

Public Document Pack



Councillor Conduct Committee

Wednesday, 2 December 2015 at 6.30 pm
Room 3, Civic Centre, Silver Street, Enfield,
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Councillors: Claire Stewart (Chair), Elaine Hayward (Vice-Chair), Donald McGowan and Joanne Laban

Independent Persons: Christine Chamberlain and Sarah Jewell

AGENDA – PART 1

1. WELCOME AND APOLOGIES

2. SUBSTITUTE MEMBERS

Any member who wishes to appoint a substitute for this meeting must notify the Monitoring Officer in writing, before the beginning of the meeting, of the intended substitution.

Any notifications received will be reported at the meeting.

3. DECLARATION OF INTERESTS

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

4. DISPENSATION FORM (Pages 1 - 4)

To consider a new form for recording dispensations.

5. MEMBERS INFORMATION SECURITY POLICY (Pages 5 - 24)

To review the draft updated Members Information Security Policy.

6. PLANNING AND LICENSING CODES OF CONDUCT (Pages 25 - 42)

To receive reports updating members on the proposed changes to the licensing and planning codes of conduct.

Planning code “to follow”.

7. REVIEW OF MEMBER EXPENSES (Pages 43 - 50)

To receive a report reviewing councillor expenses.

8. UPDATE ON COUNCILLOR COMPLAINTS

To receive an update from the Monitoring Officer on any complaints received and currently being considered.

9. MINUTES OF MEETING HELD ON 17 SEPTEMBER 2015 (Pages 51 - 54)

To receive and agree the minutes of the meeting held on 17 September 2015.

10. WORK PROGRAMME 2015/16 (Pages 55 - 56)

To note the work programme for 2015/16 and to agree any changes.

11. DATES OF FUTURE MEETINGS

To note the dates agreed for future meetings:

- Thursday 24 March 2015

12. 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).

There is no part 2 agenda.

Request for a Dispensation Form Part 1 – Members Application

TO: MONITORING OFFICER / DEPUTY MONITORING OFFICER

I (name of Member)

.....

wish to apply for a dispensation from the requirement not to participate in or vote in respect of a matter at a meeting of the Council because of a Disclosable Pecuniary Interest (**DPI**).

Please specify title of the meeting and date

Meeting Title.....Date.....

Please specify your DPI and how it relates to taking part:

**Please Specify why a Dispensation should be granted:
 (This should be for one or more of the reasons set out in Appendix B)**

SIGNEDDATED.....

Note: This form enables you as a Member to seek a dispensation from the restriction from participating and voting in meetings when you have a Disclosable Pecuniary Interest under the Localism Act 2011 (These are defined in Appendix A).

There are four grounds, set out in Appendix B, under which a dispensation can be granted. Please note that dispensations under grounds (a) and (b) can be decided by the Monitoring Officer, with a right of appeal to the Councillor Conduct Committee. Grounds (c) and (d) will be considered by the Councillor Conduct Committee, after consultation with the Independent Persons.

Request for a Dispensation Form

Part 2 - Decision of Monitoring Officer

The Monitoring Officer (or in his / her absence the Deputy Monitoring Officer) **AGREES / DISAGREES** that a dispensation on behalf of the Council is appropriate after having had due regard to the four grounds for a dispensation and all relevant circumstances because:-

PARTICULARS OF HOW GROUND(S) 1- 5 ARE SATISFIED / NOT SATISFIED:

The Monitoring Officer / Deputy Monitoring Officer **GRANTS / REFUSES / HAS REFERRED TO Councillor Conduct Committee** the requested dispensation.

PERIOD OF DISPENSATION:

(The dispensation must be for a fixed time period not exceeding 4 years or till re-election whichever is shorter though will normally cover only a specific matter or meeting)

CHANGE OF CIRCUMSTANCES

Please note this Dispensation only applies for the circumstances as disclosed to the Monitoring Officer – if your circumstances change please let the Monitoring Officer know immediate as it may affect any Dispensation granted.

SIGNED

DATED

APPENDIX A

Disclosable Pecuniary Interests under section 30(3) of the Localism Act 2011 are those held by you or your spouse / partner, civil partner, family members or persons with whom you have a close personal relationship as follows:

Employment, office, trade, profession or vocation - Any employment, office, trade, profession or vocation carried on for profit or gain.

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.

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.

Land - Any beneficial interest in land which is within the area of the relevant authority.

Licences - Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

Corporate tenancies - Any tenancy where (to your knowledge)

(a) the landlord is the relevant authority; and
(b) the tenant is a body in which the relevant person has a beneficial interest.

Securities - 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 the relevant authority; 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.

Appendix B

Grounds for Granting a Dispensation

A dispensation may 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.

Any grant of dispensation must specify how long it will last, up to a maximum of 4 years.

Standard Exemptions

The following standard exemptions in relation to the granting of dispensations, in relation to members’ allowances, business rates, plus housing matters and rents have been agreed by the Councillor Conduct Committee:

- (i) An allowance, payment or indemnity given to members or any ceremonial honour given to members.
- (ii) Setting a local scheme for the payment of business rates, including eligibility for rebates and reductions, for the purposes of the Local Government Finance Act 2012 as amended from time to time and any superseding legislation.
- (iii) Housing matters and rents (provided that those functions do not relate particularly to the members tenancy or lease).



London Borough of Enfield

Members Information Security Policy

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Owner	IGB	Issue Status	DRAFT	Date of Latest Re-Issue	23/11/2015
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				Date of next review	

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1. Introduction

Information security means safeguarding information from unauthorised access or modification to ensure its:

- **Confidentiality** – ensuring that the information is accessible only to those authorised to have access;
- **Integrity** – safeguarding the accuracy and completeness of information by protecting against unauthorised modification;
- **Availability** – ensuring that authorised users have access to information and associated assets when required.

Information security is everyone's responsibility.

Enfield Council's elected Members need to protect all information assets from the risks posed by inappropriate use. This includes protecting equipment and information from unauthorised or unlawful access, accidental or deliberate loss, damage, theft, disclosure or destruction.

This policy applies to elected members of the Council.

There is also a specific Staff Information Security Policy which includes most of the content of this document.

This policy applies to all types of information, including, but not limited to:

- Paper
- Electronic Documents
- E-Mails
- Voicemail
- Text messages
- Web 2.0 records such as wikis, blogs and discussion threads
- Visual images such as photographs
- Scanned images
- Microform, including microfiches and microfilm
- Audio and video tapes, DVDs and cassettes
- Published web content (Intranet, Internet, Extranet, Social Media sites)
- Databases and information systems

All members using Council's systems should be made aware of and be expected to comply with this policy and need to understand that the following UK and European legislation is relevant to information security:

- Data Protection Act 1998
- Freedom of Information Act 2000
- Computer Misuse Act 1990
- Electronic Communications Act 2000
- Copyright, Designs and Patents Act 1988
- Human Rights Act 1998
- Regulation of Investigatory Powers Act 2000
- Telecommunications (Lawful Business Practice) Regulations 2000

A serious breach of this policy may lead to:

- withdrawal of ICT services

- a breach of the Code of Conduct for Members and / or
- a criminal action being taken by the Police.

Compliance with this policy is part of your responsibility as a councillor of Enfield Council. All incidents will be investigated and action may be taken in order to safeguard the Council and Councillors from legal action from residents, employees and statutory organisations.

Breaches of this policy may amount to a breach of the Council's Code of Conduct for Members. The application of this policy shall be a matter for the Council and for the Councillor Conduct Committee and, as appropriate, the Monitoring Officer, acting in accordance with their terms of reference.

A formal complaint may be made to the Monitoring Officer, who will review the complaint, consult with appropriate parties and then give their decision on how the complaint will be dealt with.

Additionally, violations of this policy, such as breaching the Data Protection Act, could lead to fines being issued and possible criminal or civil action being taken against the Council or the individual(s) involved.

2. Aims and Objectives

This policy aims to:

- Assist with raising the level of awareness of the need for information security as an integral part of the day to day business.
- Ensuring that Council Members are aware of and comply with the relevant legislation as described in policies and fully understand their own responsibilities.
- Ensure the Council's investment in information, software, hardware and other electronic resources is protected.
- Ensure the Council is compliant with law and government guidelines around information management.
- Safeguarding the accuracy, completeness and authorised accessibility of information and preventing unauthorised disclosure.

3. Using and Protecting our Assets

The Council encourages its stakeholders to seek innovative ways of using information technology in order to improve the way services are provided. This needs to be balanced with the need for information security, making sure that risks are managed and that assets are not used inappropriately.

The basic rules that apply are:

- The level of security required in a particular system, manual or electronic record will depend upon the risks associated with the system, the data held on the system and the working environment of the system.
- A certain amount of limited and responsible personal use of our equipment is permitted. No Council assets or information can be used for your own commercial or business use or for political purposes (see Section 5).

- Enfield Council electronically audits computers, internet and email usage and random audits are also carried out when required.
- All information relating to our customers and business operations is confidential. You should treat paper-based and electronic information with equal care.
- Any correspondence, documents, records or handwritten notes that you create for Council related purposes, may have to be disclosed to the public under the Freedom of Information Act 2000 or the Data Protection Act 1998. Any comments recorded or notes written must therefore be professional.

Further information about using our ICT equipment can be found in the Acceptable Use Policy, available on the Member's Portal.

