



LOCALISM ACT 2011

**RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS)
REGULATIONS 2012**

DISCLOSABLE PECUNIARY INTERESTS

Name	Duncan Kerr
Town/Parish Council	Oswestry Town Council
Address	c/o Guildhall, Bailey Head Oswestry
Telephone Number	

Every Member¹ is required to register and disclose certain interests **and those of their Partner²** where they are aware of the existence of such interests.

<u>Employment, office, trade, profession or vocation</u> Any employment, office, trade, profession or vocation carried on for profit or gain by you or your partner	N/A
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<u>Trade Union Membership</u>	N/A
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¹ "member" means a member of the authority and includes a co-opted member;
² Partner includes your spouse, civil partner or person with whom you are living as if they were your spouse or civil partner

Membership of any Trade Union	
<u>Sponsorship</u> Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period ³ in respect of any expenses incurred by you in carrying out your 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.	Green Party of England and Wales
<u>Contracts</u> Any contract which is made between you or your partner (or a body in which you or your partner has a beneficial interest ⁴) and the 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.	None
<u>Land</u> Any beneficial interest in land ⁵ which is within the area of the Council.	Boderwig, Park Ave, Oswestry Hermon Chapel, Chapel St, Oswestry
<u>Licences</u> Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.	None

³ “relevant period” means the period of 12 months ending with the day on which you give a notification of its existence

⁴ “body in which the relevant person has a beneficial interest” means a firm in which you or your partner is a partner or a body corporate of which you or your partner is a director, or in the securities of which you or your partner has a beneficial interest; and “director” includes a member of the committee of management of an industrial and provident society

⁵ “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;

<p><u>Corporate tenancies</u></p> <p>Any tenancy where (to your knowledge)— (a) the landlord is the Council ; and (b) the tenant is a body in which you or your partner has a beneficial interest.</p>	None
<p><u>Securities</u></p> <p>Any beneficial interest in securities⁶ of a body where— (a) that body (to your knowledge) has a place of business or land in the area of the 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 you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>	None

NOTES ON SENSITIVE INTERESTS

An interest is sensitive if its nature is such that you, and your Monitoring Officer, consider that its disclosure could lead to you, or a person connected with you, being subject to violence or intimidation

The nature of your sensitive interest will not appear in the published register of interests but it may be recorded that you have a sensitive interest.

I hereby undertake in accordance with The Localism Act 2011 to notify, in writing, the Monitoring Officer, within 28 days, of any disclosure made at a meeting of a disclosable pecuniary interest which is not already included above

Signed.....  Dated.....14th June 2023.....

This form should be returned to Claire Porter, Monitoring Officer, Shropshire Council, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND

April 2017

⁶ “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.



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SHROPSHIRE COUNCIL CODE OF CONDUCT 2021

“OTHER REGISTRABLE INTERESTS”

Name	Duncan Kerr
Town/Parish Council	Oswestry Town Council

You must register as an Other Registrable Interest the following (NB you do not need to include interests that relate only to you partner):

<u>a) Any unpaid directorships</u>	None
<u>b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority</u>	
<u>c) any body</u>	
<u>(i) exercising functions of a public nature</u> (Please see notes below)	Cambrian Railway partnership Future Oswestry Group
<u>(ii) directed to charitable purposes or</u>	Eure and Smale Charity Richard Wycherley Charity
<u>(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management</u> (Please see notes below)	Green Party of England and Wales

Signed.. [REDACTED] Dated.....14.06.2023.....

Extracts from the LGA Guidance

(If you are uncertain about anything please contact the Monitoring Officer)

What is a “body exercising functions of a public nature”?

Although it is not possible to produce a definitive list of such bodies, here are some criteria to consider when deciding whether or not a body meets that definition -

- does that body carry out a public service?
- is the body taking the place of local or central government in carrying out the function?
- is the body (including one outsourced in the private sector) exercising a function delegated to it by a public authority?
- is the function exercised under legislation or according to some statutory power?
- can the body be judicially reviewed?

Unless you answer “yes” to one of the above questions, it is unlikely that the body in your case is exercising functions of a public nature. Examples of bodies included in this definition: government agencies, other councils, public health bodies, council-owned companies exercising public functions, arms-length management organisations carrying out housing functions on behalf of a council, school governing bodies.

Do local campaigning or Facebook groups need to be registered?

Membership (which does not include simply being on a mailing list), of local campaign or Facebook groups will only need to be registered if they are bodies of a type set out in paragraphs (C) (i) to (iii) above. Generally, it is unlikely that these groups will be regarded as formal bodies to be registered. However, each case should be considered on its own merits. ‘A Body’ is defined as ‘a number of persons united or organised’. Some groups are very united on their cause and organised, but their purpose must fall under one of the functions listed above. There must also be some formality to the membership, such as registration for example. Simply attending a meeting of a local campaign does not of itself make you a ‘member’ of that organisation.

There has been a growth in organisations which are more nebulous in nature, and no formal membership requirements exist, such as Extinction Rebellion. It can be helpful to ask yourself the question “do I consider I am a member of the organisation” and if the answer is yes, then register the membership for transparency purposes.

What about membership of a political party or trade union?

The second category of other registerable interests refers to membership of a body or being in a position of general control and management of a body, one of whose principal purposes includes the influence of public opinion or policy. This includes any political party or trade union. Memberships of political parties and Trade Unions therefore need to be registered. Remember that if because of membership of a political party or a trade union any payment or financial benefit is received, it is likely to come under the Sponsorship category of DPI.

“Sensitive interests”

Where you consider that disclosure of the details of an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the monitoring officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.