

# Public Document Pack



**Councillor Conduct Committee**  
Thursday, 23 November 2023 at 7.00 pm  
Conference Room, Civic Centre, Silver  
Street, Enfield, EN1 3XA

Contact: Harry Blake-Herbert  
Direct: 020-8132 0807  
Tel: 020-8132-1000

E-mail: [Harry.Blake-Herbert@enfield.gov.uk](mailto:Harry.Blake-Herbert@enfield.gov.uk)  
Council website: [www.enfield.gov.uk](http://www.enfield.gov.uk)

Councillors: Sabri Ozaydin (Chair), Chris Dey (Vice-Chair), Reece Fox and  
Thomas Fawns

Independent Persons: Joan Mansfield

Officers: Terry Osborne Director of Law & Governance (Monitoring Officer)

## AGENDA – PART 1

### 1. WELCOME AND APOLOGIES

### 2. DECLARATIONS OF INTEREST

Members are asked to declare any disclosable pecuniary, other pecuniary or non-pecuniary interests relating to items on the agenda.

### 3. MINUTES OF THE PREVIOUS MEETING (Pages 1 - 2)

To receive and agree the minutes of the meeting held on 22 June 2022.

### 4. CODE OF CONDUCT ANNUAL REPORT 2022/23 (Pages 3 - 12)

Members are asked to receive and note the annual Council Conduct Committee report for 2022/23.

### 5. DATES OF FUTURE MEETINGS

To note the date of the future meetings as follows:  
Monday 18<sup>th</sup> March 2024.

### 6. EXCLUSION OF THE PRESS AND PUBLIC

To consider passing a resolution under Section 100(A) of the Local Government Act 1972 excluding the press and public from the meeting for the items of business listed on part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006). (Members are asked to refer to the part 2 agenda).

## AGENDA – PART 2

### 7. **CONSIDERATION BY THE COMMITTEE OF A COMPLAINT AGAINST COUNCILLOR ERGIN ERBIL** (Pages 13 - 82)

To receive the report of the Monitoring Officer/Investigating Officer and consider any representations by the complainant or member complained against.

Members are asked to consider whether or not there has been a breach of the Code of Conduct.

**(This item contains exempt information as defined in Paragraph 1 (information relating to any individual) of Schedule 12A to the Local Government Act 1972, as amended).**

### 8. **UPDATE ON CURRENT COMPLAINTS** (Pages 83 - 86)

To receive an update from the Director of Law & Governance on complaints currently being investigated.

**(This item contains exempt information as defined in Paragraph 1 (information relating to any individual) of Schedule 12A to the Local Government Act 1972, as amended).**

**COUNCILLOR CONDUCT COMMITTEE - 22.6.2022****MINUTES OF THE MEETING OF THE COUNCILLOR CONDUCT COMMITTEE  
HELD ON WEDNESDAY, 22 JUNE 2022****COUNCILLORS**

**PRESENT** Sabri Ozaydin (Chair), Chris Dey (Vice-Chair), Reece Fox, Rick Jewell (Cabinet Member for Environment), Michael Rye OBE and Chinelo Anyanwu (Cabinet Member for Public Spaces, Culture and Local Economy)

**OFFICERS:** Clare Cade (Secretary) and Robyn McLintock (Secretary)

**1****WELCOME & APOLOGIES**

The Chair (Cllr Sabri Ozaydin) welcomed all attendees to the meeting.

There were no apologies received.

**2****DECLARATION OF INTERESTS**

There were no declarations of interest made at this point in the meeting but Councillor Chris Dey made a declaration under item 8.

**3****MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 01 March 2022 were agreed.

**4****ANNUAL REPORT 21/22**

The committee received a verbal update on this item of business from the Interim Director of Law and Governance.

The Interim Director advised that there is a need to recruit a second Independent Person to help support the Monitoring Officer and the committee. The position will be advertised soon and an update provided at the next meeting.

The committee thanked the Director for the update.

