



LINCOLN TOWN FUND PROGRAMME

ADVICE NOTE ON INTERESTS FOR MEMBERS OF THE TOWN DEAL BOARD

(A) FRAMEWORK FOR INTERESTS

ASSURANCE FRAMEWORK

Section 9 *Transparency*

9. All Board Members are required to sign a Code of Conduct and to declare any conflicts of interest at each Board meeting

TERMS OF REFERENCE

Section 7 *Declarations of Interest*

- 7.1 Whenever a Board member has an interest in a matter to be discussed at a meeting the member so conflicted shall immediately declare the nature of the conflict or potential conflict and withdraw from any meeting where the conflict would be relevant.

Section 10 *General*

- 10.1 Members of the Board shall abide by the Code of Conduct and return Declaration of Interests on an annual basis.



CODE OF CONDUCT

Section 5 *Duty to avoid conflicts of interest*

Members must avoid situations where they can, or have, a direct or indirect interest that conflicts, or possibly may conflict, with the interests of the Lincoln Town Deal Board.

This applies in particular to the exploitations of any property, information or opportunity. It is immaterial whether the Lincoln Town Deal Board could take advantage of the property, information or opportunity in question.

Section 6 *Duty to declare interest in proposed transaction or arrangement*

If members are in any way, directly or indirectly, interested in a proposed transaction or arrangement with the Lincoln Town Deal Board, they must declare the nature and extent of their interest to the other Members. The declaration may (but need not) be made: -

- At a meeting; or
- By written notice to the relevant Board or meeting members.

Section 8 *Register of Interests*

As Lead Council for the Town Deal Board, the City of Lincoln Council is required to keep a register of interests for Town Board Members. On becoming a member, or at such times as the City of Lincoln Council may elect, members are required to fill out the attached Register of Interests form held by the City of Lincoln Council and renewed annually. If an interest arises during the course of the year, the member must update that Register.

(See Appendix A for Declaration of Interest Form)

Summary of guidance for Members

In Summary of the above, as a member you should ensure that at all times you:

1. Act in the Lincoln Town Deal Board's best interests, taking everything you think relevant into account.
2. Adhere to the Terms of Reference for the Board
3. Are diligent, careful and well-informed about the Lincoln Town Deal Board's affairs. If they have any special skills or experience, use them.
4. Make sure the relevant Board keeps records of their decisions (where relevant).
5. Remember that they remain responsible for the work they give to others.
- 6. Avoid situations where their interests' conflict with those of the Lincoln Town Deal Board. When in doubt, disclose potential conflicts quickly.**
7. Seek external advice where necessary.
8. Use the City of Lincoln Council's communications team for all external communications.
- 9. Keep up to date the Register of Interests**

(B) SPECIFIC ADVICE

There are two types of interests:-

1) Disclosable Pecuniary Interest

The definition of a pecuniary interest is generally is a where there is a reasonable likelihood or expectation of appreciable financial loss or gain and should be declared on the relevant form and provided to the City of Lincoln Council.

It would include anything which relates to or likely to affect your and/or your spouse in respect of the following:

Employment	Any employment, trade, profession or vocation carried out for profit or gain
Office	Any membership of an organisation which is carried out for profit or gain. This would include an appointment to a position by an organisation with no contract or payment. Examples are statutory appointments, appointments under an internal constitution or under a trust deed'.
Contracts	Any contract which is made between you and/or your spouse (or a body in which you have a beneficial interest) and the body involved in the agenda item for either goods or services or works which are to be/being carried out
Land	Land which is the subject of an item on the agenda and is owned by you or your spouse in Lincoln
Licences	Where you currently have a licence for land in Lincoln for 28 days or more which is the subject of an item on the agenda.
Securities	Beneficial interest in shares in a body in an agenda item which <ul style="list-style-type: none">• has place of business or land in Lincoln, and• you own more than £25,000 worth or 100th of the shares

2) Non-pecuniary Interest/Personal Interest

Non-pecuniary interests do not have a financial or other material component. They may arise from personal or family relationships or involvement in sporting, social or cultural activities.

