

10. Initial Investigative Actions for Localism Act 2011 Offences

On allocation, the Investigating Officer should consider performing the following investigative actions. These actions should be reviewed on a case by case basis and made proportionately to the circumstances of the alleged offence being investigated.

10.1 Material to be requested of the Monitoring Officer

10.2 The Investigating Officer will seek the views of the Monitoring Officer.

10.3 These views should be in writing and (subject to any rules on legal professional privilege) contain answers to the questions in 10.2.4, which are disclosable under the Criminal Procedures and Investigations Act 1996 (CPIA).

10.4 The Monitoring Officer is a potential witness in the case and he/she should be aware that subsequent to providing this information, they may be required to provide a witness statement and attend court as a witness.

10.5

- a) What circumstances were reported to the Monitoring Officer regarding this alleged offence?
- b) What complaints have been received against the named suspect to this alleged offence historically and from whom?
- c) If not reported to the Police, what was the basis of this decision? Where is this decision and rationale recorded?
- d) What explanation was given in any previous complaint against the suspect by either the suspect themselves or any other person?
- e) What other complaints have been received from or against the complainant in this case and how were these dealt with?
- f) What has the suspect said either in explanation or mitigation or remorse about the alleged offence to any other person and where is this recorded and who witnessed this relevant comment?
- g) Where not available via other means e.g. on Unitary/Parish/District Council website, request that the Police are provided with copies of the following:-
- h) Request that a search be made of the following communications or records and formally request that steps are taken to preserve them for possible review by the Police:-
 - i. Any emails, messages, letters or other correspondence received by the Council in relation to the matter under investigation. Both prior to, during and after the relevant period of the offence;
 - ii. Any emails, messages or communications or other correspondence received or sent by the suspect during the relevant period of the offence;
 - iii. Any emails, messages or communications or other correspondence received or sent by the complainant during the relevant period of the offence.

11. Material to be sought with respect to the Disclosable Pecuniary Interest

11.1 The Investigating Officer should ensure that suitable checks are made to establish that the alleged disclosable pecuniary interest of the suspect has been in existence and known by the suspect. The actual checks made are different in each circumstance and the following is a guide only:

- i. Companies House including filed reports, current and historic directors and shareholders, previous company names, names and addresses of company office holders, accountants and tax advisers (if so recorded);
- ii. HMRC checks for declared earnings under PAYE VAT return for the relevant period;
- iii. Public, open source (e.g. Google) checks and local media websites and 'blogs';
- iv. Police data and intelligence sources Including PNC, PND etc;
- v. Council's Electoral Register (voters) checks on appropriate addresses and persons;
- vi. Council tax records for occupancy held on appropriate addresses and persons;
- vii. Checks via [Police] area Financial Investigator on the subject and the disclosable interest under investigation via Kent Police form 3238;
- viii. Information from the Council's Monitoring Officer;
- ix. Any other check that the Investigating Officer believes is relevant to the investigation.

12. Powers to obtain evidence and proportionality

- 12.1 It should be noted that DPI offences under the Localism Act 2011 are summary only offences and therefore, the power to obtain warrants under Sec 8 of Police and Criminal Evidence Act is not available to Police officers.
- 12.2 The Investigating Officer should also be mindful of proportionality in the investigation and the need to resolve these alleged DPI offences expeditiously.

13. Suspect Interviews

- 13.1 These should be conducted with a view to the circumstances of the investigation and fully comply with current codes of practice.
- 13.2 The Investigating Officer should bear in mind that a lot of investigative work can be avoided by an early account from the suspect of these alleged offences and in early liaison with the Council's Monitoring Officer, that the relevant circumstances that gave rise to the complaint, are actually correctly reported.
- 13.3 Investigators should also be mindful of the case of *Richardson v Chief Constable West Midlands Police* and the provisions of PACE code G for the necessity of arrest.

14. Disposal

- 14.1 Once the outcome of an investigation is known, early notification must be made to the IMU and also to the relevant Monitoring Officer and complainant. With the consent of the complainant, evidence obtained by Kent Police during the course of an investigation, should be shared with the Monitoring Officer under the Kent and Medway Information Sharing Agreement.
- 14.2 Where the investigation reveals prima facie evidence of a DPI offence having been committed, then this should be pursued and investigated and the case file submitted to CPS for consideration under the Code for Crown Prosecutors (realistic possibility of conviction and in the public interest to prosecute).
- 14.3 If the matter proceeds to prosecution, the Monitoring Officer and the complainant will be notified accordingly. No further action will be taken by the Monitoring Officer. The results of the prosecution will be notified to the Monitoring Officer and the complainant.
- 14.4 If the matter does not proceed to prosecution, the Monitoring Officer and complainant will be notified accordingly. The Monitoring Officer may, on the basis of the Investigating Officer's report, consider what, if any action, to take under the Council's [Member] code of conduct and arrangements.
- 14.5 It must be borne in mind by supervisors that the disposal of a DPI complaint may attract adverse publicity and potentially call into question the reputation of the Force or wider Police service in particular, were a more substantive crime to be overlooked.
- 14.6 Closure of the investigation should be reviewed by an officer of at least the rank of Inspector.