**5****INDEPENDENT PERSON APPOINTMENT**

There is a need to recruit a second independent person to cover a possible conflict of interest or availability of the current independent person.

Terry Osborne will be advertising and will be updating the committee at the next meeting.

**COUNCILLOR CONDUCT COMMITTEE - 22.6.2022**

**6**

**DATES OF FUTURE MEETINGS**

Noted the dates of the future meeting as follows:

7 September 2022

20 December 2022

28 March 2023

**7**

**EXCLUSION OF THE PRESS AND PUBLIC**

The Committee **AGREED** in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for consideration of Item 8 listed on Part 2 of the agenda, on the grounds that it falls within the following category of exempt information as specified in Schedule 12A of the Local Government Act 1972, namely: "Information relating to any individual".

**8**

**UPDATE ON COMPLAINTS**

The committee noted the updated list of complaints against councillors prepared by the Interim Director of Law and Governance and noted progress made on investigating those complaints.

A declaration of interest was made on this item by Councillor Chris Dey as he is named in one of the complaints in the report.

Terry Osborne suggested a 3 year review of complaints be carried out to identify patterns and trends and that an annual review of the register of interests be undertaken each year.



## London Borough of Enfield

<b>Report Title</b>	Councillor Conduct Annual report 2022/2023
<b>Report to:</b>	Councillor Conduct Committee
<b>Date of Meeting:</b>	23 <sup>rd</sup> November 2023
<b>Directors:</b>	Terry Osborne- Director of Law and Governance
<b>Report Author:</b>	Terry Osborne  Terry.Osborne@enfield.gov.uk
<b>Ward(s) affected:</b>	All wards
<b>Key Decision Number</b>	N/A
<b>Implementation date, if not called in:</b>	
<b>Classification:</b>	Part 1 Public

### Purpose of Report

1. This report updates the Councillor Conduct Committee on complaints the Monitoring Officer has received about members' conduct during the financial year 2022/2023 and other matters relevant to the committee.

### Recommendations

- I. That the Committee notes the content of the Annual Report from the Monitoring Officer update set out in Appendix 1 and that the committee refers the report to the Council in accordance with section 56B of the Local Government Act 2000.

## **Financial Implications**

2. There are no Financial Implications applicable to this report.

## **Legal Implications**

3. The Council's arrangements under which complaints about Members' conduct are investigated and decided, comply with the relevant provisions of the Localism Act 2011. All complaints are dealt with in consultation with the Council's Independent Person that the council has to appoint under the Localism Act.
4. The Committee will also refer this annual report to the Council after the end of this financial year as required by Section 56B of the Local Government Act 2000. The annual report must describe how the committee's functions have been discharged during the financial year.

## **Equalities Implications**

5. There are no Equalities Implications arising out of this report.

---

**Report Author:** Terry Osborne  
Director of Law and Governance  
  
Terry.Osborne@enfield.gov.uk

## **Appendix**

Appendix 1 – Councillor Conduct Committee Annual report 2022/2023.

# London Borough of Enfield

## Councillor Conduct Committee

### Annual Report 2022/2023

## **1. Introduction**

The Councillor Conduct Committees is responsible for the promotion and monitoring of high standards of conduct amongst councillors and co-opted members.

The role of the committee as set out in the Constitution is:

- To assist councillors and co-opted members to observe their Code of Conduct and all other Codes within the Constitution.
- To consider requests for dispensations by councillors, and co-opted members relating to interests set out in the Code of Conduct.

The committee also ensures there is an effective process for dealing with complaints relating to the Code of Conduct, supports the principles of good governance and upholds an ethical culture within the Council.

## **2. Membership**

The Councillor Conduct Committee is made up of four councillors (two from each party, including each of the party whips), plus 2 substitute members for each party. The councillors appointed to the committee for 2022/23 were:

Sabri Ozaydin (Chair)  
Chris Dey (Vice-Chair)  
Reece Fox  
Rick Jewell

## **3. Independent Persons**

As required by the Localism Act 2011, all local authorities must appoint at least one Independent Person whose views are sought and taken into account by the local authority before it makes a decision on an allegation that has been investigated.

