

**DEWSBURY TOWN BOARD  
TERMS OF REFERENCE**

**March 2024**

**Contents**

- DEWSBURY TOWN BOARD TERMS OF REFERENCE ..... 1
- March 2024 ..... 1
- 1.1 Background ..... 4
- 1.2 Geographic area ..... 4
- 2. Roles and Responsibilities ..... 5
- 2.1 The Chair ..... 5
- 2.2 The Deputy Chair ..... 5
- 2.3 Board members ..... 5
- 2.4 Kirklees Council ..... 7
- 3. Membership ..... 8
- 3.1 Board membership ..... 8
- 3.2 Substitutes ..... 9
- 3.3 Board member conduct ..... 9
- 4. Board meetings ..... 10
- 5. Conflicts of Interest ..... 11
- 6. Quorum and Decision Making ..... 12
- 7. The Board’s relationship with Kirklees Council ..... 13
- 8. Communications and Reporting arrangements ..... 14
- 9. Respecting confidentiality ..... 15
- 10. Reviews ..... 16
- 10.1 Board Effectiveness Review ..... 16
- 11. Ancillary matters ..... 17
- 11.1 Freedom of Information ..... 17
- 11.2 Public Questions ..... 17
- 11.3 Sub-groups ..... 17
- Appendix A: Map of Geographic area ..... 18
- Appendix B: Town Board Code of Conduct ..... 19
- SELFLESSNESS: ..... 19
- INTEGRITY: ..... 19
- OBJECTIVITY: ..... 19
- ACCOUNTABILITY: ..... 19
- OPENNESS: ..... 19
- HONESTY: ..... 19
- LEADERSHIP: ..... 19
- Conflict of Interests ..... 20
- Registration of Gifts and Hospitality ..... 20

Complaints .....	20
Removal of a Town Board Member from the Board .....	21
Appendix C: Substitute recommendation form.....	22
Appendix D: Declaration of interest form.....	23
PART I – DISCLOSABLE PECUNIARY INTERESTS .....	24
PART 11 – PERSONAL INTERESTS .....	26
(a) Membership of Trade Union .....	27
(c) External bodies to which you are appointed or nominated by the Council but for which you receive no remuneration.....	27
(d) Interests in charities, societies, and other bodies .....	27
(e) Membership of a local organisation .....	27
(f) Involvement in any organisation for which you do not receive remuneration, but the organisation may receive funding or support from the Council .....	27
(g) Receipt of benefits like for example, Council Tax Single Person’s Allowance .....	27

# 1. Background and Geographic area

## 1.1 Background

In September 2023, the Department for Levelling Up, Housing and Communities (DLUHC) announced a £1.1bn Long-Term Plan for Britain's Towns. 55 towns, including Dewsbury, will receive £20m of endowment-style funding and support to invest over the next 10 years.

Whilst the local authority remains the accountable body for funding and executing the plan there is a requirement that the Council of the Borough of Kirklees (Kirklees Council) establishes a Town Board (The Board). The Board will be responsible for developing the Long-Term Plan, working closely with local people. The membership of the Board will include an independent chair who has been invited by the local authority and who is a local community leader or local businessperson.

The Board should represent a diverse range of perspectives and needs to include the Member of Parliament, local businesses, local councillors from the authority and a senior representative from the police. The remainder of the board will be made up of other organisations for example, Further Education colleges, Integrated Care Boards, community groups and local charities. Further information can be found on the [Department for Levelling Up, Housing and Communities \(DLUHC\) website](#).

These Terms of Reference set out: the governance of the Board and its Members, its relationship with Kirklees Council and a clear set of roles.

## 1.2 Geographic area

The Geographic area for the Dewsbury Long-term Plan is the [ONS Built-up Area](#) – as attached in Appendix A. Whilst the Long-term Plan and the Board will cover the BAU geography there will be a significant focus on the town centre and the community to ensure future investment builds on and aligns with existing regeneration plans and focusses on local priorities.

## **2. Roles and Responsibilities**

### **2.1 The Chair**

The role of the Chair is to provide strategic leadership and direction, leading the Board to ensure it achieves its objectives, maintaining an overview of activity, and championing and supporting partnership working. Key responsibilities include:

- Upholding the Seven Principles of Public Life (the Nolan Principles, noted in Appendix B).
- Appoint a deputy chair to ensure productive working relationships.
- Effectively chairing the Board and ensuring that decisions are made by the Board in accordance with good governance principles.
- Acting as a champion for the town and providing leadership for the Town Board, ensuring it is community-led and embedded within the local area.
- Acting as an effective advocate and ambassador for Dewsbury at local, regional, and national levels, working with appropriate partner organisations and individuals.
- Instigate and oversee Board Effectiveness Reviews (See section 10).
- Ensuring that all Board members participate actively in the work of the Board, encouraging their attendance and engagement.
- Exert a casting vote in Board Decisions if circumstances so require.
- Engage with the local authority to consider further board membership appointments.