You have a non-pecuniary interest in the matter if it relates to or is likely to affect:

- A body of which you are a member or in a position of general control or management and to which you are appointed
- A body of which you are a member or in a position of general control or management which is a:-
 - a) body exercising functions of a public nature;
 - b) a body directed to charitable purposes
 - c) A body whose principal purposes includes the influence of public opinion or policy

This includes any political party or trade union.

- Where a decision is required that might reasonably be regarded as affecting your well-being or financial position or the well-being and financial position of a '**relevant person**' to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the city may be affected by the decision or
- It relates to or is likely to affect any of the interests you have registered as a DPI.

A '**relevant person**' includes:-

- A family member or any person with whom you have a close association; or
- 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;
- 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
- Any body of which you are a member or in a position of general control or management which is a:-
 - a) body exercising functions of a public nature;
 - b) a body directed to charitable purposes or;
 - c) A body whose principal purposes includes the influence of public opinion or policy (including any political party or trade union

If you have a personal interest in an item, that interest can become a pecuniary interest if a member of the public with knowledge of the relevant interest would reasonably regard it as so significant that it is likely to prejudice your judgement of the public interest and where that business affects your financial position or the financial position of a relevant person

WHAT YOU NEED TO DO

Please ensure you have completed the Declaration Form for Interests and sent it into the City of Lincoln Council.

If you have a Non-Pecuniary/Personal Interest only then you may stay and vote on the item.

If you have a Disclosable Pecuniary interest in an item as outlined above, you must not take part in any discussion in the Board Meeting for that item, and in remote meetings your camera should be switched off as soon as possible. This will be recorded in the minutes. The Disclosable Pecuniary Interest needs declaring on the relevant form, if not already submitted.

If a Personal Interest becomes a Pecuniary interest, you must not take part in any discussion in the Board Meeting for that item, in remote meetings your camera should be switched off as soon as possible, and this will be recorded in the minutes.

If an interest becomes apparent during a meeting, it should be declared as soon as possible.

If you are unsure as to any of the above, please take advice:-

Becky Scott Legal Services Manager - becky.scott@lincoln.gov.uk

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CITY OF
Lincoln
COUNCIL

Together, let's deliver
Lincoln's ambitious future





DECLARATION OF INTERESTS

I, (full name in block capitals) ... am

(a) A member of Lincoln Town Deal Board and give notice that I have set out below under the appropriate headings my interests. I have put 'none' where I have no such interests under any heading.

As a board member, I declare that I have the following disclosable pecuniaryⁱ and/or non-pecuniary interestsⁱⁱ. **(Please state 'None' where appropriate, do not leave any boxes blank).**

NOTIFICATION OF CHANGES OF CIRCUMSTANCES

Each Member shall review their individual register of interests before each board meeting and decision-making committee meeting where applicable, submitting any necessary revisions to the City of Lincoln Council, as Lead Council and Board Secretary, at the start of the meeting.

Even if a meeting has not taken place a member must, within 28 days of becoming aware of any change to the interests specified below, provide written notification to the City of Lincoln Council of that change.

- SECTION 1	- ANY EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION CARRIED ON FOR PROFIT OR GAIN	- DECLARATION
- 1.1	- Name of: - - Your employer(s)	-

	<ul style="list-style-type: none"> - - Any business carried on by you - - Any other role in which you receive remuneration (this includes remunerated roles such as councillors) - - 	
- 1.2	<ul style="list-style-type: none"> - Description of employment or business activity - 	-
- 1.3	<ul style="list-style-type: none"> - The name of any firm in which you are a partner - 	-
- 1.4	<ul style="list-style-type: none"> - The name of any company for which you are a remunerated director - 	-
- SECTION 2	- SPONSORSHIP	-
- 2.1	<ul style="list-style-type: none"> - Any financial benefit obtained which is paid as a result of carrying out duties as a Member. - - This includes any payment of financial benefit from a Trade Union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 (a) - 	-
- SECTION 3	- CONTRACTS	-

