

Declaration of Acceptance of Office of Councillor

Report by Kevin Anderson, Executive Director, Place

Report for Noting

1 Conclusion

The Executive Director, Place will confirm at this meeting which Members have made their Declaration of Acceptance of Office of Councillor to a Proper Officer of the Council.

2 Purpose of Report/Executive Summary

The Declaration of Acceptance of Office, to be signed by each Elected Member, includes both a Declaration regarding fulfilment of duties and also an undertaking to meet the requirements of the Councillors' Code issued under the Ethical Standards in Public Life etc (Scotland) Act 2000.

Details regarding the procedure for making the Declaration were provided to each Member separately.

Date: 6 May 2022

Report Contact: Kevin Anderson

Email: kevin.anderson@midlothian.gov.uk

3 Background

Under the terms of Section 33A of the Local Government (Scotland) Act 1973, introduced by the Local Government and Housing Act 1989, a person elected to Office as a Councillor of a Local Authority shall not, unless:

- a) He/she has made a Declaration of Acceptance of Office in a form prescribed by an Order made by Scottish Ministers; and
- b) the Declaration has within two months from the day of the election been delivered to the Proper Office of the Local Authority
- c) act in the Office of Councillor except for the purpose of taking such a Declaration.

If such a Declaration is not made and delivered to the Proper Officer within the appointed time, the Office of the person elected shall at the expiration of that time become vacant.

The Declaration of Acceptance of Office, to be signed by each Elected Member, includes both a Declaration regarding fulfilment of duties and also an undertaking to meet the requirements of the Councillors' Code issued under the Ethical Standards in Public Life etc (Scotland) Act 2000.

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4. Report Implications (Resource, Digital and Risk)

4.1 Resource

There are no resource implications arising from this report.

4.2 Digital

There are no digital implications related to this report.

4.3 Risk

Failure by a sufficient number of Elected Members to make their Declaration could result in this Council meeting being inquorate.

4.4 Ensuring Equalities

An equalities impact assessment has not been required in connection with this report.

4.5 Additional Report Implications

See Appendix A

Appendix A - Additional Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Not applicable

A.2 Key Drivers for Change

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☐ Sustainable
- ☐ Transformational
- ☐ Preventative
- ☐ Asset-based
- ☐ Continuous Improvement
- ☐ One size fits one
- ☒ None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- ☐ One Council Working with you, for you
- ☐ Preventative and Sustainable
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious
- ☒ None of the above

A.4 Delivering Best Value

There are no direct implications related to this report.

A.5 Involving Communities and Other Stakeholders

The report does not directly relate to involving communities.

A.6 Impact on Performance and Outcomes

Not applicable

A.7 Adopting a Preventative Approach

Not applicable

A.8 Supporting a Sustainable Development

Not applicable