### **2.2 The Deputy Chair**

The role reflects the responsibilities outlined for the Chair. The Deputy Chair should work closely with and support the Chair. Ideally, they should supplement Chair's skills and or beneficial networks/connections to enhance development and delivery of the Plan.

### **2.3 Board members**

Board members have a responsibility to uphold high standards of integrity and probity. They should support the Chair and Deputy Chair in instilling the appropriate culture, values, and behaviours in Board meetings and beyond.

The Board will: continue to oversee Town Deal projects and matters; develop the Long-Term Plan; and support future project delivery related to the plan. Further details on responsibilities are provided below, however, this list is not intended to be all-inclusive.

#### **Town Deal**

- Overseeing matters and projects relating to the Town Deal programme.

#### **Development of Long-Term Plan for Towns**

- Actively participate, alongside the Council, in the development of the Long-Term Plan.
- Identify the issues and priorities to focus on for the Long-Term Plan.
- Engage with the community.
- Provide advice and support and take timely decisions.

- Set out how members and local partners will use their knowledge, powers, assets, and new funding to deliver for their communities.
- Be responsible, along with the Council, in submitting a Long-Term Plan (comprising their 10-year vision and 3-year investment plan) no later than the 1st of August 2024.

### **Delivery of Long-Term Plan for Towns**

- Assist in identifying opportunities for Board members to utilise specific powers to drive forward the Long-Term Plan.
- Identify opportunities to bring in additional philanthropic or private investment to support the Long-Term Plan for the town.
- Overseeing, alongside the Council, the delivery of projects set out in the Long-Term Plan.
- Providing advice and guidance to the Council to inform the development and delivery of interventions\*.
- Active participation in the delivery of interventions\* including leading on activities relevant to the knowledge and experience of members.
- Make decisions by consensus or voting if necessary to support delivery of interventions\*.

\*At the time of producing these Terms of Reference, the interventions that will be included in the Long-Term Plan are still under development, as such, these Terms will be updated following the approval of the Long-term Plan (see Section 10). However, it is expected that the Board will act in an advisory capacity on interventions led by the Council and will act as the lead and decision-maker for interventions as appropriate.

In addition, the Board and its members will have responsibility for:

- Upholding the Seven Principles of Public Life (the Nolan Principles noted in Appendix B).
- Publishing membership and governance arrangements (including minutes of meetings and decision logs) on the lead council's website.
- Holding and attending meetings quarterly wherever possible.
- Planning ongoing opportunities for engagement with the community to ensure communities are involved.
- Appointing subcommittees, advisory groups or working parties to include existing board members and other parties that are deemed necessary to undertake a review of the work. All sub-commitments shall make regular reports on their work to the Town Board.
- Ensuring diversity in its engagement with local communities and businesses.
- Being transparent with local people throughout the programme as to how they are investing money and using their powers.
- Coordinating resources and engaging stakeholders.
- Making decisions by consensus or voting if necessary.
- Provide advice and guidance to the Council.
- Reflecting the agreed view of the Board in discussions with partners and stakeholders.
- Taking account of views of other stakeholders and being mindful of different views and requirements.

- Acting as an effective advocate and ambassador for Dewsbury at local, regional, and national levels, working with appropriate partner organisation and individuals.
- Formally represent the Board in meetings with other bodies and partner organisation.
- Signing a declaration of interest form and declaring interests.

#### **2.4 Kirklees Council**

Kirklees Council is the Accountable Body, it is their responsibility to:

- Uphold the Seven Principles of Public Life (the Nolan Principles).
- Support the Town Board in the development of the Long-Term Plan.
- Enable a delivery team, delivery arrangements and agreements.
- Ensure that decisions are made by the board in accordance with good governance principles.
- Ensure transparency requirements are met – through publication of information on their website.
- Ensure the formal approval of the Long-Term Plan by the Council's Cabinet and any subsequent approvals required to develop and implement the Plan and its projects.
- For council-led projects develop projects in detail and undertaking any necessary feasibility studies.
- Undertake any required Environmental Impact Assessments or Public Sector Equalities Duties.
- Liaise with potential private investors in identified local projects and schemes.
- Monitor and evaluate the delivery of council-led Long-Term Plan projects.
- Account for the Town's funding allocation as the accountable body.
- Ensure that relevant contracts are aligned with its own Contract Procedure Rules.