<ul style="list-style-type: none"> - 3.1 	<ul style="list-style-type: none"> - Any contract for goods, works or services with the City of Lincoln Council in respect of the Town Deal Programme that has not been fully discharged by any organisation named at 1.1 - 	<ul style="list-style-type: none"> -
<ul style="list-style-type: none"> - 3.2 	<ul style="list-style-type: none"> - Any contract for goods, works or services entered into by any organisation named at 1.1 where either part is likely to have a commercial interest in the outcome of the business being decided by the Lincoln Town Deal Board in the forthcoming meeting. - 	<ul style="list-style-type: none"> -
<ul style="list-style-type: none"> - SECTION 4 	<ul style="list-style-type: none"> - LAND OR PROPERTY 	<ul style="list-style-type: none"> -
<ul style="list-style-type: none"> - 4.1 	<ul style="list-style-type: none"> - Any beneficial interest you or any organisation listed at 1.1 may have in land or property which is likely to be affected by a decision made by the Lincoln Town Deal Board in the forthcoming meeting. - - This would include, within the area of the City of Lincoln: <ul style="list-style-type: none"> o Any beneficial interest in any land in the City of Lincoln areas, including your place(s) of residency - - For property interests, please state the first part of 	<ul style="list-style-type: none"> -

	<p>the postcode where the property resides. If you own/lease more than one property in a single postcode area, please state this.</p> <p>-</p>	
- SECTION 5	- SECURITIES	-
- 5.1	<p>- Any interest in securities of an organisation under 1.1. where: -</p> <p>-</p> <p>(a) That body (to my knowledge) has a place of business or land in the area of the City of Lincoln ; and</p> <p>(b) Either –</p> <p>-</p> <p>-</p> <p>(i) The total nomination value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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 has a beneficial interest exceeds one hundredth of the total issues share capital of that class.</p> <p>-</p>	-
- SECTION 6	- GIFTS AND HOSPITALITY	-
- 6.1	- Any gifts and/or hospitality received as a result of membership of the Lincoln	-

	Town Deal Board (above the value of £50)	
	-	

OTHER INTERESTS

Member of Organisations

I am a member of, or I am in a position of general control, a trustee of, or participate in the management of;

1. Any body to which I have been appointed or nominated by my employer:

2. Any body exercising functions of a public nature (e.g. school governing body):

3. Any body directed to charitable purposes:

4. Any body, one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union):

5. Any other interest which I hold which might reasonably be likely to be perceived as affecting my conduct or influencing my actions in relation to my role.



BOARD MEMBER'S DECLARATION AND SIGNATURE

I confirm that having carried out reasonable investigation, the information given above is a true and accurate record of my relevant interests, given in good faith and to the best of my knowledge;

- Date	-
- Member's Name <i>(Capitals – in full)</i>	-
- Signature	-

RECEIPT BY CITY OF LINCOLN COUNCIL on behalf of the Lincoln Town Deal Board

- Date received by the City of Lincoln Council	-
- Signature of City of Lincoln Council Chief Executive	-

ⁱ For the purposes of this guidance, we are basing this the definition of a pecuniary interest as set out in the [Localism Act 2011](#) and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 to provide a framework. A pecuniary interest in a matter is one where there is a reasonable likelihood or expectation of appreciable financial loss or gain

ⁱⁱ We are basing the definition of a Non-Pecuniary interest on any interest which is not listed in the [Schedule to The Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012 \(No.1464\)](#). Non-pecuniary interests do not have a financial or other material component. (They may arise from personal or family relationships or involvement in sporting, social or cultural activities.)