

Public Document Pack



COUNCILLOR CONDUCT COMMITTEE

Wednesday, 17 October 2012 at 7.30 pm
Room 1, Civic Centre, Silver Street, Enfield,
EN1 3XA

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Councillors: Yasemin Brett (Chair), Tom Waterhouse (Vice-Chair), Chris Murphy and Michael Rye OBE

AGENDA – PART 1

1. WELCOME AND APOLOGIES

2. DECLARATION OF INTERESTS

Members are invited to identify any disclosable pecuniary, other pecuniary or non pecuniary interests relevant to items on the agenda.

3. OTHER PECUNIARY AND NON PECUNIARY INTERESTS

To discuss other pecuniary and non pecuniary interests.

4. DECLARATION OF INTERESTS FORM (Pages 1 - 6)

To consider the form produced for members to use when registering their interests.

5. UPDATE ON RECRUITMENT OF INDEPENDENT PERSONS

To receive an update on the recruitment of independent persons.

At a meeting held on Monday 8 October 2012, the Committee agreed to recommend to the full Council meeting, due to take place on 7 November 2012, that Lawrence Greenberg be appointed to the position of Independent Person at Enfield Council.

6. MINUTES OF MEETING HELD ON 8 AUGUST 2012 (Pages 7 - 10)

To receive and agree the minutes of the meeting held on 8 August 2012.

7. DATES OF FUTURE MEETINGS

To note the dates agreed for future meetings of the Committee:

- Wednesday 16 January 2013

- Thursday 14 March 2013
- Thursday 2 May 2013

8. EXCLUSION OF PRESS AND PUBLIC

To pass a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to 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).

**London Borough of Enfield
Members' and Co-opted Members'
Disclosable Pecuniary and Other Interests**

I understand and acknowledge the following:-

1. I must comply with the requirements of the law and the Council in registering my interests in the Register of Members' Interest. The interests extend to those of my spouse, partner, civil partner, family members or persons with whom I have a close association or personal relationship. So far as I am aware of the interests of that person.
2. If my circumstances change I must, within 28 days of becoming aware of any changes to the interests specified above, provide written notification to the Monitoring Officer of that change. I understand that I should do this by making the necessary amendments to this form as soon as possible. I understand that in order to do this, I will be required to *amend, initial and date* the original form.
3. This form contains disclosable and other pecuniary interests as prescribed by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.
4. Failure to register a disclosable pecuniary interest could be a breach of the Code and a criminal offence. I must register all such interests relating to me, my spouse, civil partner or partner.
5. If a disclosable pecuniary interest arises in relation to my family member or person with whom I have a close association or personal relationship, and I am aware that they have the interest, I must disclose and register that interest. I understand that failure to do so could be in a breach of this Code.
6. If I feel I have an interest which, if disclosed on a public register, could lead to myself or a person connected to me being subject to violence or intimidation, then I must disclose this as a sensitive interest to the Monitoring Officer and need not declare it on this form.
7. I must, within 28 days, of receiving any gift or hospitality in my capacity as a Member, with an estimated value of at least £25, provide written notification of that interest, including details of the person(s) from whom it was received. I understand that I should do this by completing the Registration of gifts and hospitality form and return it to John Austin, Monitoring Officer

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**London Borough of Enfield
Members' & Co-opted Members' Disclosable Pecuniary & Other Interests**

I (please print name), a Member of London Borough of Enfield, give notice that I have set out my interests below in the appropriate areas and have put '**NONE**' where I have no such interest in any area.

***NOTE:** In the notice below my spouse or partner means anyone who meets the following definition - spouse, partner, civil partner, family members or persons with whom you have a close association or personal relationship.

<p>Employment, office, trade, profession or vacation Any employment, office trade, profession or vocation carried on for profit or gain</p>	
Myself	My spouse or partner*
<p>Sponsorship Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period 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 within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>	
Myself	My spouse or partner*

**London Borough of Enfield
Members' & Co-opted Members' Disclosable Pecuniary & Other Interests**

<p>Contracts 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.</p>	
Myself	My spouse or partner*
<p>Land Any beneficial interest in land which within the area of the relevant authority. Beneficial interest could include land or property which you own, or have a right to occupy (e.g. a tenancy) or receive an income from. This may include your home.</p>	
Myself	My spouse or partner
<p>Licenses Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer</p>	
Myself	My spouse or partner*

London Borough of Enfield
Members' & Co-opted Members' Disclosable Pecuniary & Other Interests

<p>Corporate Tenancies Any tenancy where (to your knowledge)</p> <ul style="list-style-type: none"> (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest 	
Myself	My spouse or partner*
<p>Securities Any beneficial interest in securities of a body where</p> <ul style="list-style-type: none"> (a) that body (to your knowledge) has a place of business or land in the area of the relevant authority; and (b) either <ul style="list-style-type: none"> (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. 	
Myself	My spouse or partner*