## 3. Membership

### 3.1 Board membership

The Board's membership should reflect the diversity of the town and surrounding area. The membership of the Town Boards comprises:

- An independent Chair
- A Deputy Chair
- Two Councillors
- The MP(s) representing the town.
- Local businesses and investors
- Senior representative from the police
- Other relevant local organisations

The Board can nominate a potential Board Member. The nomination will be reviewed by the Chair, the Deputy Chair and in collaboration with the Council the Chair will decide whether to endorse the nomination.

Where a person has reason to believe that the conduct of a Board Member of the Town Board has fallen short of the standards as set out in the Code of Conduct appended to this document, encapsulated in the Nolan Principles, a complaint may be made in writing to the Chair, or the Strategic Director for Growth & Regeneration at Kirklees Council.

Board Members will be required to adhere to the Council's Whistleblowing and Complaints Policies. [Whistleblowing Policy \(kirklees.gov.uk\)](http://kirklees.gov.uk)

A Board Member and substitute shall cease to be a member of the Town Board in the following circumstances:

- If, following an investigation it is concluded that there has been a breach of the Town Board Code of Conduct as set out at Appendix B and the Council has informed the Chair and Town Board. Such Board Member removed would not be entitled to be reappointed, for the avoidance of doubt, the Board will not be involved in the decision.
- If the Board Member gives written notice to the Chair of their notice of resignation to take effect on receipt by the Chair or if later, the date stated in the notice; or if the Chair is the member resigning or there is not chair in place then notice should be given to Kirklees Council.
- If the Board Member is removed/replaced by the appointing authority/organisation/relevant nominating body or ceases to be employed by the nominating body.
- In the event of a Board Members bankruptcy, making of any arrangement or composition with their creditors, or liquidation, or in the case of an organisation, winding up, liquidation, dissolution or administration or anything analogous to any of the foregoing occurring in relation to a Board Member in any jurisdiction.
- If the Board Member is removed from membership by a majority of votes of members present at a board meeting that it is in the best interests of the board in their opinion that membership is terminated.



- Should a Board Member fail to comply with Section 5 by not submitting their Declaration of Interests, or keep their interests updated, they shall cease to be a Board Member.
- If a Board Member has failed without a reasonable excuse, accepted by the Chair in writing to attend three consecutive Board meetings in any 12-month period, the Board may by majority of votes of members present at a meeting of the Board remove the Board Member from membership.
- If a Board Member has sent a substitute (without reasonable justification/excuse, accepted by the Chair in writing) for three consecutive board meetings, the board may by a majority of votes of members present at a meeting of the Board remove the Board Member from membership.
- Except for Standards investigations, the Board shall have the power to remove a board member in circumstances set out above subject to the following procedure:
  - The Board Member has been given at least 14 clear days' notice in writing of the meeting of the Board at which the resolution will be proposed and the reasons why it will be proposed: and
  - The Board Member has been given a reasonable opportunity to make representations to the meeting in person and/or in writing. The other Board Members must consider any representations made by the Board Member and inform them of their decision following such consideration.
  - There shall be no right of appeal from a decision of the Board's decision to terminate the membership of a Board Member.

All Board Members (except for those organisations that must be a board member in accordance with Government guidance) shall serve a three-year term, starting April 2024, and retire after three years. To ensure the Board remains effective, Board Effectiveness Reviews will be undertaken throughout the life of the Long-term Plan, see Section 10 for further details.

At the end of each three-year term, Members can seek re-appointed by request to the Chair and the Council.

### **3.2 Substitutes**

If Board Members wish to nominate a Substitute to represent them in their absence, they should nominate their proposed Substitute at the formation of the Board or at the date they are appointed (whichever is the earlier) using the "Nomination of Substitutes" form (Appendix C). Substitutes must fill in and return a Declaration of Interest form (Appendix D) before they can act as a Substitute. A Board Member can only be represented on the Board in their absence by their duly appointed Substitute. Substitute Members will undergo a shortened induction programme so that they are fully aware as to their responsibilities acting in place of the Member.

### **3.3 Board member conduct**

All members, and substitutes of The Board shall observe the "Seven Principles of Public Life" (as detailed in the Code of Conduct attached as Appendix B to these Terms of Reference) and will be bound by the Councils own code of conduct in their work on the Board.