Joan Mansfield is the Independent Person for the committee which role is to assist in promoting and maintaining high standards of conduct amongst our Elected Members.

The independent view and expertise Ms Mansfield has brought on conduct issues is vital to the proceedings. The Monitoring Officer consults the Independent Person on all complaints received and she provides considered advice and guidance on complaints and other issues that arise.



The appointment was for an initial period of two years which has been extended.

The Council is currently recruiting a second Independent Person. The position has been advertised.

In addition to the support provided by Ms Mansfield, the Committee has been supported by Terry Osborne (Monitoring Officer) and Claire Johnson (Deputy Monitoring Officer).

## **5. Terms of reference**

The full terms of reference of the Councillor Conduct Committee are set out at appendix 1 but the key points are:

- To deal with policy, complaints against councillors and issues concerning the members' Code of Conduct.
- To promote and maintain high standards of conduct by councillors and all co-opted members.
- To assist councillors and co-opted members to observe their Code of Conduct and all other Codes within the Constitution.
- To monitor the operation of the Councillors' Code of Conduct and report when appropriate to the full Council on the adoption or revision of the Code and all other codes within the Constitution.
- To consider requests for dispensations by councillors, and co-opted members relating to interests set out in the Code of Conduct.
- To discharge such other functions either general or specific as the Council may from time to time allocate to the Committee.

## **6. The committees work programme**

There was one meeting held during the last financial year (22 June 2022). At the meeting, the Monitoring Officer provided the annual report for 2021/2022 and an update. She advised the committee on the Council's intention to appoint a second Independent Person at some point in the future.

No other meetings were held as there was no other business to transact.

## **7. Monitoring Officer Advice**

The Monitoring Officer provides advice at all Council, Cabinet, General Purposes Committee and Member Code of Conduct meetings. The Monitoring Officer is regularly contacted by members to give advice on specific issues that are relevant to them. A series of Monitoring Officer

Advice Notes has been developed by the Monitoring Officer which are sent to all members on a regular basis reminding them of their obligations under the code. The following advice notes had been distributed by the Monitoring Officer during the period covered by this report:

The following advice notes were sent to Members:

- The Register of Member Interests 22/05/05
- Reminder of the Rules on Registering and Declaring Member Interests 19/12/22
- Advice on Declaring Interests on Items Relevant to the Setting of the Council Tax and Budget and Council Plan 20/02/2023
- Reminder of the Rules on Raising Points of Order or Points of Personal Explanation at Council Meetings 22/02/2023
- Personal safety for councillors – presentation 28/02/2023
- More FAQs on declaring pecuniary interests at a Council meeting 13/06/2023
- More FAQs on Declaring Interests at a Council meeting 26/09/2023

## **8. Register of Interests**

The Monitoring Officer undertakes reviews of the Member Register of Interests from time to time. During the period covered by this report, a review was undertaken on 31<sup>st</sup> October 2023. Any inconsistencies or anomalies are raised with the relevant member(s) so that corrections can be made.

## **9. Member Training and Guidance**

All councillors were provided with the following training:

- A Hard copy Member Induction Packs
- Member Induction training took place on 7 May 2022. The slides were focused specifically on declaring and registering interests.
- Member Induction training took place on 11 May 2022 which gave members an overview of committees/decision making, along with a detailed briefing on the Council's Code of Conduct.

- A presentation about the Code of Conduct was delivered to the Labour Group on 27 June 2022 and to the Conservative Group on 20 June 2022.
- The Code of Conduct is also available on the members' portal which is an online facility set-up for members to view essential information relating to members' support.

## **10. Dispensations**

A dispensation can be granted in the following circumstances:

- (a) Where members of the decision-making body have disclosable pecuniary interests in a matter that would "impede the transaction of the business"
- (b) That without the dispensation, the representation of different political groups on the body conducting the business would be so upset as to alter the outcome of any vote on the matter
- (c) That the authority considers that the dispensation is in the interest of persons living in the authority's area
- (d) That the authority considers that it is otherwise appropriate to grant a dispensation.