- 14.7 Upon closure of the investigation, the reviewing officer must ensure that the decisions made during the course of the investigation are recorded and justified in accordance with the National Decision Making Model.
- 14.8 Any internal notifications carried out under section 8 above will also be replicated upon closure of the investigation.

15. Freedom of Information requests

- 15.1 The Freedom of Information Act (FOI) imposes a duty on public bodies to 'confirm or deny' whether information is held and to communicate the information if it is held (s.1(1)). Where information falls within one of the exemptions, public bodies are not obliged to comply with that duty, however, they may choose to do so in the interests of transparency.
- 15.2 Information held by a public authority for the purpose of investigations is exempt under s.30. Such information held at any time for such purposes is exempt although the public interest in maintaining the exemption must outweigh that in disclosure.
- 15.3 Information which is not exempt under s.30 but relates to law enforcement is covered by the exemption at s.31. Section 31 is prejudice based which means to be engaged, the prejudice to the specified purpose(s) by disclosure must be demonstrated. Again, there is a requirement to conduct a public interest test.
- 15.4 Any information relating to an investigation under this policy need not be disclosed however the Reviewing officer should consider appropriate releases of information and conduct a public interest review with regard to all the circumstances of each case.
- 15.5 No data should be released that would prejudice any persons right to a fair trial at court. Officers should seek the advice of relevant departments (FOI, media, Legal Services etc.)

The seven principles of public life

Principle

<i>Preamble</i>	<p>The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services.</p> <p>All public office-holders are both servants of the public and stewards of public resources. The principles also have application to all those in other sectors delivering public services.</p>
<i>Selflessness</i>	<p>Holders of public office should act solely in terms of the public interest.</p>
<i>Integrity</i>	<p>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.</p>
<i>Objectivity</i>	<p>Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.</p>
<i>Accountability</i>	<p>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.</p>
<i>Openness</i>	<p>Holders of public office should act and take decisions in an open and transparent manner.</p> <p>Information should not be withheld from the public unless there are clear and lawful reasons for so doing.</p>
<i>Honesty</i>	<p>Holders of public office should be truthful.</p>
<i>Leadership</i>	<p>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.</p>

List of offences with descriptions

Section 34 of the Localism Act 2011 creates a number of disclosable pecuniary interest related offences. Kent and Medway Councils have adopted codes of conduct (applicable to elected members (Councillors) and voting co-opted members). The 'Nolan Principles of Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership' at Appendix B to this policy, form the basis of the codes of conduct and are indicative of certain tests to be applied when Monitoring Officers consider whether the codes have been breached.

If, without reasonable excuse, a Member:

Sections 30(1) – Fails to notify the Monitoring Officer before the end of 28 days beginning with the day on which he/she becomes an elected member or voting co-opted member, of any disclosable pecuniary interest which he/she has at the time when the notification is given.

Section 31(2) - Fails to disclose the disclosable pecuniary interest at Council meetings where the interest is not entered in the Council's register of [Members'] interests.

Section 31(3) - Fails to notify the Monitoring Officer of a disclosable pecuniary interest before the end of 28 days beginning with the date of disclosure at a Council meeting, if the interest is not entered in the Council's register of [Members'] interests and is not the subject of a pending notification.

Section 31(4) - Takes part in the discussion or votes, or further discussions or votes, at a Council meeting on matters (which are being considered at the meeting) in which he/she has a disclosable pecuniary interest.

Section 31(7) - Fails to notify the Monitoring Officer of a disclosable pecuniary interest before the end of 28 days beginning with the date when he/she becomes aware that he/she has such an interest in a matter to be dealt with, or being dealt with, by him/her acting alone in the course of discharging a Council function.

Section 31(8) - Takes any steps or any further steps in relation to a matter being dealt with by him/her acting alone in the course of discharging a Council function, except a step for the purpose of enabling the matter to be dealt with otherwise than by him/her.

False or misleading information - Knowingly or recklessly provides false or misleading information in any of the disclosures or notifications under Sections 30(1), 31(2), 31(3) or 31(7).

Appendix C

Disclosable Pecuniary Interests, as prescribed by regulations, are as follows:

The descriptions on Disclosable Pecuniary Interests are subject to the following definitions:

"the Act" means the Localism Act 2011

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest

"director" includes a member of the committee of management of an industrial and provident society

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income

"M" means a member of the relevant authority

"member" includes a co-opted member

"relevant authority" means the authority of which M is a member

"relevant period" means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1), or section 31(7), as the case may be, of the Act

"relevant person" means M or any other person referred to in section 30(3)(b) of the Act (the Member's spouse, civil partner, or somebody with whom they are living as a husband or wife, or as if they were civil partners)

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society

Interest	Description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge): (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where: (a) that body (to M's knowledge) has a place of business or land in the area of the

relevant authority; 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

STANDARD OPERATING PROCEDURE (SOP)

LOCALISM ACT 2011 Offences
S.34 Pecuniary Interest Disclosure