## **4. Board meetings**

The Board will usually meet in public, utilising a community space or setting four times per year or as otherwise agreed by the Board. An annual schedule of meetings will be published by the Council. Virtual attendance will be permitted by the Chair in exceptional circumstances.

No decision shall be transacted at any Board meeting unless a quorum is present (see section 6).

The Council will give at least 5 clear working days' notice of all Board meetings, by publishing details on its website.

The Board will publish on the relevant website:

- A documented decision-making process outlining the voting rights of the board.
- Profiles of all board members.
- All board papers in advance of the meeting within 5 working days.
- Draft minutes of meetings following the meeting within 10 working days.
- Final minutes, once approved by the board within 10 working days.
- Any conflicts of interest reported, within the published minutes.

Each Board member shall have one vote and decisions will be by majority vote of members present made on a show of hands. In the event of an equality of votes the Chair shall have a casting vote.

Members of the public may attend formal Board Meetings except when matters are to be discussed which are commercially sensitive or confidential, in which case members of the public will be asked to leave while such matters are discussed.

Informal Board Meetings may take place from time to time. These will be private and not open to the public. Other persons and external advisers may be invited to attend all or part of any meeting as and when appropriate as observers and shall be entitled to speak at the meeting with the prior permission of the Chair but shall not be entitled to vote.

As noted in Section 2.3 and 11.3 the Town Board may appoint subcommittees, advisory groups or working parties to include existing board members and other parties that are deemed necessary to undertake a review of the work. All sub-commitments shall make regular reports on their work to the Town Board.

The Council will provide administrative and governance support to the Board.

The Board should follow lead council governance and finance arrangements when considering private reports, with the default position being that all papers are open to the public.

## **5. Conflicts of Interest**

Any conflicts of interest should be declared to the Monitoring Officer before officially joining the board within 28 days of the request being made of the Board Member. Kirklees Council will maintain and publish a register of Board Member interests that will be reviewed annually to ensure it is up to date. Board Members should consider Declarations of Interest throughout the year and declare an interest if it arises within the 12-month period. Where a Board Member is unsure if an interest needs to be declared advice should be taken from the Monitoring Officer. A Member Declaration of Interest Form is attached as Appendix D to these Terms of Reference.

The following provisions shall apply to all Board Members should they be faced with conflicts of interest.

Should a Board Member be faced with a conflict of interest the person shall immediately declare the nature of the conflict/potential conflict and may be required under the Code of Conduct to withdraw from any business where the conflict would be relevant.

Whenever a person has an interest in a matter to be discussed at a meeting the person may not be:

- Entitled to remain present at the meeting during discussions of the matter.
- Counted in the quorum in relation to the matter.
- Entitled to vote on the matter.

The Board may, at any time, authorise a person to remain in the meeting whilst a matter in which they have or may have a conflict of interest is discussed, provided that the conflict of interest is declared and the person subject to the conflict of interest shall not be entitled to vote on the matter.

## **6. Quorum and Decision Making**

The Board shall delegate to the Chair of the Board the authority to make urgent decisions, having consulted by way of email or other method agreed by the Board with Board members, where a Board cannot be convened in a timely manner to consider a matter. The decision shall be published as soon as practically possible once taken.

In the absence of the Chair at a formal meeting of The Board, the Deputy Chair will lead the meeting. In the absence of both the Chair and Deputy Chair the Board will vote and appoint a Chair for that meeting only. The Chair for that meeting should be from the private sector and should not be any elected person.

Kirklees Council's officers will consult the Chair from time to time on progress of works required to be undertaken on individual interventions and the Long-Term Plan. The Chair may convene an informal meeting of all or some of the Board Members to inform progress of a particular matter arising under the development of individual interventions.

The Chair may meet third parties and attend events on any matter pertaining to the Long-term Plan and individual interventions to progress activity and outcomes.

Informal meetings and engagement with third parties will be reported back to The Board.

A quorum shall be six (6) Board Members present, provided that at least one Member representing the accountable body is present.

Each member of the Board shall have one vote which may be cast on matters considered at the meeting.

The decision-making by the Board is that any decision of the Board must be a majority decision of the members present at the meeting at which the decision is made.

The Chair will have the casting vote in the event of any equality votes (this refers to whoever is present and discharging the function of Chair for the purpose of the meeting).

## **7. The Board's relationship with Kirklees Council**

Kirklees Council will remain the accountable body for any Long-Term Plan funding that is received, and any other funding received in future in relation to the Long-Term Plan.

These Terms of Reference do not change, replace, substitute for, or amend in any way the statutory powers or duties or other responsibilities of any of the people or organisations represented on The Board.