No dispensations were granted during the period covered by this report.

## **11. Complaints**

Between 1 April 2022 to 31 March 2023, the Monitoring Officer received 9 complaints with the following outcomes:

- 1 complaint is being head by the Committee at the meeting
- 1 complaint related to a former member of the Council and could not therefore be investigated under the Code of Conduct
- 1 case was closed as the complainant did not progress the complaint to the formal stage.
- 1 complaint was resolved informally as the relevant Councillor took remedial actions.
- 2 complaints were investigated by the Monitoring Officer who found that there was no evidence of a breach of the Code of Conduct.
- 3 complaints related to a member acting in his or her private life and was not therefore covered by the Code.

## **12. Conclusions**

The Monitoring Officer enjoys a good working relationship with all members who regularly seek her advice and act upon it. The Monitoring officer reviews the Register of Interests from time to time and encourages members to keep the register up to date. The Monitoring Officer provides regular advice to members. There is a high standard of compliance with the Code of Conduct at Enfield Council and there are no issues in respect of which further or ongoing action is required.

## Appendix A

<b>COUNCILLOR CONDUCT COMMITTEE</b>
<b>Appointed by:</b> Council
<b>Proportionality:</b> Disapplied
<p><b>Membership:</b></p> <p>4 members of the Council: 2 majority and 2 opposition to include both group whips.</p> <p>2 substitute members by each group to be appointed at the Annual Council meeting. Substitute members to be permitted in the following circumstances:</p> <p>8. To take the place of an ordinary member from the respective group on the Committee where that member will be absent for the whole of the meeting. Such an appointment would apply for the entire meeting, including where the meeting is reconvened after any adjournment; or</p> <p>(b) Where an ordinary member of the Committee is prevented from attending and participating in a meeting due to any disclosable interest they may have in an issue or complaint to be considered. In these cases the substitute appointment would only apply to the consideration of the relevant item on the agenda.</p> <p>The committee member who wishes to appoint a substitute member must notify the Monitoring Officer in writing, prior to the beginning of the relevant committee meeting of the intended substitution. Once notification of a substitute member has been received the ordinary member of the committee will not (unless the notice of substitution is withdrawn prior to the start of the meeting) be entitled to attend the relevant meeting or part of the meeting to which the substitution applies as a member of the committee.</p> <p>The Independent Person(s) and the Monitoring Officer will be asked to attend the meetings to offer advice and support.</p>
<b>The membership must be drawn from:</b> As set out in membership
<b>Chair and Vice-Chair appointed by:</b> Council, with the chair being the majority group whip and the vice-chair being an opposition whip.
<b>Public / Private meeting:</b> Public

**Substitutes:** 2 substitute members by each group to be appointed at the Annual Council meeting. Procedures set out in Membership above.

**Quorum:**

No business shall be considered at committee meetings unless at least one quarter of the total number of members, rounded up to a whole number, is present. In no case however shall the quorum be less than 2 members.

**Frequency:**

Meetings to be scheduled on a quarterly basis but only to meet if there was business to be transacted. Extra meetings can be arranged if necessary.

**Terms of Reference:**

- (i) To deal with policy, complaints against councillors and issues concerning the members' Code of Conduct.
- (ii) To promote and maintain high standards of conduct by councillors and all co-opted members.
- (iii) To assist councillors and co-opted members to observe their Code of Conduct and all other Codes within the Constitution.
- (iv) To monitor the operation of the Councillors' Code of Conduct and report when appropriate to the full Council on the adoption or revision of the Code and all other codes within the Constitution.
- (v) To consider requests for dispensations by councillors, and co-opted members relating to interests set out in the Code of Conduct.
- (vi) To discharge such other functions either general or specific as the Council may from time to time allocate to the Committee.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank