

**REGISTER OF MEMBERS' INTERESTS**  
**GENERAL NOTICE OF REGISTRABLE INTERESTS**

**KIRK LANGLEY PARISH COUNCIL**

I, Councillor Graham Penny

being a member of **KIRK LANGLEY PARISH COUNCIL**

(‘the Council’), give notice below in the relevant sections of this form, to the Monitoring Officer of Amber Valley Borough Council, of my interests and of those interests (of which I am aware) belonging to any spouse, civil partner or person with whom I am living as husband and wife or as civil partners, that I am required by law and under the Members’ Code of Conduct to notify the Monitoring Officer of Amber Valley Borough Council, and where there are no such interests within a particular part of this form, I have entered the word ‘None’.

**Please answer ALL questions, expressly stating “None” where this is appropriate.**

The expression ‘Partner’ below means your spouse, civil partner or person with whom you are living as husband and wife or as civil partners (if any). Please first read the Explanatory Notes (see below).

**PART A – DISCLOSABLE PECUNIARY INTERESTS**

1. **Employment, Office, Trade, Profession or Vocation** (Schedule 1 to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464)

*You are required by law to notify the Monitoring Officer for the relevant authority of: ‘Any employment, office, trade, profession or vocation carried on for profit or gain’.*

*Please fill in the box below (Box 1) in respect of both you and your ‘Partner’ (if any). (Where you have a ‘Partner’, you do not have to specify to whom each particular interest is attached, but may do if you wish).*

**Box 1: Employment, Office, Trade, Profession or Vocation**

Consultant to SDL Auctions

2. **Sponsorship** (Schedule 1 to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464)

*You are required by law to notify the Monitoring Officer for your relevant authority of: Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period (i.e. within last 12 months from the giving of this notification) in respect of expenses incurred by’ you: (1) in carrying out your duties as a member, or (2) towards your election expenses.*

*Please fill in the box below (Box 2):-*

**Box 2: Sponsorship**

None

**3. Contracts (Schedule 1 to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464)**

*You are required by law to notify the Monitoring Officer for the relevant authority of: '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'.*

*"Relevant person" means you as a member of a relevant authority and/or your Partner.*

*Please fill in the box below (Box 3) in respect of both you and your 'Partner' (if any). (Where you have a 'Partner', you do not have to specify to whom each particular interest is attached, but may do if you wish).*

**Box 3: Contracts**  
None

**4. Land - (Schedule 1 to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464)**

*You are required by law to notify to the Monitoring Officer for the relevant authority of: 'Any beneficial interest in land which is within the area of the relevant authority'.*

This includes your home (if within the Borough of Amber Valley).

*Please fill in the box below (Box 4) in respect of both you and your 'Partner' (if any). (Where you have a 'Partner', you do not have to specify to whom each particular interest is attached, but may do if you wish).*

**Box 4: Land**  
Ownership of Langley House, Ashbourne Road, Kirk Langley, DE6 4NJ – domestic residence

**5. Licences – (Schedule 1 to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464)**

*You are required by law to notify the Monitoring Officer for the relevant authority of: 'Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer'.*

*Please fill in the box below (Box 5) in respect of both you and your 'Partner' (if any). (Where you have a 'Partner', you do not have to specify to whom each particular interest is attached, but may do if you wish).*

**Box 5: Licences**  
None

**6. Corporate tenancies – (Schedule 1 to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464)**

You are required by law to notify the Monitoring Officer for the relevant authority of:  
'Any tenancy where (to your knowledge) –  
(a) the landlord is the relevant authority; and  
(b) the tenant is a body in which the relevant person has a beneficial interest;

"Relevant person" means you as a member of a relevant authority and/or your Partner.

Please fill in the box below (Box 6) in respect of both you and your 'Partner' (if any).  
(Where you have a 'Partner', you do not have to specify to whom each particular interest is attached, but may do if you wish).

**Box 6: Corporate Tenancies**

None

**7. Securities – (Schedule 1 to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464)**

You are required by law to notify the Monitoring Officer for the relevant authority of:  
'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'.

"M" means a member of a relevant authority.

Please fill in the box below (Box 7) in respect of both you and your 'Partner' (if any).  
(Where you have a 'Partner', you do not have to specify to whom each particular interest is attached, but may do if you wish).

**Box 7: Securities**

None

**PART B  
OTHER INTERESTS SPECIFIED IN THE CODE OF CONDUCT**

**8. Membership of other bodies**

You are required under the Code of Conduct to notify in writing to the Monitoring Officer of Amber Valley Borough Council **any position of responsibility** you have, whether or not as a member of a management committee or officer, on any and all bodies:

- to which you are appointed or nominated by the relevant authority (i.e. as its representative); or

- which exercises functions of a public nature (e.g. school governorship); or
- which is directed to charitable purposes; or
- whose principal purposes include the influence of public opinion or policy including any political party or trade union (e.g. any lobby, campaign or pressure group, or a Residents Association, trade union or political party or association).

Please fill in the box below (Box 8):-

<b>Box 8: Membership of other bodies</b> <del>None</del> Trustee of G.B. Barrington Playing field in Kirk Langley
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## **9. Changes to Notified/Registered Interests**

- 9.1 I understand that, in addition to the statutory requirements, under paragraph 2.1.2 of the Members' Code of Conduct in Part 5.1 of the Council's Constitution I must (within 28 days of becoming aware of any new or change in the above interests including any change in relation to a sensitive interest) provide written notification thereof to the Monitoring Officer.
- 9.2 I shall therefore keep my disclosable pecuniary interests and those of any 'Partner', and other interests as set out in the Members' Code of Conduct, under constant review and duly report any changes in writing to the Monitoring Officer.
- 9.3 If in doubt as to whether an interest exists, I shall seek timely advice from Officers. Under rule 5.1 – 4.1.1 of the Council's Constitution 'this shall be done by no later than 5.00pm two working days before the meeting'.

## **10. Compliance**

- 10.1 I agree to comply with the Council's Members' Code of Conduct and any protocols which from time to time apply.
- 10.2 I recognise that it is a breach of the Council's Members' Code of Conduct to:
- (i) omit information that ought to be given in this notice;
  - (ii) provide information that is materially false or misleading;
  - (iii) fail to give further notices in order to
    - bring up to date information given in this notice;
    - declare an interest that I acquire after the date of this notice and have to declare

and that any breach of the Members' Code of Conduct can be referred to the Monitoring Officer and to the Standards and Appeals Committee.

- 10.3 I understand and acknowledge that:
- failure (without reasonable excuse) to register or disclose any disclosable pecuniary interest in accordance with sections 30(1) or 31(2), (3) or (7) of the Localism Act 2011, or
  - participating in any discussion or vote in contravention of section 31(4) of the Localism Act 2011, or
  - taking any steps in relation to a matter in which I have a disclosable personal interest (except for the purpose of enabling the matter to be dealt with otherwise than by me) in contravention of section 31(8) of the Localism Act 2011
  - the provision of information that is false or misleading knowing that the information is false or misleading or being reckless as to whether the information is true and not misleading

is a criminal offence and upon conviction an unlimited fine and/or disqualification as a member for a period not exceeding 5 years could be imposed. Any allegation that I have committed an offence relating to the notification and/or disclosure of my interests may be investigated by the police and referred to the Director of Public Prosecutions.

- 10.4 I also acknowledge that I am committed to behaving in a manner that is consistent with the Seven Principles in Public Life (otherwise known as the 'Nolan Principles') to

promote and maintain high standards of conduct and confidence in the Council and more generally in the democratic way of life.

These principles are: selflessness, integrity, objectivity, accountability, openness, honesty and leadership (see <https://www.gov.uk/government/publications/standards-matter-a-review-of-best-practice-in-promoting-good-behavior-in-public-life> ).

- 10.5 I shall therefore look beyond the Members' Code of Conduct as regards any conflicts of interest (see Part C below) and always put the public interest first when acting as a Member of the Council.

## PART C – (OTHER) CONFLICTS OF INTEREST

### 11. Conflicts of Interests

- 11.1 I am mindful of the continual need to be aware of any perceived or actual conflicts of interest in any matter, **whether or not such interests are covered by the Members' Code of Conduct** and included in this notice, and I shall, when acting as a Member, put the public interest first by standing down from decision-making where I have such a conflict of interest (unless otherwise authorised by law).
- 11.2 I understand and acknowledge that conflicts of interest are not just limited to my interest and that of my 'Partner' (if any) but extend much wider (for example, to 'close friends and associates', sons and daughters, grandchildren, parents, grandparents etc. – this list is indicative only and is not to be regarded as being the complete list of relationships which may be caught under the requirements to avoid conflicts of interests).
- 11.3 The National Audit Office in Part One of its report 'Conflicts of Interest' (published in January 2015) defined a 'conflict of interest' as 'a set of circumstances that creates a risk that an individual's ability to apply judgment or act in one role is, or could be, impaired or influenced by a secondary interest. It can occur in any situation where an individual or organisation (private or government) can exploit a professional or official role for personal or other benefit. This definition is based on generally accepted standards.'
- 11.4 It made clear that: 'Conflicts can exist if the circumstances create a risk that decisions may be influenced, regardless of whether the individual actually benefits. The perception of competing interests, impaired judgment or undue influence can also be a conflict of interest'.
- 11.5 The report 'Conflicts of Interest' states that: 'Conflicts might occur if individuals have, for example:
- a direct or indirect financial interest;
  - non-financial or personal interests; or
  - conflicts of loyalty where decision-makers have competing loyalties between an organisation they owe a primary duty to and some other person or entity'.
- 11.6 Active management of conflicts of interests is required to avoid reputational damage, a loss of public confidence, and to reduce the risk of legal challenge to decision-making. Unresolved conflicts of interest, as the report observes, 'can result in criminal action, for example, fraud, bribery or corruption through abuse of position'.

Signed: .....Graham V. Penny.....

Date: May 14<sup>th</sup> 2019

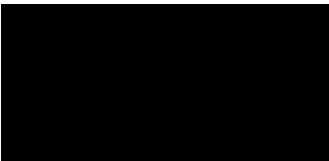
**NB. The signature above will not appear on the published version as the Government guidance states: 'There is no legal requirement for the personal signature of councillors to be published online'. This reduces the risk of identity theft.**

**For official use only**

Signed:  Date of Signature: May 14<sup>th</sup> 2019

**Parish Clerk, KIRK LANGLEY PARISH COUNCIL**

**For official use only**

Signed:  Date of Signature: ..... 11/6/19 .....

**Monitoring Officer, Amber Valley Borough Council**

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