The procurement policies of Kirklees Council will apply. Any delivery partners will be identified using the procurement policies of Kirklees Council and contracts will be entered into between Kirklees Council and the delivery partner in accordance with Kirklees Council's policies and procedures including its contract procedure rules.

Kirklees Council's Cabinet will receive regular reports on progress of activities through regular performance monitoring.

Board Members shall make themselves available from time to time to meet Kirklees Council's Cabinet and / or Portfolio Holders and to attend meetings of the Council's Overview & Scrutiny Committee if invited.

## **8. Communications and Reporting arrangements**

Meetings of the Board shall be called by the Council's Lead Officer at the request of the Chair of the Board. The agenda and papers for meetings shall be agreed by Kirklees Council and the Chair.

Unless otherwise agreed, notice of each meeting confirming the venue, time, and date together with an agenda of the matters to be discussed at the meeting shall be forwarded to each member and any other person required to attend no later than five working days before the date of the meeting. Any supporting reports and/or papers shall be sent to each member of the Board and other attendees (as appropriate) at the same time.

The proceedings and resolutions of meetings of the Board, including the names of those present and in attendance, shall be minuted. Minutes of meetings of the Board shall be approved in draft form by the Chair. Minutes shall remain in draft until approved by the Board.

## **9. Respecting confidentiality**

On occasions the Board may wish to discuss matters where one or more members wish to retain confidentiality. This may include instances where the Board is to issue a press release or arrange an event. In such circumstances, and where specifically requested by one or more members of the Board, all Board members are expected to retain confidentiality in the context of the matters being considered.

Matters may require more stringent levels of confidentiality due to commercial sensitivity, allowing for ideas to be developed without being negatively influenced before external engagement and the Board may consider the requirement of using non-disclosure agreements in relation to discussions.

Any private information that is circulated must remain confidential, Board Members should not discuss or circulate information outside the perimeters of the board.

## 10. Reviews

The Government may publish further guidance on the operation and function of Town Boards and these Terms of Reference must be reviewed in accordance with any such guidance. The Board may amend these terms of reference at any meeting subject to a majority vote. 14 days' notice must be given of any proposed changes.

### 10.1 Board Effectiveness Review

The membership of the Board and these terms of reference will be reviewed after 6 months following the submission and subsequent approval of the Long-term Plan. This will ensure the membership, roles and structure best reflect and support the interventions to be delivered.

This will involve an initial Board Effectiveness Review (BER) where the size, structure, expertise, and diversity of the Board will be considered.

Following this initial BER in October 2024, further reviews will take place as follows:

- October 2025: to review progress and effectiveness after 1 year.
- January-March 2027: to review the Board aligned with the three-year check-in point, at the end of each investment period.
- January-March 2030: to review the Board aligned with the three-year check-in point, at the end of each investment period.

The Chair may undertake this review or may decide to appoint / request an external reviewer. The reviews will be expected to consider:

- Size, structure, expertise, and diversity of the Board
- overarching culture and tone set by the board. Clarity of, and leadership given to, the purpose, direction
- quality of relationships between all board members and its relationships with stakeholders
- How the board communicates with, listens, and responds to, its organisation and other stakeholders.
- Processes for identifying, reviewing, and managing risks.
- Succession and development plans.
- Quality and timing of papers and presentations to the board.
- Quality of discussions around individual proposals and time allowed. The process the chair uses to ensure sufficient debate for major decisions or contentious issues - including how constructive challenge is encouraged.
- Effectiveness of board committees, including the Terms of Reference,
- How the board's practices, relationships and cultural norms compare with other Town Board



## **11. Ancillary matters**

### **11.1 Freedom of Information**

The Board and its activities will be subject to Freedom of Information requests, in addition to the Data Protection Act 2018 and the Environmental Information Regulations (various). Provision will be made via Kirklees Council's website and support will be provided by Kirklees Council to manage and respond to such requests.

### **11.2 Public Questions**

The Public can attend formal Board Meetings as observers only except where certain parts of the agenda contain confidential, commercially sensitive, or otherwise exempt information in which case the public may be excluded from the private part of the meeting. The Public attending as observers may not participate in the discussions of the Board meeting. The Chair may exclude a member of the public to prevent misbehaviour at the meeting and in order to maintain orderly conduct. There will be (15) minutes at the start of the Board meeting agenda to respond to public questions which must be submitted in writing in advance no later than (5pm) (two) working days in advance of the meeting by email to Governance Officer at:

[executive.governance@kirklees.gov.uk](mailto:executive.governance@kirklees.gov.uk)

### **11.3 Sub-groups**

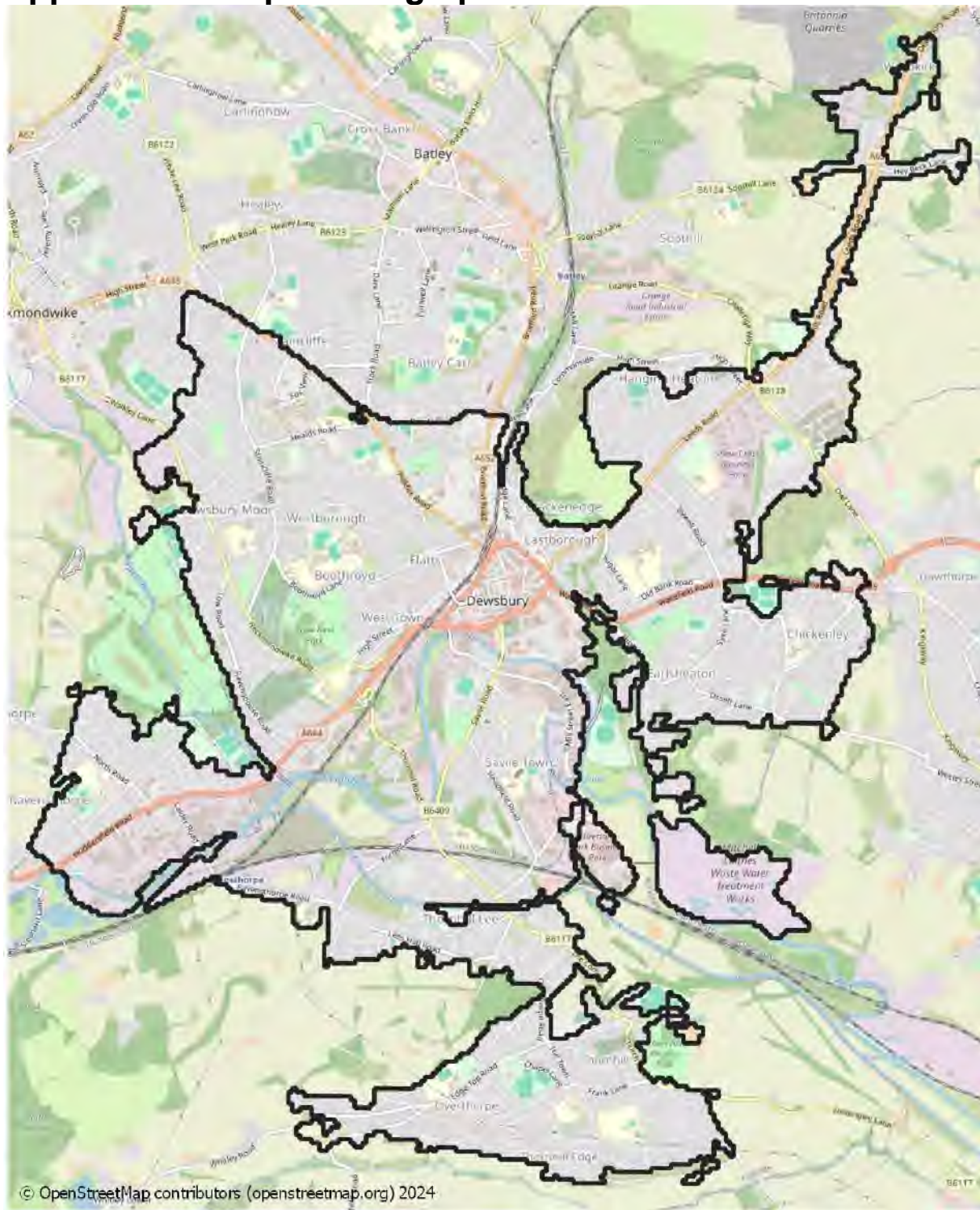
In developing and/or delivery of the Long-Term Plan, thematic sub-groups may be required, engaging people and organisations outside of the Board to support the development and delivery of the Plan.

The Board may decide to establish a sub-group and lead for each of the three thematic areas. This will allow for wider engagement outside of the Board in developing an evidence-based plan and supporting on-going development and delivery. The sub-groups will not require voting mechanisms and are advisory to the Board on specific matters.

Sub-groups will be approved by the Board and members of the sub-groups will adhere to the Code of Conduct set out in these Terms of Reference.

