

## Solihull Metropolitan Borough Council

### Advice - Disclosing Pecuniary Interests

The pecuniary interests which must be disclosed are set out below.

#### What must you do

(a) Sign and complete a declaration form of your pecuniary interests, which include those of your spouse/civil partner (or someone with whom you are living as such) and of which you are aware, within 28 days of your election or appointment to the Council.

(b) When attending meetings of the Council, Cabinet, Scrutiny Boards, committees, sub-committees or joint committees and joint sub-committees and a matter arises in which you have a disclosable pecuniary interest, unless you have been granted a dispensation, you must

- Declare the interest if you have not already registered it
- Not participate in any discussion or vote
- Leave the meeting room until the matter has been dealt with.
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting

(c) If you are the Leader or a Cabinet Portfolio Holder you may not exercise any of your delegated powers as a single member in relation to a matter in which you have a disclosable pecuniary interest or take any other step except to:

- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of your becoming aware of the interest
- Arrange for another person or body to deal with the matter.

**Note: 'your partner' means your spouse/civil partner or someone you are living with as husband and wife or as civil partners.**

Subject	Prescribed Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain by you or your partner. <b>Notes</b> <i>Profit or gain – money or some type of payment in kind.</i> <i>Profit or gain means unpaid employment or volunteer work need not be registered.</i> <i>Roles where all you receive are reimbursement of expenses does not amount to profit or gain</i>
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within 12 months of your declaration of interests in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses . This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

	<p><b>Notes</b>  <i>Only applies to:</i></p> <ul style="list-style-type: none"> <li>• <i>the 12 months before you signed your declaration <b>and</b></i></li> <li>• <i>payments made by a person other than the Council towards your election expenses <b>or</b></i></li> <li>• <i>towards your expenses as a member of the Council</i></li> </ul> <p><i>If someone else is paying or contributing to your expenses as a councillor for example political party, trade union, etc you need to include the information here.</i></p>
Contracts	<p>Any contract which is made between you or your partner (or a firm or body corporate in which you or your partner is a partner or a director, or in the securities of which you or your partner has a beneficial interest) <b>and</b> the Council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; <b>and</b></p> <p>(b) which has not been fully discharged.</p> <p>“Director” includes a member of the committee of management of an industrial and provident society.</p> <p><b>Notes</b></p> <p><i>You need to declare any current contracts with the Council for goods works or services.</i></p> <p><i>This might be you or your partner as sole traders or a firm in you may be a partner or a company in which you are a director.</i></p> <p><i>For example quite a lot of ‘voluntary organisations’ have taken on company status to limit the potential liability of their members – you may be a director of such a company – the company may have a contract with the Council – you would need to declare this here.</i></p> <p><i>It could be you providing the goods works or services OR it could be the Council providing goods, works or services to your business. This is about commercial arrangements not provision to service users under the Council’s statutory duties.</i></p>
Land	<p>Any beneficial interest in land which is within the area of the Council and which gives you or your partner a right to occupy the land or receive income. This includes your home address if you live within the area of the Council.</p> <p><b>Notes</b></p> <p><i>This will include any land owned or leased in Solihull Borough.</i></p> <p><i>In broad terms a person has a beneficial interest in property or its income when he or she has the right to use that property and/or that income as he or she wishes. A beneficial interest is distinguished from the rights of someone like a trustee or official who has responsibility to perform and/or title to the assets, but does not share in the benefits.</i></p>
Licences	<p>Any licence held by you or your partner (alone or jointly with others) to occupy land in the area of the Council for a month or longer.</p> <p><b>Notes</b></p> <p><i>Restricted to property in Solihull Borough which you have a right to use for a month or longer.</i></p>

Corporate tenancies	<p>Any tenancy where (to your knowledge)—</p> <p>(a) the landlord is the Council; <b>and</b></p> <p>(b) the tenant is a body in which you or your partner has a beneficial interest i.e. a firm or body corporate in which you or your partner is a partner or a director, or in the securities of which you or your partner has a beneficial interest.</p> <p><b>Notes</b></p> <p><i>Only applies to property where the Council is the landlord. Not limited to property in Solihull Borough. So for example if the Council owns a building in Dorset and you are a director of a company which is a tenant of that property – you’d need to declare it here.</i></p> <p><i>A corporate body has a separate identity – so for example company, industrial and provident society, incorporated charity, limited liability partnership. Securities apply the same meaning as below.</i></p>
Securities	<p>Any beneficial interest held by you or your partner in securities of a body where—</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of the Council; <b>and</b></p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; <b>or</b></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 you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p> <p>“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.</p> <p><b>Notes</b></p> <p><i>The business must have a physical presence in Solihull Borough.</i></p> <p><i>Nominal value for shares means the value on the share certificate – not the stock market value on any particular day.</i></p> <p><i>You do not need to declare your building society mortgage.</i></p>

***Please complete the attached Declaration of Interest form and return it to Deborah Merry  
Head of Legal and Democratic Services, Solihull MBC***

Declaration of Pecuniary Interests

I, .....hereby declare the following  
**pecuniary interests**

**NB.** 'your partner' means your spouse/civil partner or someone you are living with as husband and wife or as civil partners.

<p><b>Employment, office, trade, profession or Vocation:</b> Any employment, office, trade, profession or vocation carried on for profit or gain by you or your partner.</p>
<p><b>Sponsorship:</b> Any payment or provision of any other financial benefit (other than from Solihull Metropolitan Borough Council) made or provided within the 12 months before this declaration in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
<p><b>Contracts:</b> Any contract which is made between you or your partner (or a firm or body corporate in which you or your partner is a partner or a director, or in the securities of which you or your partner has a beneficial interest) <b>and</b> the Council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; <b>and</b> (b) which has not been fully discharged. “Director” includes a member of the committee of management of an industrial and provident society;</p>
<p><b>Land:</b> Any beneficial interest in land which is within the area of the Council which gives you or your partner a right to occupy the land or receive income.</p>
<p><b>Licences:</b> Any licence held by you or your partner (alone or jointly with others) to occupy land in the area of</p>

the Council for a month or longer.
<p><b>Corporate tenancies:</b> Any tenancy where (to your knowledge)—</p> <p>(a) the landlord is the Council; <b>and</b></p> <p>(b) the tenant is a firm or body corporate of which you or your partner is a partner or a director, or in the securities of which you or your partner has a beneficial interest.</p>
<p><b>Securities:</b> Any beneficial interest in securities held by you or your partner of a body where—</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of the Council; <b>and</b></p> <p>(b) either—</p> <p style="padding-left: 40px;">(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; <b>or</b></p> <p style="padding-left: 40px;">(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 you or your partner has a beneficial interest which exceeds one hundredth of the total issued share capital of that class.</p> <p>“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.</p>

**Signed:**.....

**Date:**.....