**London Borough of Enfield
Members' & Co-opted Members' Disclosable Pecuniary & Other Interests**

<p>Other Pecuniary Interests</p> <p>Other financial interests (if any) that would qualify as grounds for bias in an application to quash a decision of the Authority</p>	
Myself	My spouse or partner*
<p>Memberships</p> <p>In addition, this Code requires you to disclose any interests in any business of the Authority of the Authority where it relates to, or is likely to affect either:</p> <ul style="list-style-type: none"> (i) any body of which you are a member, or in a position of general control or management and to which you are appointed or nominated by your Authority: (ii) any body which exercises functions of a public nature, is directed to charitable purposes (this will include Masonic membership), or has a primary purpose of influencing 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. 	
Myself	My spouse or partner*
Full Name	
Member's Signature	
Date	
Monitoring Officer's Signature	

COUNCILLOR CONDUCT COMMITTEE - 8.8.2012**MINUTES OF THE MEETING OF THE COUNCILLOR CONDUCT COMMITTEE
HELD ON WEDNESDAY, 8 AUGUST 2012****COUNCILLORS**

PRESENT Yasemin Brett (Chairman), Tom Waterhouse, Chris Murphy and Michael Rye OBE

OFFICERS: John Austin (Assistant Director Corporate Governance), Asmat Hussain (Assistant Director Legal) and Marvin Hay (Legal Officer), Jacqui Hurst (Secretary)

**187
WELCOME AND APOLOGIES**

There were no apologies for absence.

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DECLARATION OF INTERESTS**

There were no declarations of interest.

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NEW DECLARATION OF INTERESTS FORM**

John Austin, Assistant Director of Corporate Governance, presented for consideration and approval a draft Declaration of Interest form to be issued to Members following adoption of the new Members' Code of Conduct and the introduction of the requirement to register disclosable pecuniary interests.

NOTED

1. the draft declaration of interests form for Members' comments. It was noted that further guidance was awaited. It was proposed that the form would be reviewed in the next municipal year in the light of experience and any feedback received from Members;
2. a typographical error in part 2, section (d) of the form, "Harte" should read "Hate";
3. at the suggestion of Councillor Rye, an example of a completed form would also be circulated to Members to ease their completion of the new declarations of interest form;
4. a discussion took place with regard to the need to declare gifts and hospitality which were both "offered" and "taken". It was noted that this was not an annual but an on-going declaration requirement for

COUNCILLOR CONDUCT COMMITTEE - 8.8.2012

Members. John Austin, Assistant Director Corporate Governance, would consider further if it was appropriate to make any reference to gifts and hospitality within this declaration of interests form. It was suggested and agreed that a reminder for Members could appear on the Members' newsletter on a monthly basis. It was felt that the requirement to declare "offered" gifts/hospitality could be useful in highlighting particular trends.

AGREED, subject to the comments detailed above, to approve the draft Declaration of Interest form.

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MEMBERS' TRAINING REQUIREMENTS

Members discussed future training requirements for Members around the new Member Code of Conduct which had been adopted by Council on 4 July 2012.

AGREED, following discussion, that the preference was for training sessions be arranged at future Group meetings. This would maximise attendance by Members. The importance of attending the sessions would need to be emphasised. Members would be required to sign in to confirm their attendance. Further ad hoc training sessions could then be arranged for any Member who was unable to attend the relevant Group meeting.

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INDEPENDENT PERSON - TERM OF OFFICE & ALLOWANCE

Members noted that Council (4 July 2012) had agreed to delegate authority for the Chair of the Councillor Conduct Committee (in consultation with the Vice-Chair) to agree the term of office and allowance for the newly created position of Independent Person(s). This had been subject to clarification of the regulations relating to the appointments being sought from the Parliamentary Under Secretary of State for the Department of Communities and Local Government. The Committee's views on the terms of office and final level of allowance were now being sought, in advance of any final recommendation being made.

NOTED

1. John Austin advised Members that clarification of the regulations relating to the appointments had now been provided by the Parliamentary Under Secretary of State for the Department of Communities and Local Government. Previous Independent Members of the Standards Committees could stand for appointment but their term of office could only be until June 2013.
2. John Austin had researched a number of other local authorities with regard to the allowance paid to such independent persons. The sum of

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£500 was seen to be an average and acceptable allowance figure. Members agreed that £500 should be the sum adopted by Enfield. This could be reviewed in the future if necessary.

3. a discussion on the appropriate term of office for the newly appointed independent person(s). Members felt that it would be helpful for the term of office to overlap the term of the Council's administration. It would therefore be appropriate for a 2 year term of office to be implemented from the time of appointment.
4. in response to questions raised by Members, officers would confirm the legal status of the independent person(s) and the appropriate action to be taken should any performance/capability/sickness issues arise following appointment. It was noted that full Council would need to confirm the appointment(s) so any "de-appointment" would also need to be agreed by Council.

AGREED that

1. the independent person(s) be appointed for a two year term of office from the date of their appointment; so the earliest their term of office would expire would be September 2014.
2. The level of allowance to be adopted at £500.

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MINUTES - 13 JUNE 2012

AGREED that the minutes of the last meeting of the Councillor Conduct Committee held on 13 June 2012, be confirmed and signed by the Chairman as a correct record.

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DATES OF FUTURE MEETINGS

NOTED that future meetings of the Councillor Conduct Committee were currently scheduled to take place on:

- Wednesday 17 October 2012
- Wednesday 16 January 2013
- Thursday 14 March 2013
- Thursday 2 May 2013

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