Once/If established, information relating to the sub-groups will be added as an addendum to the Terms of Reference.

## Appendix A: Map of Geographic area



## **Appendix B: Town Board Code of Conduct**

The Town Board has adopted this code setting out the expected behaviours required of its Board Members, acknowledging that they each have a responsibility to represent the ambition of the Long-Term Plan for Dewsbury and work constructively with Kirklees Council's Economy and Skills Service and partner organisations to develop and deliver the Long-Term Plan.

In accordance with the Long-Term Plan for Towns Guidance, when acting in a Board Member capacity, members must be committed to behaving in a manner that is consistent with the Nolan principles to achieve best outcome for our residents and maintain public confidence in the actions of the Board, namely:

### **SELFLESSNESS:**

Holders of public office should act solely in terms of the public interest.

### **INTEGRITY:**

Holders of public office must avoid placing themselves under any obligation to outside individuals 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 material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships.

### **OBJECTIVITY:**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **ACCOUNTABILITY:**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to the scrutiny necessary to ensure this.

### **OPENNESS:**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **HONESTY:**

Holders of public office should be truthful.

### **LEADERSHIP:**

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.

## **Conflict of Interests**

Having regard to the nature of the likely interventions that will be explored as part of development of the Long-Term Plan, from time to time a conflict of interest may arise for Board Members.

A conflict of interest arises where a Board Member, a close associate, immediate family, business, organisation, or employer has an interest in a matter which is the same as, connected to or may be affected by the matter under discussion.

At a meeting, Members must declare any interest which they have in any matter to be considered at that meeting.

If the interest in the matter being discussed which a member of the public who knew of the facts would reasonably regard as so significant that it is likely to prejudice the Board Members judgement of the Board's interest in the matter, then the Board Member must declare the interest at the start of the agenda item and must not vote on the matter. However, due to the nature of information the Board Member may have relating to the topic under discussion, such as financial, viability, feasibility, and volume by way of example, the Board Member will be able to take part in the debate.

A Register of Interest will be maintained by the Monitoring Officer of the accountable body. A Member Declaration of Interest Form is attached as Appendix 2 to the Terms of Reference of The Board.

## **Registration of Gifts and Hospitality**

Board Members must register in the Register of Members Gifts and Hospitality, held by the Council's Head of Town Centre Programmes of any gift or hospitality worth £25 or over received (or offered), in connection with their official duties as a Board Member and the source of that gift or hospitality (or offer) within 28 days of receiving it.

Acceptance by Board Members of hospitality through attendance at relevant events, conferences and other Board-related activity is acceptable where it is clear the hospitality is corporate rather than personal.

## **Complaints**

Where a person has reason to believe that the conduct of a Board Member has fallen short of the standards set out above, encapsulated in the Nolan Principles, a complaint may be made in writing to the responsible Strategic Director.

The complaint should set out as follows:

- (i) the nature of the complaint
- (ii) details of how the Board Member acted in an official Board capacity.
- (iii) details of which Nolan Principle has been breached and why.
- ( ) if relating to a conflict of interest, details of how the conflict has occurred and impact of that conflict.

A Director will conduct a Standards investigation in response to a complaint which sets out the details at (i) to (iv) above to determine whether there has been a breach of the Code of Conduct.

### **Removal of a Town Board Member from the Board**

If the Director finds a breach of the Code of Conduct has taken place Kirklees Council may remove the Board Member and inform the Chair.

## Appendix C: Substitute recommendation form

### Substitute Member Recommendation

Main Board Member Name:

Organisation:

Signature:

Substitute member name:

Job Title:

Organisation:

Contact Details:

Email:

Telephone:

Please submit completed form to .....received and agreed by the Chair of The  
Town Board

Signed.....

Date.....

## Appendix D: Declaration of interest form

NOTIFICATION OF (1) DISCLOSABLE PECUNIARY INTERESTS AND (2) OTHER PERSONAL INTERESTS WHICH ARE NOT DISCLOSABLE PECUNIARY INTERESTS BY MEMBERS OF TOWN BOARD

I, [Name]

Being a member of the Town Board do hereby give notice that I have set below in Part I of the form my disclosable pecuniary interests as defined in the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and in Part II of this form, my other personal interests which are not disclosable pecuniary interests.

Within 28 days of appointment to Town Board, a Board member must register his/her disclosable pecuniary interests in a public register by providing written notification to the Kirklees Council's Lead Officer

I understand that this notification will be placed upon a public register and published on the Town Board page of the Kirklees Council website.

I further understand that by signing this notification I am also agreeing to abide by the Town Board Code of Conduct.

Signed

Dated

20[ ]

PLEASE COMPLETE THE FORMS IN PART I AND PART II BELOW FOR BOTH YOURSELF AND YOUR SPOUSE OR CIVIL PARTNER OR ANY PERSON WITH WHOM YOU ARE LIVING AS HUSBAND AND WIFE OR ANY PERSON WITH WHOM YOU ARE LIVING AS IF YOU WERE CIVIL PARTNERS.

Please use additional sheets if necessary. Any additional sheets should be marked with the number of the question to which they apply. If you have no interests relevant to a particular section, please write "None" in that section. Attached to this form is an extract from the Explanatory Notes to the Localism Act 2011 dealing with the offences which may be committed in relation to disclosable pecuniary interests.

## **PART I – DISCLOSABLE PECUNIARY INTERESTS**

Disclosable Pecuniary Interests Disclosable Pecuniary Interests

### **1. Employment, office, trade, profession, or vocation**

Please give details of any employment, office, trade, profession, or vocation carried on by you for profit or gain. In particular you should give a brief description of the activity and the name and address of any employer, partnership or other organisation from which you receive payments.

### **2. Sponsorship**

Please give details of any payment or provision of any other financial benefit (other than from Kirklees Council) which has been made or provided within the last 12 months 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 or political party.

### **3. Contracts**

Please give details of any contract which is made between you (or a body in which have a beneficial interest) and Kirklees Council -

- (a) under which goods or services are to be provided or works are to be executed; and
- (b) which has not been fully discharged

[A body in which you have a beneficial interest means a firm in which you are a partner or a body corporate of which you are a director, or in the securities of which you have a beneficial interest]

### **4. Land**

Please give details of any beneficial interest you have in land which is within the area of Kirklees Council. For these purposes the definition of land excludes an easement, servitude, interest or right in or over land which does not carry with it a right (alone or jointly with another) to occupy the land or to receive income. In particular you should provide details of any land which you own, lease, receive rent from or for which you are the mortgagee together with sufficient information to identify the location of such land.



### **5. Licences**

Please provide details of any licence (alone or jointly with others) to occupy land in the area of Kirklees Council for a month or longer.

### **6. Corporate Tenancies**

Please provide details of any tenancy where (to your knowledge) -

- (a) the landlord is Kirklees Council; and
- (b) the tenant is a body in which you have beneficial interest

A body in which you or such a person has a beneficial interest means a firm in which you are a partner or a body corporate of which you are a director, or in the securities of which you have a beneficial interest.

## 7. Securities

Please provide details of any beneficial interest in securities of a body where-

- (a) that body (to your knowledge) has a place of business or land in the area of Kirklees Council; 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.

[For these purposes "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.]

## PART 11 – PERSONAL INTERESTS

Please list any personal interests which are NOT disclosable pecuniary interests and briefly describe your involvement. Personal interests may be interests for which you receive no remuneration or have no beneficial interest, but which may still be seen as prejudicing your decision making.

The interests you list are a matter for your discretion, but you should have regard to your duty to act in accordance with the Seven Principles of Public Life which are contained in the Code of Conduct for members of the Town Board, namely:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

The following is a list of the type of personal interests you should consider including in this form but please note this is not a comprehensive list and is given only by way of example. Please ask the Head of Development and Master Planning if you require guidance.

**(a) Membership of Trade Union**

Note – if you are paid by a trade union, this is a disclosable pecuniary interest and should be disclosed in Part I of this form. Part II is for the disclosure of membership of a Trade Union only.

**(b) External bodies to which you are appointed or nominated by the Council but for which you receive no remuneration**

(any organisation of which you are a member or in a position of general control or management and to which you are appointed or nominated by Kirklees Council as its representative, but it is not a disclosable pecuniary interest. Note that being nominated as a director is a disclosable pecuniary interest.

**(c) Interests in charities, societies, and other bodies**

(any position of general control or management in any public authority or body exercising functions of a public nature; company, industrial and provident society, charity, or body directed to charitable purposes; bodies whose principal purposes include the influence of public policy including professional association) but it is not a disclosable pecuniary interest.

**(d) Membership of a local organisation**

(any local organisations of which you are a member, e.g., friends of “x”)

**(e) Involvement in any organisation for which you do not receive remuneration, but the organisation may receive funding or support from the Council**

**(f) Receipt of benefits like for example, Council Tax Single Person’s Allowance**

Note - You are also reminded that if you have received gifts and hospitality with a value in excess of £25 you must notify the Lead Officer in writing within 28 days of receipt.