4. Provision of Council ICT equipment

The Council's ICT security arrangements are in line with central government's Public Services Network (PSN) Authority requirements, industry best practice (ISO 27001) and the Data Protection Act 1998. This document serves as an abridged version of the framework. As part of this, all councillors are required to sign the form in the **Privacy, Confidentiality, and Information Security Agreement** at the end of this document.

The Council provides councillors with technology to assist in the performance of their duties, which includes **laptops, iPads and Windows smart phones** together with software and materials provided for use with the computer. Anyone using the Council's equipment is required to undertake in writing that they observe and will comply with the procedures and protocols set by the Council as set out in this document.

The Council will provide a laptop or iPad that is security hardened, to enable the councillor to access the internet, Corporate Email, Modern.Gov, Microsoft Office and necessary documents.

The Council provides the computer together with ancillary equipment and materials required, for the councillor's functions as a councillor. Use of this equipment by anyone other than a councillor to whom it is issued is not permitted.

Support for the device will be limited to resolving any issues with accessing Corporate information systems and will be provided by the authority's ICT section by telephoning the Customer Service Desk on 020 8379 4048 between the hours of 8.00 am to 5.00 pm – Monday to Friday. If you have any problems the equipment will need to be returned to the Civic Centre for inspection of faults, repair or replacement. Before coming into the Civic Centre please ring the VIP Support line on 020 8379 4048 to arrange an appointment.

Only Council equipment will be supported by the Customer Service Desk. The Council cannot provide any support for a Member's own personal equipment.

All ICT equipment provided by the authority remains the property of the Council and must be returned at the end of the election term.

5. Using your Council ICT equipment

Councillors are required to act in accordance with the Council's requirements when using the resources of the Authority. IT equipment must not be used for purely political purposes but may be used where part of the purpose could reasonably be regarded as likely to facilitate or be conducive to the discharge of the functions of the Authority or of an office to which the councillor has been elected or appointed by the Council. Constituency work, for example, is regarded as proper use of the facilities provided, subject to notification to the Office of the Information Commissioner under the Data Protection Act 1998.

The Council is prohibited by law from publishing any material of a party political nature. If a councillor uses their IT equipment for the preparation of material of a party political nature in pursuance of Council duties they must do so in a way which is not attributable to, or appears to be on behalf of the Council. No costs should be incurred by the Council as a consequence of publication of any party political material by a councillor using IT equipment provided at the expense of the Council.

A councillor must not use IT equipment provided in any manner which will prevent or interfere with its primary purpose as a facility to assist in the discharge of the functions of the Council. Accordingly, the councillor must not:

- a) misuse the computer in such a manner as to cause it to cease to function;
- b) install or use any equipment or software which may cause the computer to malfunction.

The councillor shall make reasonable arrangements for the safe-keeping of the computer.

- a) laptops must be removed from a vehicle when it is left unattended
- b) computer equipment must be placed away from windows
- c) when not in use ICT equipment should be kept out of sight and preferably locked away

6. Using a Council issued laptop

If you are using a Council issued laptop then you will be able to access the Council's network from your laptop.

Information created or collected as part of working for Enfield Council is the property of the Council. For laptop users work related information should be saved to an individual's personal Documents folder on the Council network so that it can be stored securely, or the Council provided externally hosted OneDrive folder if available.

Councillors must not store Council data on their own personal machines - data sets should only be accessed through the network. Please note that any documents that contain personal or confidential Council information must not be stored externally on member's own device or a personal hosted storage service such as OneDrive, Dropbox, Amazon etc. as these services may store data outside of the European Economic Area.

All data stored on Council equipment, including laptops, iPads and the personal Documents folder or the Council provided OneDrive folder is the property of Enfield Council. There should be no expectation of personal privacy on this Drive and the Council may require access to all drives and folders to carry out its investigations with the approval of the Chief Executive.

Personal information about others held on the personal Documents folder is also subject to the Data Protection Act 1998 and may need to be disclosed to the person who the information is about, if they make a request to see it.

7. Using a Council issued iPad

If you are using an iPad then it is not possible to access the Council's network but you will still be able to access your Council email.

You will be able to store data on your iPad. You will also be able to save data on the Council provided externally hosted OneDrive folder. Please note that any documents that contain personal or confidential Council information must not be stored externally on member's own device or a personal hosted storage service such as OneDrive, Dropbox, Amazon etc. as these services may store data outside of the European Economic Area.

All data stored on Council equipment, including laptops, iPads and the personal Documents folder or the Council provided OneDrive folder is the property of Enfield Council. There should be no expectation of personal privacy on this Drive and the Council may require access to all drives and folders to carry out its investigations with the approval of the Chief Executive.

Personal information about others held on the personal Documents folder or the Council provided OneDrive folder is also subject to the Data Protection Act 1998 and may need to be disclosed to the person who the information is about, if they make a request to see it.

8. Using Removable Media

The Council has a policy of restricting the use of USB sticks, digital memory cards and CDs/DVDs in order to meet our Privacy, Confidentiality and Information Security requirements.

A Council issued laptop will be able to read any USB stick, digital memory card or CD/DVD. You will also be able to copy files, images etc. from these devices onto the network drive for work related purposes.

Using such media should be restricted to non-sensitive data wherever possible. However, in the event that you need to put sensitive data on removable media you must ensure that the data is encrypted.

The Council will provide you with a USB memory stick that will be encrypted and password protected prior to use. If you lose your USB stick you must report it as a security breach.

If you are using USB key/stick this can be achieved by the use of Council supplied encrypted USB sticks which prompt for a password whenever the key is inserted. The use of non-Council issued USB memory key/sticks is only permitted in the circumstances where you need to use a USB memory key/stick from a third party (e.g. someone from another organisation wishes to show a PowerPoint presentation). You may use this key only to read the required data from the device.

In the case of other devices such as CDs, DVDs the data should be password protected using the software's (e.g. Word/Excel) own built-in mechanism or by creating a protected Zip file. Telephone the VIP Support line on 020 8379 4048 if you need further advice.

9. Reporting Security Incidents

An incident is an event that could cause damage to the Council's reputation, service delivery or even an individual. This could be a lost laptop or paper case file, a virus on the network or a damaged piece of hardware.

It is everyone's responsibility to ensure the safekeeping of any Council information or equipment in their control. Any theft or loss of any data or Council issued device used for Council business, email or containing Council related information must be reported to the VIP Support line on 020 8379 4048 immediately so that action can be taken to limit any potential loss of data and costs.

Once the incident has been reported to the VIP Support line as above, the Information Security Incident / Risk Reporting Form, available on The Member's Portal, needs to be completed and sent to the Information Security Analyst as detailed in the form. This needs to be done at the earliest opportunity.

The Council also needs to take action where potential incidents are identified. Where 'near misses' occur, these should be reported to VIP Support Manager and a local decision taken as to whether the cause of the 'near miss' is one which could involve the enhancement of the policy or the process. If this is the case the Information Security Incident / Risk Reporting Form should be completed.

Please contact the VIP Support line on 020 8379 4048 if you need further advice.

10. Internet Use

Enfield Council provides access to the information resources on the Internet to help Members carry out their role. The Internet must be used for lawful purposes only and you must comply with relevant legislation.

Internet access from the Council's network for personal use is at Enfield Council's discretion and should not be assumed as a given. Any misuse of this facility can result in it being withdrawn. Reasonable personal use of the Internet from a Council issued device is permitted.

We expect Members to use the Internet honestly and appropriately, to respect copyrights, software licensing rules, property rights, privacy and prerogatives of others, just as in any other business dealings.

All existing Council policies apply to your conduct on the Internet, especially (but not exclusively) those that deal with privacy, misuse of Council resources, sexual or racial harassment, information and data security, confidentiality, and those included in the Code of Conduct for Members.

Council systems and equipment, including email and Internet systems and their associated hardware and software, are for official and authorised purposes only. However, personal use is authorised where it:

- does not interfere with the performance of your official duties

- is of reasonable duration and frequency
- serves a legitimate Council interest, such as enhancing your special interests or education
- does not overburden the system or create any additional expense to the Council.

You should consider carefully discretionary use for any other purpose.

You may use the Council's Internet facilities for personal purposes as set out above, but you may not access any obscene or pornographic sites, and may not access or use information that would be considered harassing. Council facilities must not be used in an unlawful way.

A wide variety of materials may be considered offensive by colleagues, customers or suppliers. It is a violation of Council policy to store, view, print or redistribute any document or graphic file that is not directly related to your role as Councillor or to the Council's business activities. This should be understood with reference to the Council's policy framework, including the Equal Opportunities policy.

Some uses of the Council connection to the Internet can never be permitted. Internet use is inappropriate when it:

- Compromises the privacy of users and their personal data
- Damages the integrity of a computer system, or the data or programs stored on a computer system
- Disrupts the intended use of system or network resources
- Uses or copies proprietary software when not authorised to do so
- Results in the uploading, downloading, modification, or removal of files on the network for which such action is not authorised

It is impossible to define all possible unauthorised use. However, examples of other unacceptable Internet use include:

- Unauthorised attempts to break into any computer or network
- Using Council time and resources for personal gain
- Theft or copying of electronic files without permission
- Sending or posting Council confidential information outside the Council or inside the Council to unauthorised personnel
- Refusing to cooperate with a reasonable security investigation
- Sending chain letters through email

All Council Internet users are prohibited from transmitting or downloading material that is obscene, pornographic, threatening, racially or sexually harassing, or in any way contravenes the Equal Opportunities policy.

Further information about using internet use can be found in the Internet and Email Usage Policy for Councillors, available on the Member's Portal.

11. E-mail Use

The e-mail system is for Council business use only. However the Council understands that Members may also need to send or receive personal e-mails using their work address.

Council business by email can only be conducted using an Enfield email account (e.g. no Hotmail or Google mail account can be used for Council business).

Communicating with external individuals or organisations as required is permitted from the Enfield email account.

The Council does not automatically forwards Council emails to personal email accounts such as Hotmail, Google mail etc. This is to ensure the authority complies with the Government's Public Services Network (PSN) Code of Connection. Also, the Council will only send emails to a councillor at the @enfield.gov.uk email address.

Members will need to use their own personal email account if they do not wish to use the Council email account to conduct non-Council related Member duties.

Members will be provided with a Council issued laptop or iPad and a Windows smart phone to access their Council email and store a limited amount of Council data on these devices. Data should be stored on the network as soon as possible to prevent loss of data if the device is lost or stolen. The devices will be encrypted to a standard required by the PSN Code of Connection as well as the Information Commissioner's Office in order to meet the requirements of the Data Protection Act 1998.

Sending e-mails within the Council email system is secure. Sending e-mails externally is not secure and they can be intercepted and viewed by unauthorised people. Secure e-mail must be used when e-mailing information to external agencies or individuals when the content of the e-mail includes:

- Personally identifiable client or third party information
- Financial, sensitive or other information that could cause detriment to the Council or to an individual

Personal or sensitive business information must not be sent to an e-mail address outside of Enfield Council, unless it is absolutely necessary and the transmission is secure. This can be done using Egress Switch secure email and the Council can provide all Members with an Egress Switch account providing they use the Council email account.

Further information about transferring information securely can be found in the secure email guidance available using Egress on The Member's Portal.

12. Social Media

Social media is the term used for online tools, websites and interactive media that enable users to interact with each other by sharing information, opinions, knowledge and interests. Applications include for example, but are not limited to:

- Blogs, for example, Blogger
- Online discussion forums, such as Ning
- Media sharing services, for example, YouTube
- Applications such as Facebook, Twitter, Google+ and LinkedIn

Members must ensure that they use social media sensibly and responsibly, in line with corporate policy. They must ensure that their use will not adversely affect the Council or its business, nor be damaging to the Council's reputation and credibility or otherwise violate any Council policies. The following risks have been identified with social media use (this is not an exhaustive list):

- Virus or other malware (malicious software) infection from infected sites.
- Disclosure of confidential information.

- Damage to the Council's reputation.
- Social engineering attacks (also known as 'phishing').
- Bullying or witch-hunting.
- Civil or criminal action relating to breaches of legislation.
- Breach of safeguarding through the use of images or personal details leading to the exploitation of vulnerable individuals.
- Breach of the code of conduct for members through inappropriate use.

In light of these risks, the use of social media sites should be regulated to ensure that such use does not damage the Council, its employees, councillors, partners and the people it serves.

Members are personally responsible for the content they publish on any form of social media. Publishing or allowing to be published (in the form of a comment) an untrue statement about a person which is damaging to their reputation may incur a libel action.

Social media sites are in the public domain and it is important to ensure you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.

Members should make use of stringent privacy settings if they don't want their social media to be accessed by the press or public. Read the terms of service of any social media site accessed and make sure you understand their confidentiality/privacy settings.

Do not disclose personal details such as home addresses and telephone numbers. Ensure that you handle any personal or sensitive information in line with the Council's Data Protection Policy.

Do not publish or report on meetings which are private or internal (where no members of the public are present or it is of a confidential nature) or are Part 2 reports (which contain confidential information or matters which are exempt under the provision of the Local Government (Access to Information) Act 1985).

Copyright laws still apply online. Placing images or text from a copyrighted source (e.g. extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about or seek permission from the copyright holder in advance.

Don't send or post inappropriate, abusive, bullying, racist or defamatory messages to members of the public, other councillors or officers either in or outside the work environment.

The Council will not promote councillors' social media accounts during the pre-election period.

In any biography, the account should state the views are those of the councillor in question and may not represent the views of the Council.

Do not use the Council's logo, or any other Council related material on a personal account or website.

Social media must not be used for actions that would put councillors in breach of the Council's Code of conduct for members. For example, don't publish on social media something you wouldn't say face to face, or at a public meeting.

Be aware of your own safety when placing information on the internet and do not publish information which could leave you vulnerable.

Anyone receiving threats, abuse or harassment via their use of social media should report it to their political group leader, members' services and/or the police. It is recommended that in the case of Facebook, councillors wishing to keep their personal life and role as a councillor separate create a Facebook page which members of the public can like rather than using their personal profiles.

Councillors are reminded that in respect of social media, they are governed by the Code of conduct for members and relevant law.

The Council reserves the right to request the removal of any content that is deemed to be in breach of the Code of Conduct for Members.

13. Telecommunications

The Council may provide Telecommunication Services for Members to facilitate the performance of their work for Enfield Council. Users should not have an expectation of privacy in anything they create, send, or receive on telecoms equipment including Personal Digital Assistants (PDAs) and smart phones. However the authority of the Monitoring Officer or the Chief Executive will be sought before officers review any councillor's email and voice communications using Council equipment.

All use of phones must be in accordance with the Telecommunications Acceptable Usage Policy, available on The Member's Portal.

Details of calls made (e.g. sent to/from, date, duration and cost) are recorded on all mobile and most fixed line telephones. It will be assumed that all telephone calls or Short Message Service (SMS) messages made or received on Enfield Council equipment, are for business purposes unless the contrary is indicated.

Internet Usage and access from Mobile Smartphones and Tablets and connecting by Enfield Council Mobile data contracts is included in this policy. Use of mobile Apps is also intended for business purposes and included in this policy.

Only software purchased by Enfield Council and approved by Corporate IT may reside on Enfield Council computer equipment including PDA's and smart phones.

Calls, texts and data usage on mobile phones should only be for business purposes. Data limits are set on Mobile Sim Contracts, and excessive usage over these limits and out of normal working hours or usage abroad will be subject to interrogation. You may be liable to pay charges incurred if usage cannot be shown to be for Council business.

If Council equipment is being used abroad (see Section 15. Access from Overseas) then Members should use Wi-Fi services wherever possible if this is deemed to be safe in order to avoid excessive charges being incurred, particularly outside of the European Economic Area (EEA). If Wi-Fi services are not viewed as secure then Council equipment must not be used to access the Council network and email system. Connecting to an unknown publicly available Wi-Fi and sending emails or

logging into systems can expose usernames, passwords and confidential information to criminals.

It is everyone's responsibility to ensure the safekeeping of any telecommunications equipment in their control. Any theft or loss of any mobile device used for work email or containing work related information must be reported to the VIP Support Manager or the ICT Security Analyst by completing the Information Security Incident / Risk Reporting Form, available on The Member's Portal.

14. Access to Systems

It is a criminal offence under the Computer Misuse Act 1990, to deliberately attempt to access a system which you have no authority to access. ICT Services reserves the right to regularly monitor systems and unauthorised attempts at accessing systems may be investigated.

It is also a criminal offence under the Data Protection Act 1998 for any person to knowingly or recklessly obtain, disclose, sell or offer to sell personal information, without the permission of the data controller (Enfield Council). This is subject to certain exemptions. Full details about this offence can be found under Section 55 of the Data Protection Act 1998.

Members of the public and employees are entitled to see what information is held about them by Enfield Council. This includes handwritten notes, e-mails and any other information held electronically or in paper form. Always ensure that information is recorded in a professional manner.

Further information about Data Protection and its implication for information security can be found in the Data Protection Policy available on The Member's Portal.

15. Access from Overseas

Access to the Council's network from overseas is subject to additional controls to ensure compliance with relevant legislation, including the Data Protection Act, and this may place additional personal liability on to Members.

Members visiting countries within the European Economic Area (EEA) can use their Council equipment to carry out Council business and access the Council's network. In order to avoid roaming charges, Members should only use secure Wi-Fi networks that require authentication when accessing Council data. If Wi-Fi services are not viewed as secure then Council equipment must not be used to access the Council network and email system. Connecting to an unknown publicly available Wi-Fi and sending emails or logging into systems can expose usernames, passwords and confidential information to criminals.

If roaming services are required then a written request including a business case must be submitted to the Monitoring Officer for consideration at least a month in advance of any planned overseas travel. Any charges arising from the use of Council equipment from abroad may have to be paid by the user if prior approval for use has not been granted.

Members are their own Data Controllers and as such have responsibility for any personal data involving their residents that they may access from abroad and need to ensure that any access to resident's personal data do not breach the requirements of the Data Protection Act, particularly if they are visiting outside of the EEA.

The facility to remotely access the Enfield network from outside of the European Economic Area will only be permitted in exceptional circumstances and should not be assumed. A written request including a business case must be submitted to the Monitoring Officer for consideration at least a month in advance of any planned overseas travel, including a request for roaming services if this is required. Any charges arising from the use of Council equipment from abroad may have to be paid by the user if prior approval for use has not been granted. In some non-EU countries these costs may be significant.

Members should seek advice from the IT Security Analyst before taking any Council supplied ICT equipment outside the United Kingdom. The equipment may not be covered by the Council's normal insurance against loss or theft.

It should be noted that in some overseas territories electronic devices can be confiscated by customs on arrival and should not be used close to security service facilities – including police stations, check points and the like. It might be worth checking this prior to departure.

16. Virus Control

Enfield Council seeks to minimise the risks of computer viruses through education, good practice/procedures and anti-virus software on laptops and PCs. It is a crime under the Computer Misuse Act 1990 to deliberately introduce malicious programmes into the network or server (e.g. viruses, worms, Trojan horses, e-mail bombs, etc).

All Enfield Council computers have approved anti-virus software installed and this is scheduled to be updated at regular intervals. Users need to ensure that the anti-virus software is being updated on their devices and to report any problems with anti-virus updates.

Users of Enfield supplied computer equipment must be aware of the risk of viruses from email, internet and any removable devices inserted into their machine. Users should never download files from unknown or suspicious sources. All spam e-mails should be deleted and suspicious attachments or those from an unknown source must not be opened.

If you are in doubt about any data received or suspect a viruses has entered your PC, log out of the network immediately, stop using the PC and inform the ICT Service Desk on 020 8379 4048. You should always follow the instructions that the service desk issues about virus attacks.

17. Passwords

All users are given a unique Username and Password. Passwords should not be written down, kept where others might find them and must not be shared with anyone else.

The strength of your password will depends on the different types of characters that you use, the overall length of the password, and whether the password can be found in a dictionary. It should be 8 or more characters long.

All passwords must conform to the password standard which is as follows:

Password length must be a minimum of 8 characters and contain the following:

- At least one Numeric (0 1 2 3 4 5 6 7 8 9)
- At least one upper case (A B C D E F G H I J K L M N O P Q R S T U V W X Y Z)
- At least one lower case (a b c d e f g h i j k l m n o p q r s t u v w x y z)
- At least one special character (* ! # . @ # \$ % ^ & * ,)

It is the councillor's responsibility to ensure their password for accessing any Council IT service is not shared with any other person and that connection to such services is ended by logging off the system, as soon as work is completed or the connection is left unattended. This is to prevent unauthorised access to information.

If it suspected that someone else may know their password, or any security problem has occurred, councillors must report this to the VIP Support line on 020 8379 4048 or the Customer Services Centre on 020 8379 4888 immediately so it can be rectified.

Further information on passwords can be found on the Access Control Policy, available on The Member's Portal.

18. Information Classification

Information is a valuable asset and aids a local authority to carry out its legal and statutory functions. The information that the Council processes can be highly confidential and very personal and therefore the Council has a legal duty to take care of it. Like any other strategic asset, information must be protected appropriately depending on the level of sensitivity of the information.

The new Government Security Classification Policy (GCSP) came into effect as from 2nd April 2014 and replaces the old Government Protective Marking Scheme (GPMS) that was in place prior to that date.

The Council has adopted the Government's revised information classification policy which moves from the three levels of classification that the Council was using to the OFFICIAL classification for all Council information.

All Council information will be classified as OFFICIAL. This recognises that all council information assets have a value and should be handled with care. As this is a broad category and there will be variety of handling instructions associated with this information, the Council is introducing sub-categories that give clear guidance on access arrangements for the information. These are:

OFFICIAL – PUBLIC – this is publicly available information or information where there is little or no damage if released

OFFICIAL – ALL STAFF – this is information that is widely available to all staff

OFFICIAL – RESTRICTED ACCESS – this is information where there is restricted access and a requirement for a 'need to know'

OFFICIAL – MEMBERS – this is information that is only available to all members/specific members

OFFICIAL – PRIVATE AND CONFIDENTIAL CORRESPONDENCE – this is emails/letters written to an individual containing their personal data

OFFICIAL–SENSITIVE – this caveat is used at the discretion of staff depending on the subject area, context and any statutory or regulatory requirements where it is **particularly important to enforce the need to know rules.**

Whilst the first four sub-categories have been adopted by Enfield Council to provide guidance to staff about handling requirements, the OFFICIAL-SENSITIVE caveat is an integral part of the government's classification scheme and will be recognised by the government and other statutory organisations as requiring additional measures of protection and distribution on a strict need to know basis.

OFFICIAL-SENSITIVE data cannot be shared externally except through an approved secure email system/secure network or appropriate data encryption and password protection and should be accompanied by a defined distribution list. Data sharing with external organisations must be in line with corporate data sharing agreements or contract terms.

The protective marking software is not available on the Council issued iPads at present.

Further information about information classification can be found in the Information Classification Policy available on The Member's Portal.

19. Security of Equipment

Users are required to screen-lock their computers when moving away from their computer for any length of time. To lock your computer screen, press the Windows key + L key at the same time.

Unsecured laptops and other portable equipment should never be left unattended. You should lock your laptop using a laptop security cable lock when left unattended but it is good practice to lock it at all times to help prevent it from being stolen. It is your responsibility to ensure that adequate safeguards are taken to protect your equipment.

All confidential or sensitive information held in paper form, should be shredded or ripped up and placed in the 'confidential waste bins' located in Council buildings, when they are no longer required. Personal or sensitive information must not be disposed of in the black general waste sacks. These sacks are not held or disposed of securely and can be accessible to the public.

All confidential documents that have been sent to a shared printer should be collected immediately, to ensure they are not picked up or read accidentally or deliberately by someone not authorised to see the information. Documents sent to a multi-function device (MFD) which incorporates follow-me printing can be collected using the appropriate identification card.

Further information about using security of equipment and information can be found in the Acceptable Use Policy, available on The Member's Portal.

20. Remote Working

Working remotely can pose several security risks. To help reduce these risks, you should ensure you carry out the following:

- Position yourself so that your work cannot be overlooked by others not authorised to see the information.
- Take precautions to safeguard the security of any computer equipment on which you do Enfield Council business, and keep your passwords secret.

- Inform the Police, the VIP Support Manager and the ICT Security Analyst as soon as possible if any sensitive paperwork or computer equipment has been stolen or lost and complete the Information Security Incident / Risk Reporting Form, available from The Member's Portal.
- Ensure that any work you do remotely is saved on Enfield Council's network or is transferred to it as soon as possible.
- Ensure that secure ID tags or memory sticks are kept separately from computer equipment when not in use.
- Computer equipment should not be left on view in vehicles, public transport or hotels or left in vehicles overnight.

Remember that these rules apply equally when you working at home. Not even a member of your family should have access to Enfield Council's information.

21. Disclosure of Information

Personal or sensitive business information held by Enfield Council must not be disclosed to anyone internally or externally, unless the person disclosing the information is fully satisfied that the enquirer or recipient is authorised in all respects and is legally entitled to the information. Verification can be sought from the Council's Information Governance Board when this is not clear. To learn more about sharing information, refer to the Information Handling and Protection Policy, available on the Member's Portal.

If you have received a request for information from a member of the public, or another organisation and they mention the Freedom of Information Act 2000 or the Data Protection Act 1998, contact the Council's Monitoring Officer for further advice if it involves Council information.

Further information about this can be found in the Freedom of Information Policy and the Data Protection Policy available on The Member's Portal.

22. Physical Security

Council office areas are protected by appropriate entry controls to ensure that only authorised personnel are allowed access. All members are required to wear visible identification.

Further information about this can be found in the Physical and Environmental Security Policy available on The Member's Portal.

23. Disposal of Computer Equipment

If you have any redundant, faulty or unused hardware or software, contact the Enfield IT Service Desk on 020 8379 4048. Do not dispose of this yourself. The disposal of all IT equipment e.g. PC's, printers, laptops, tablet PCs, PDAs etc. must be carried out in a secure manner to ensure that no data is left on devices that can be retrieved after disposal.

LONDON BOROUGH OF ENFIELD
Privacy, Confidentiality, and Information Security Agreement

As a user of Enfield Council's IT systems and data, I understand that I am responsible for the security of my User ID (login) (s) and Password(s) to any computer system for which I am granted access. I understand that I have the following responsibilities:

- Adhere to the Council's information security policies & processes
- Follow security procedures for the information systems I access
- Use only software authorised for use and prevent the introduction of unauthorised software
- Choose effective passwords and log on to Council systems using my own ID and passwords only
- Not give my password to anyone else to log into the network or business systems and ensure that the password is not written and accessible to anyone else.
- Ensure that I lock my computer screen when it is left unattended
- Accept accountability for all activities associated with the use of my individual user accounts and related access privileges
- Ensure the security of any computer equipment taking appropriate measures such as cable locks and storage in lockable cupboards to secure equipment at work location and off site
- Not to change the computer configuration unless specifically approved to do so
- Take appropriate precautions against viruses
- Use email, public networks and the Internet in a professional manner
- Maintain the confidentiality of information disclosed to me as part of my duties, even when I am no longer an elected Member
- Report policy violations, security breaches or weaknesses to the appropriate person
- Not download any personal information about staff or customers to any unencrypted removable media
- Maintain an awareness of UK information legislation and ensure that all information is processed in accordance with the Data Protection Act 1998.
- If I am about to leave the Council, I will inform Democratic Services prior to departure of any important information held in my account and manage my account in accordance with the Council's email and records management policy.
- I acknowledge that my use of the network may be monitored for lawful purposes.

I understand that where I have access to or use of information classified as OFFICIAL – MEMBERS, OFFICIAL – RESTRICTED ACCESS or OFFICIAL - SENSITIVE, additional protections are expected.

I understand that I must maintain and safeguard the confidentiality of any and all sensitive information accessed or obtained in the performance of my authorized duties or activities. I will not access, use, and/or disclose OFFICIAL – MEMBERS, OFFICIAL – RESTRICTED ACCESS or OFFICIAL - SENSITIVE information for any purpose other than the performance of authorized activities or duties. I will limit my access, use and disclosure to the minimum amount of information necessary to perform my authorized activity or duty.

I have been given access to all of Enfield Council’s Information Security Policies and Guides relevant to my role as an elected Member.

In order to fully understand my responsibilities with respect to Privacy, Confidentiality and Information Security I undertake to complete the following training course:

Data Protection Act

I understand that failure to comply with the above Privacy, Confidentiality, and Information Security agreement may result in denial of access to information and termination of my access to the London Borough of Enfield’s ICT services.

Policy Declaration

I confirm that I have read, understood and will adhere to Enfield Council’s Members Information Security Policy.

By signing this Agreement, I understand and agree to abide by the conditions imposed above.

Signature:

Name:

Council Ward:

Date:

To be retained by Democratic Services

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MUNICIPAL YEAR 2015/2016 - REPORT NO. 130

MEETING TITLE AND DATE
Council Conduct Committee
2/12/15

REPORT OF: Ian Davis
 Director of Regeneration and
 Environment

Contact officer and telephone number:
 Esther Hughes- Team Leader
 Consumer Protection
 02083798524
 Esther.hughes@enfield.gov.uk

Agenda - Part: 1	Item: 6
Subject: Review of the Code of Conduct for Licensing and Gambling Committee	
Wards: All	
Key Decision No: N/A	
Cabinet Member consulted: n/a	

1. EXECUTIVE SUMMARY

At the meeting of the Councillor Conduct Committee on the 17th September 2015 it was recommended that the current Planning and Licensing Committee Code of Conduct be reviewed.

The two parts of the code have been reviewed respectively by:

- i) Esther Hughes – Team Leader Consumer Protection
- ii) Andy Higham – Head of Development Environment

2. RECOMMENDATIONS

- 2.1 The Councillor Conduct Committee agrees to recommend to Council the proposed changes to the Licensing Code as set out in the appendices attached to the report. Appendix A tracks the changes made. Appendix B is a copy of the revised code.

3. BACKGROUND

At the meeting of the Councillor Conduct Committee on the 17th September 2015 it was recommended that the current Planning and Licensing Committee Code of Conduct be reviewed and updated where necessary.

The Licensing Code was last updated on the 23/1/08. The Planning Code was last reviewed on the following dates; 12/11/08, 02/03/11, 11/06/14.

4. ALTERNATIVE OPTIONS CONSIDERED

Keep the existing code.

5. REASONS FOR RECOMMENDATIONS

Much of the content of the document was repetitious and contained in the main Council Code of Conduct.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

None

6.2 Legal Implications

Legal have been consulted on the revised document and are satisfied with the content.

6.3 Property Implications

None

7. KEY RISKS

Document out of date.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

Councillors must abide by the Code to ensure that all parties attending Licensing Committee are treated fairly and equally.

8.2 Growth and Sustainability

The Code must be adhered to ensuring that business can grow and this is sustained.

8.3 Strong Communities

Residents must have confidence that the Committee are following the code and applying fairly to all parties.

9. EQUALITIES IMPACT IMPLICATIONS

Not applicable

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Not applicable

11. PUBLIC HEALTH IMPLICATIONS

Not applicable

Background Papers

None

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Chapter ~~xxx~~5.3 – Licensing and Gambling Code of Conduct

(Updated: Council 23/1/08)

THE LONDON BOROUGH OF ENFIELD
LICENSING & GAMBLING CODE OF CONDUCT FOR COUNCILLORS~~CODE OF CONDUCT~~

1. DEFINITIONS

- 1.1 “Licensing Committee” (‘the Committee’) refers to the Committee established in accordance with Section 6 of the Licensing Act 2003 and consists of at least ten, but not more than fifteen, Members of the London Borough of Enfield (‘the Council’) as Licensing Authority.
- 1.2 “Licensing Sub-Committee” (‘the Sub-Committee’) refers to not less~~no more~~ than three Members of the Committee meeting as its Sub-Committee. The Sub-Committee is responsible for hearing applications made under the Licensing Act 2003 and the Gambling Act 2005.
- 1.3 Sub Committee meetings in relation to the Licensing Act 2003 matters will comply at all times with The Licensing Act 2003 (Hearings) Regulations 2005. Sub-Committee meetings in relation to Gambling Act 2005 matters will comply with The Gambling Act 2005 (Proceedings of Licensing Committees and Sub-committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007 (“the Proceedings Regulations”).

2. INTRODUCTION

- 2.1 This code~~This Licensing & Gambling Code of Conduct~~ (‘the Licensing Code’) relates to the conduct of all Members in respect of both licensing and gambling, including Members of the Committee and any Sub-Committees appointed.
- 2.2 The proceedings of the Licensing Committee are quasi judicial and the rules of natural justice apply. This imposes a higher set of standards on those Councillors who are involved in the decision making process. Failure to abide by these standards may render the Council or individual Councillors open to challenge through the Monitoring Officer and may be referred to the Councillor Conduct Committee.

2.3 This code provides a set of guidelines for Councillors on the standards which apply to the Licensing Committee. It is part of the Council's Member Code of Conduct and must be read in conjunction with this document.

3. BEFORE THE HEARING

3.1 TRAINING OF COUNCILLORS

The Council will arrange training on the work of the Licensing Committee for all Councillors who sit on the Committee; (i) before participating in a meeting of the Committee and (ii) annually while they remain a member of the Committee. For a Member who has previously undertaken the full training and is re-appointed to the Committee for a further year without a break, only a refresher session is required. Other Councillors are free to attend the training in order to gain an understanding of the licensing issues.

~~2.2 The Code is supplementary to the Members' Code of Conduct ('the Members' Code') adopted by Council on 27 June 2007.~~

3.4. MEMBERS' ROLE IN OPPOSING APPLICATIONS UNDER THE LICENSING ACT 2003 AND THE GAMBLING ACT 2005

3.14.1 The role of Members in opposing applications differs depending on whether the application was made under the Licensing Act 2003 (LA) or the Gambling Act 2005 (GA):-

~~3.2 When asked to do so~~ The role of Members in opposing applications for premises licence or club premises certificate under the Licensing Act 2003 is as follows:

4.1.1 ~~Members~~ may represent persons who:

- live in the vicinity (LA);
- live sufficiently close to premises (GA);
- or persons involved in a business in the vicinity (LA) or
- persons who have a business interest (GA)

~~3.2.1 , but only when asked to do so. Members may also sum up on behalf of the person/s they are representing. Where interested parties present at the hearing ask Members to sum up on their behalf, they~~ Members may choose to do so, but then must confine themselves to matters which arose during the hearing and/or were contained within the letters of representation;

~~3.2.2~~ 4.2 For both licences Members may make representations in a personal capacity, subject to the following restrictions; ~~as set out in paragraph 5.6 below.~~

~~3.3 The role of Members in opposing applications for premises licence under the Gambling Act 2005 is as follows:~~

~~3.3.1 Members may represent persons who live sufficiently close to the premises to be likely to be affected, or persons who have business interests that might be affected by the authorised activities but only when asked to do so. Members may also sum up on behalf of the person/s they are representing. Where interested parties present at the hearing ask Members to sum up on their behalf, Members may choose to do so, but must then confine themselves to matters which arose during the hearing and/or were contained within the letters of representations;~~

~~3.3.2 Members may make an oral representations in personal capacity, subject to the restrictions as set out in paragraph 5.6 below;~~

~~3.3.34.2.1 Members may send a letter of representation to the Licensing Unit and then may orally address the Sub-Committee without being asked by a resident specifically to do so (i.e. a general ward representation);~~

~~3.3.44.2.2 In order to make oral representations before the Licensing Sub-Committee, members must first send a letter of representation to the Licensing Unit within the specified timeframe. Where Members have a personal and prejudicial interest, the letter of representation must also outline the existence and nature of the interest;~~

~~3.3.54.2.3 If a Member decides not to attend the Sub-Committee hearing to make oral representations, their letter of representation will still be taken into account if it relates to one of the grounds for determination; (see paragraph 7.7);~~

~~3.3.6 If Members making a general ward representation have no interest, or a personal interest only, they may remain for the duration of the hearing;~~

~~3.3.7 If Members making a general ward representation have a personal and prejudicial interest, they may attend the Sub-Committee hearing to make oral representations, answer questions or give evidence about the matter (provided that the public are also allowed to attend the meeting for the same purpose), they must then leave the room for the duration of the meeting but may be present for the announcement of the decision.~~

~~4. GIFTS AND HOSPITALITY~~

~~4.1 Members of the Licensing Committee should have particular regard to public perception when accepting any gift of hospitality from licensed premises (being premises licensed under the Licensing Act 2003 or Gambling Act 2005) in respect of which they might be called upon to consider an application, and should~~

~~act with extreme caution when accepting any gift whatsoever, regardless of the monetary value.~~

~~4.2 It is generally acceptable for Members to accept light non-alcoholic refreshments (such as tea, coffee, soft drink, juice, biscuits, light snacks) whilst attending a meeting in an official capacity.~~

5. MEMBERS' INTERESTS – LICENSING AND GAMBLING APPLICATIONS

~~5.1 Members must comply with Part 2 of the Members' Code, which deals with interests.~~

~~5.2 Members must always declare any disclosable pecuniary, other pecuniary personal interest, or non-pecuniary personal and prejudicial interest, as defined by the Members' Code. The existence and nature of an interest must be declared when Members are sitting on the Sub-Committee or appearing before the Sub-Committee. This should include interests where Members have some doubt whether or not it is declarable and such an interest should be notified in advance of the hearing to the Legal Advisor for that hearing.~~

~~5.3 Members with a personal and prejudicial interest must not sit on the Sub-Committee and determine the application. As a general rule, Members are not invited to sit on any Sub-Committee which will consider applications relating to the ward which they represent.~~

~~5.45.1 Members with a personal and prejudicial interest may make an application under the Licensing Act 2003 or Gambling Act 2005, or act as a representative for the applicant, and may then attend the Sub-Committee hearing for the purpose of making the case, answering questions or giving evidence. (provided that the public are also allowed to attend the meeting for the same purpose).~~

~~5.5 Members may be present for the announcement of the decision whether or not they are representing a party or have a personal and prejudicial interest.~~

~~5.6 Members who live in the vicinity of a premises subject to an application under the Licensing Act 2003, or who live sufficiently close to a premises subject to an application under the Gambling Act 2005 so as to be likely to be affected by gambling, would generally be regarded as having a personal and prejudicial interest. In such circumstances Members with a personal and prejudicial interest may:~~

~~5.6.1 Send a letter of representation to the Licensing Unit within the specified timeframes for making representations. The letter of representation must also outline the existence and nature of the interest;~~

~~5.6.2 Attend the Sub-Committee hearing to make oral representations, answer questions or give evidence about the matter (provided the public are also~~

~~allowed to attend the meeting for the same purpose). In addition, whilst this is a matter for the Member, it is suggested that a Member with a personal and prejudicial interest may wish to consider whether or not their involvement could be such as to make it unwise for them to participate because of an adverse potential impact on the reputation of themselves or of the Council;~~

~~5.6.35.2~~ In order to be able to make oral representations before the Sub-Committee, Members must first send a letter of representation to the Licensing Unit, outlining the nature of any interest. - If a Member decides not to attend the Licensing Sub-Committee hearing to make oral representations, the letter of representation will still be taken into account if it relates to one of the grounds for determination (~~see paragraphs 7.6/7.7~~) and the Member lives in the vicinity (Licensing Act 2003) / sufficiently close (Gambling Act 2005).

~~5.7~~ ~~It is accepted that Members of the Sub-Committee may have visited the licensed premises in their personal lives. Members should declare if it amounts to a personal interest, or a personal and prejudicial interest.~~

~~5.85.3~~ Members involved in Council meetings which approved the Licensing Policy and the Gambling Policy, are not excluded from the Licensing Sub-Committee because of such involvement.

~~6.~~ Lobbying -

Of Licensing Committee Members

~~6.15.4~~ If a Sub-Committee Member is approached by persons wishing to lobby him/her ~~they must about a licence application under the Licensing Act 2003 or Gambling Act 2005 that they will be determining, then that Sub-Committee Member must politely~~ explain that they cannot discuss the matter and refer the lobbyist to the Licensing Unit or to his/her Ward Member. Councillors must not give an indication of voting intentions or otherwise enter into an unconditional commitment to oppose or support ~~However~~ the application. ~~Members~~ ~~member~~ can explain the process of decision making in general terms:-

~~6.25.5~~ Any written/email presentations received by a Sub-Committee Member should be passed to the Licensing Unit and where. ~~Any such approach~~ received in time should also be reported at the hearing at which the application is being determined.

~~6.35.6~~ Requests for procedural advice with regards to licensing applications should be referred to the Licensing Unit for advice and information.

Lobbying - Of or by all other Members

~~6.45.7~~ Other Members must not lobby Members who sit on the Sub-Committee, directly or indirectly, in writing or otherwise, in respect of items to be decided by the Sub-Committee with a view to influencing their decision. Any representation by other Members, on behalf of an interested party, should be sent to the Licensing Unit for inclusion in his report.

~~7.6.~~ **GUIDING PRINCIPLES FOR SUB-COMMITTEE MEMBERS**

~~7.1~~ In respect of any application listed for consideration by a particular Sub-Committee, Members of that Sub-Committee must avoid expressing personal opinions prior to the hearing. To do so would indicate that the Member has made up his or her mind before hearing all the evidence.

~~7.2~~ Those Sub-Committee Members must not take nor declare a view on the merits of the application nor organise support or opposition in advance of the hearing, and must keep an open mind until after they have considered all the evidence and arguments presented.

~~7.3~~ Those Sub-Committee Members should not form or show bias against or in favour of any particular person, company or group or any particular site or locality nor give the impression that they have done so.

~~7.4~~ Those Sub-Committee Members cannot represent one of the interested parties or applicant.

~~7.5~~ Decisions of the Sub-Committee shall not be taken in accordance with a political party direction given at a previous party group meeting or otherwise.

~~7.6~~ For applications heard under the Licensing Act 2003 and Gambling Act 2005, the Sub-Committee must make their decisions based on the respective documents; Licensing Objectives, relevant ~~having regard to the Guidance and Licensing/Gambling Guidance; Policy.~~

~~7.7~~ For applications heard under the Gambling Act 2005, the Sub-Committee should aim to permit the use of premises for gambling in so far as they think it:

~~7.7.1~~ in accordance with any relevant Code of Practice;

~~7.7.2~~ in accordance with any relevant Guidance;

~~7.7.3~~~~6.1~~ reasonably consistent with the Licensing/Gambling Policy. Objectives (subject to 7.7.1 & 7.7.2 above); and

~~7.7.4~~ in accordance with the authority's statement of Gambling Policy (subject to 7.7.1 & 7.7.3 above).

~~8.~~ **NATURAL JUSTICE**

~~8.16.2~~ Members of the Sub-Committee must comply with the rules of natural justice, ensuring that parties have an opportunity to be heard, whilst acting fairly and impartially. When the Sub-Committee is making its determinations, the following principles must be considered:

~~8.1.16.2.1~~ 8.1.16.2.1 Free from the appearance of bias – Sub-Committee Members must make an objective and impartial determination of the issues based on the evidence and should not make, or give the appearance of making, a biased decision. Members of the Licensing Committee should not make any public statements which may give the impressions to the public that they may not be objective when sitting on any Sub-Committee. Bias may include pre-judged ideas based on his/her own prejudices or party political influences;

~~8.1.26.2.2~~ 8.1.26.2.2 Fair hearing – For a hearing to be fair a number of conditions must be satisfied, including the right for the individual to know the opposing case; generally the right to call witnesses; the ability to question witnesses; the right to legal representation; and generally the right to be given reasons for any decision made.

~~9.7.~~ **CONDUCT AT COMMITTEE HEARINGS**

~~9.17.1~~ 9.17.1 Members of the Sub-Committee should not communicate directly with the applicant, interested parties or responsible authorities (N.B. the Licensing Unit is *not* a responsible authority) either immediately prior to the hearing, during the hearing, or after the hearing, other than publicly through the Chair.

~~9.27.2~~ 9.27.2 Licensing Sub-Committee Members' questioning of speakers is to clarify arguments and views, and care should be taken not to express or indicate a view at that stage, nor to intimidate speakers.

~~9.37.3~~ 9.37.3 Any material considered by the Sub-Committee that does not comprise part of any material supplied by the Licensing Unit must originate only from the applicant, an interested party or responsible authority, and must be tabled through the Chair. The nature of any such material must be clear to all present at the hearing and available for inspection.

~~9.4~~ ~~Members must comply with the 'Procedures to be followed at hearings of the Licensing Sub-Committee', as amended from time to time.~~

~~9.57.4~~ Members should not take part or vote on an item if they have not familiarised themselves with the report and letters of representation and been present throughout consideration of the item.

10.8. RECORDING OF REASONS

~~10.18.1~~ The Sub-Committee must give reasons for its decisions ~~which.~~ ~~The reasons~~ will be published in the minutes.

~~10.28.2~~ Members of the Sub-Committee should be aware of the dangers in publicly discussing the reasons with persons other than relevant Council officers prior to the formal publication of the minutes and subsequently.

11.9. APPLICATIONS SUBMITTED BY THE LOCAL AUTHORITY

~~11.19.1~~ Where the Local Authority applies for a premises licence under the Licensing Act 2003 for open spaces or buildings which it owns, or where there is a variation application or review in respect of such open spaces or buildings, the Sub-Committee must hear and determine this application / review in exactly the same manner as other applications / reviews. The Sub-Committee must give no regard to the interests of the Council itself, aside from receiving relevant representations on this issue.

~~11.29.2~~ A dispensation to hear such applications will not usually be necessary, as a Member will not have ~~ana personal and prejudicial~~ interest solely through being a Councillor.

~~11.39.3~~ Members who are part of the authority's decisions to apply for the licence, or who express a view in respect of such an application, should not also be part of the Sub-Committee.

~~11.4~~ ~~Members of the Sub-Committee must be aware of any potential appearance of bias and must endeavour to avoid giving any potential appearance of bias even though none exists.~~

12.10. SITE VISITS

~~12.1~~ Site visits are generally unnecessary and can risk putting the Members and the Licensing Unit at risk of accusations of potential bias.

10.1

Appendix B Revised Code

Chapter XXX – Licensing and Gambling Code of Conduct

THE LONDON BOROUGH OF ENFIELD LICENSING & GAMBLING CODE OF CONDUCT FOR COUNCILLORS

1. DEFINITIONS

- 1.1 “Licensing Committee” (‘the Committee’) refers to the Committee established in accordance with Section 6 of the Licensing Act 2003 and consists of at least ten, but not more than fifteen, Members of the London Borough of Enfield (‘the Council’) as Licensing Authority.
- 1.2 “Licensing Sub-Committee” (‘the Sub-Committee’) refers to not less than three Members of the Committee meeting as its Sub-Committee. The Sub-Committee is responsible for hearing applications made under the Licensing Act 2003 and the Gambling Act 2005.
- 1.3 Sub Committee meetings in relation to the Licensing Act 2003 matters will comply at all times with The Licensing Act 2003 (Hearings) Regulations 2005. Sub-Committee meetings in relation to Gambling Act 2005 matters will comply with The Gambling Act 2005 (Proceedings of Licensing Committees and Sub-committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007 (“the Proceedings Regulations”).

2. INTRODUCTION

- 2.1 This code relates to the conduct of all Members in respect of both licensing and gambling, including Members of the Committee and any Sub-Committees appointed.
- 2.2 The proceedings of the Licensing Committee are quasi judicial and the rules of natural justice apply. This imposes a higher set of standards on those Councillors who are involved in the decision making process. Failure to abide by these standards may render the Council or individual Councillors open to challenge through the Monitoring Officer and may be referred to the Councillor Conduct Committee.
- 2.3 This code provides a set of guidelines for Councillors on the standards which apply to the Licensing Committee. It is part of the [Council's Member Code of Conduct](#) and must be read in conjunction with this document.

3. BEFORE THE HEARING

3.1 TRAINING OF COUNCILLORS

The Council will arrange training on the work of the Licensing Committee for all Councillors who sit on the Committee; (i) before participating in a meeting of the Committee and (ii) annually while they remain a member of the Committee. For a Member who has previously undertaken the full training and is re-appointed to the Committee for a further year without a break, only a refresher session is required, Other Councillors are free to attend the training in order to gain an understanding of the licensing issues.

4. MEMBERS' ROLE IN OPPOSING APPLICATIONS UNDER THE LICENSING ACT 2003 AND THE GAMBLING ACT 2005

4.1 The role of Members in opposing applications differs depending on whether the application was made under the Licensing Act 2003 (LA) or the Gambling Act 2005 (GA).

4.1.1 When asked to do so Members may represent persons who:

- live in the vicinity (LA);
- live sufficiently close to premises (GA);
- persons involved in a business in the vicinity (LA) or
- persons who have a business interest (GA)

Where interested parties present at the hearing ask Members to sum up on their behalf, they must confine themselves to matters which arose during the hearing and/or were contained within the letters of representation;

4.2 For both licences Members may make representations in personal capacity, subject to the following restrictions;

4.2.1 Members may make an oral representation to the Licensing Sub-Committee without being asked by a resident specifically to do so (i.e. a general ward representation);

4.2.2 In order to make oral representations before the Licensing Sub-Committee, members must first send a letter of representation to the Licensing Unit within the specified timeframe;

4.2.3 If a Member decides not to attend the Sub-Committee hearing to make oral representations, their letter of representation will still be taken into account if it relates to one of the grounds for determination;

5. MEMBERS' INTERESTS – LICENSING AND GAMBLING APPLICATIONS

- 5.1 Members with any disclosable pecuniary, other pecuniary or non-pecuniary interests may make an application under the Licensing Act 2003 or Gambling Act 2005, or act as a representative for the applicant, and may then attend the Sub-Committee hearing for the purpose of making the case, answering questions or giving evidence.
- 5.2 In order to be able to make oral representations before the Sub-Committee, Members must first send a letter of representation to the Licensing Unit, outlining the nature of any interest. If a Member decides not to attend the Licensing Sub-Committee hearing to make oral representations, the letter of representation will still be taken into account if it relates to one of the grounds for determination and the Member lives in the vicinity (Licensing Act 2003) / sufficiently close (Gambling Act 2005).
- 5.3 Members involved in Council meetings which approved the Licensing Policy and the Gambling Policy, are not excluded from the Licensing Sub-Committee because of such involvement.

Lobbying - Of Licensing Committee Members

- 5.4 If a Sub-Committee Member is approached by persons wishing to lobby him/her they must explain that they cannot discuss the matter and refer the lobbyist to the Licensing Unit or to his/her Ward Member. Councillors must not give an indication of voting intentions or otherwise enter into an unconditional commitment to oppose or support the application. Members can explain the process of decision making in general terms
- 5.5 Any written/email presentations received by a Sub-Committee Member should be passed to the Licensing Unit and where received in time should also be reported at the hearing at which the application is being determined.
- 5.6 Requests for procedural advice with regards to licensing applications should be referred to the Licensing Unit for advice and information.

Lobbying - Of or by all other Members

- 5.7 Other Members must not lobby Members who sit on the Sub-Committee, directly or indirectly, in writing or otherwise, in respect of items to be decided by the Sub-Committee with a view to influencing their decision. Any representation by other Members, on behalf of an interested party, should be sent to the Licensing Unit for inclusion in his report.

6. GUIDING PRINCIPLES FOR SUB-COMMITTEE MEMBERS

- 6.1 For applications heard under the Licensing Act 2003 and Gambling Act 2005, the Sub-Committee must make their decisions based on the respective documents; Licensing Objectives, relevant Licensing/Gambling Guidance; Licensing/Gambling Policy.
- 6.2 Members of the Sub-Committee must comply with the rules of natural justice, ensuring that parties have an opportunity to be heard, whilst acting fairly and impartially. When the Sub-Committee is making its determinations, the following principles must be considered:
- 6.2.1 Free from the appearance of bias – Sub-Committee Members must make an objective and impartial determination of the issues based on the evidence and should not make, or give the appearance of making, a biased decision. Members of the Licensing Committee should not make any public statements which may give the impressions to the public that they may not be objective when sitting on any Sub-Committee. Bias may include pre-judged ideas based on his/her own prejudices or party political influences;
- 6.2.2 Fair hearing – For a hearing to be fair a number of conditions must be satisfied, including the right for the individual to know the opposing case; generally the right to call witnesses; the ability to question witnesses; the right to legal representation; and generally the right to be given reasons for any decision made.

7. CONDUCT AT COMMITTEE HEARINGS

- 7.1 Members of the Sub-Committee should not communicate directly with the applicant, interested parties or responsible authorities (N.B. the Licensing Unit is *not* a responsible authority) either immediately prior to the hearing, during the hearing, or after the hearing, other than publicly through the Chair.
- 7.2 Licensing Sub-Committee Members' questioning of speakers is to clarify arguments and views, and care should be taken not to express or indicate a view at that stage, nor to intimidate speakers.
- 7.3 Any material considered by the Sub-Committee that does not comprise part of any material supplied by the Licensing Unit must originate only from the applicant, an interested party or responsible authority, and must be tabled through the Chair. The nature of any such material must be clear to all present at the hearing and available for inspection.

- 7.4 Members should not take part or vote on an item if they have not familiarised themselves with the report and letters of representation and been present throughout consideration of the item.

8. RECORDING OF REASONS

- 8.1 The Sub-Committee must give reasons for its decisions which will be published in the minutes.
- 8.2 Members of the Sub-Committee should be aware of the dangers in publicly discussing the reasons with persons other than relevant Council officers prior to the formal publication of the minutes and subsequently.

9. APPLICATIONS SUBMITTED BY THE LOCAL AUTHORITY

- 9.1 Where the Local Authority applies for a premises licence under the Licensing Act 2003 for open spaces or buildings which it owns, or where there is a variation application or review in respect of such open spaces or buildings, the Sub-Committee must hear and determine this application / review in exactly the same manner as other applications / reviews. The Sub-Committee must give no regard to the interests of the Council itself, aside from receiving relevant representations on this issue.
- 9.2 A dispensation to hear such applications will not usually be necessary, as a Member will not have an interest solely through being a Councillor.
- 9.3 Members who are part of the authority's decisions to apply for the licence, or who express a view in respect of such an application, should not also be part of the Sub-Committee.

10. SITE VISITS

- 10.1 Site visits are generally unnecessary and can risk putting the Members and the Licensing Unit at risk of accusations of potential bias.

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MUNICIPAL YEAR 2015/2016 – REPORT NO. **128**

COUNCILLOR CONDUCT COMMITTEE

Wednesday 2 December 2015

REPORT OF:

Director of Finance, Resources and
Customer Services

Contact Officers:

Peter Stanyon, Head of Democratic and
Registration Services

020 8379 8580

peter.stanyon@enfield.gov.uk

Agenda – Part 1	Item: 5
Subject: Members' Expenses	
Wards: All	
Key Decision No: Not applicable	
Cabinet Member consulted: Not applicable	

1. EXECUTIVE SUMMARY

- 1.1. Consideration of members' expenses is included on the Committee's work programme for 2015/2016.
- 1.2. This report outlines expenses paid to Members in pursuance of their duties and provides some comparator information.

2. RECOMMENDATIONS

- 2.1. That the Committee notes the information provided and considers whether any resultant actions are required.

3. BACKGROUND

- 3.1. Members will be aware that the members' allowances scheme, which forms part 6 of the constitution, governs the amounts each councillor is entitled to receive in performance of their duties.
- 3.2. The basic allowance in Enfield is £10,570 per annum.
 - 3.2.1. In addition, "members are entitled to receive travelling and subsistence allowances where such expenditure is necessarily incurred outside of the Borough of Enfield for the purpose of attending, as the Council's nominated representative, a meeting of any of the bodies or organisations to which the Council nominates representatives and attending a conference or other meeting ... as the Council's representative."

3.3. The council is required to publish details of the total sums paid to members in each municipal year, including expenses. These details are published on the council's website but the full schedules for the 2013/2014 and 2014/2015 municipal years are appended to this report.

3.4. In summary, expenses totalling £633.00 were claimed in 2014/2015, down from £1,386.87 in 2013/2014.

3.4.1. Comparator details for 2014/2015 are set out below for information:

Authority	Basic Allowance (£)	Expenses Claimed (£)
Enfield	10,570	633
Croydon	11,239	907
Barnet	10,597	317
Haringey	10,500	2,847
Hackney	10,042	1,519
Islington	9,698	1,904
Merton	8,694	355
Newham	10,829	882
Bexley	9,418	89
Richmond	9,400	0
Lewisham	9,812	598
Southwark	10,657	697

3.5. In the 2015/2016 municipal year to date, 7 members have claimed expenses totalling £299.61.

3.6. As far as other services that might be considered as expenses is concerned, the following costs have been incurred in the current member cycle (i.e. since May 2014):

• I pads	59 Members	£30,384
• Laptops	4 Members	£2,408
• Mobile telephones	51 Members	£5,049
Total hardware		£37,841

This equates to an average of £600 per Member.

3.7. There are in addition costs incurred on an annual basis, as follows:

• Ipad licences, etc.	59 Members	£7,552
• Laptop licences, etc.	4 Members	£512
• Ipad 4G	59 Members	£5,000
• Mobile telephones 4G	51 Members	£6,000
Total annual costs		£19,034

This equates to an average of £302 per Member.

3.8. There is also a £10,000 per annum budget set aside for Member training and development and attendance at seminars and conferences, etc. This equates to a notional allocation per Member of £158.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1. Not applicable.

5. REASONS FOR RECOMMENDATIONS

5.1. To note the information provided and to consider whether any resultant actions are required.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1. Financial implications

6.1.1. The total expenditure on members' allowances in the 2014/2015 financial year was £1,009,947, with expenses in that year totalling £533.

6.2. Legal implications

6.2.1.

6.3. Property implications

6.3.1. None identified.

7. KEY RISKS

7.1. None identified

8. IMPACT ON COUNCIL PRIORITIES

8.1. The report's contents meet the Council priorities of Fairness for All, Growth and Sustainability and Strong Communities.

9. EQUALITIES IMPACT IMPLICATIONS

9.1. No equalities impact assessment has been undertaken and is not necessary.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

10.1. None identified.

11. HEALTH AND SAFETY IMPLICATIONS

11.1. None identified.

12. HUMAN RESOURCES IMPLICATIONS

12.1. None identified.

13. PUBLIC HEALTH IMPLICATIONS

13.1. None identified

Background papers

None

LONDON BOROUGH OF ENFIELD

MEMBERS ALLOWANCES

2013/2014

COUNCILLOR	BASIC £	SRA* £	TOTAL ALLOWANCES	EXPENSES £
ANOLUE Kate - Mayor (until 07.05.13)	10,570	700	11,270	
ANWAR Chaudhury - Mayor (from 08.05.13)	10,570	6,328 **11,725	28623.00	
BAKIR Ali	10,570		10,570	
BARKER Alan	10,570		10,570	
BEARRYMAN Catriona	10,570		10,570	
BOND Chris	10,570	13,184	23,754	94.60
BRETT Yasemin	10,570	8,437	19,007	
BUCKLAND Jayne	10,570		10,570	
CAZIMOGLU Alev	10,570	8,442	19,012	
CHAMBERLAIN Lee	10,570		10,570	
CHARALAMBOUS Bambos	10,570	13,184	23,754	
CICEK Yusuf	10,570		10,570	
COLE Christopher	10,570		10,570	
CONSTANTINIDES Andreas	10,570	8,442	19,012	
CRANFIELD Ingrid - Deputy Mayor (from 08.05.13)	10,570	3,017 ***2,255	15,842	
DEACON Christopher	10,570		10,570	
DELMAN Don	10,570		10,570	
DURING Christiana	10,570		10,570	
EAST Marcus	10,570		10,570	
EKECHI Patricia	10,570		10,570	
GEORGIU Achilleas	10,570	15,828	26,398	11.00
GODDARD Del	10,570	13,184	23,754	492.77
HALL Jonas	10,570		10,570	
HAMILTON Christine	10,570	13,184	23,754	
HASAN Ahmet	10,570		10,570	
HAYWARD Elaine	10,570		10,570	
HAYWARD Robert	10,570		10,570	
HEADLEY Denise	10,570		10,570	
HURER Ertan	10,570		10,570	
IBRAHIM Tahsin	10,570	8,442	19,012	
JOANNIDES Chris	10,570		10,570	
JUKES Eric	10,570		10,570	
KAYE Jonathan	10,570		10,570	
KEAZOR Nneka	10,570		10,570	
LABAN Joanne	10,570	4,185	14,755	
LAMPRECHT Henry	10,570		10,570	
LAVENDER Michael	10,570	16,705	27,275	
LEMONIDES Dino	10,570	8,442	19,012	
LEVY Derek	10,570	8,442	19,012	150.60
MAYNARD Simon	10,570		10,570	
McCANNAH Paul	10,570		10,570	
McGOWAN Donald	10,570	13,184	23,754	
MURPHY Chris	10,570		10,570	
NEVILLE Terence	10,570		10,570	33.95
ORHAN AYFER	10,570	13,184	23,754	
OYKENER Ahmet	10,570	13,184	23,754	
PEARCE Anne Marie	10,570		10,570	
PEARCE Daniel	10,570		10,570	
PRESCOTT Martin	10,570		10,570	
ROBINSON Geoffrey	10,570		10,570	
RYE Michael	10,570	8,442	19,012	

COUNCILLOR	BASIC £	SRA* £	TOTAL ALLOWANCES	EXPENSES £
SAVVA George	10,570	8,442	19,012	81.40
SIMBODYAL Rohini	10,570	8,442	19,012	
SIMON Toby	10,570	8,442	19,012	363.05
SITKIN Alan	10,570	8,442	19,012	
SMITH Edward	10,570	8,442	19,012	
STAFFORD Andrew	10,570	13,184	23,754	56.30
TAYLOR Doug	10,570	26,364	36,934	103.20
VINCE Glynis	10,570		10,570	
UZOANYA Ozzie	10,570		10,570	
WATERHOUSE Tom	10,570	4,455	15,025	
ZETTER Lionel	10,570		10,570	
ZINKIN Ann	10,570		10,570	
Ms Chrstine Chamberlain - Lay Member of Councillor Conduct Committee (Co-Opted Member)	500		500	
TOTALS	666,410	284,353	964,743	1386.87
*SRA - Special Responsibility Allowance				
** Mayoral Allowance				
*** Deputy Mayoral Allowance				

LONDON BOROUGH OF ENFIELD

MEMBERS ALLOWANCES

2014/2015

COUNCILLOR	BASIC £	SRA * £	TOTAL ALLOWANCES	EXPENSES £
ABDULLAHI Abdul	8,950		8,950	
ANDERSON Daniel	8,950	6,777	15,727	
BAKIR Ali **	10,570	11,872	22,442	
BARRY Dinah	8,950		8,950	
BOND Chris	10,570	12,604	23,174	70
BRETT Yasemin	10,570	11,877	22,447	
CAZIMOGLU Alev	10,570	8,071	18,641	
CELEBI Erin	8,950		8,950	
CHAMBERLAIN Lee	10,570		10,570	
CHARALAMBOUS Bambos	10,570	8,128	18,698	
CHARALAMBOUS Jason	8,950		8,950	
CHIBAH Katherine	8,950		8,950	
DAVID-SANDERS Lee	8,950		8,950	
DELMAN Don	10,570		10,570	
DINES Nick	8,950		8,950	
DOGAN Guney	8,950		8,950	
DOYLE Sarah	8,950		8,950	
DURING Christiana	10,570		10,570	
EKECHI Patricia ***	10,570	4,717	15,287	
ERBIL Nesimi	8,950		8,950	
ESENDAGLI Turgut	8,950		8,950	
FALLART Peter	8,950		8,950	
FONYONGA Krystle	8,950	6,777	15,727	
GEORGIU Achilleas	10,570	15,132	25,702	
GEORGIU Alessandro	8,950		8,950	
HAMILTON Christine	10,570	2,020	12,590	
HASAN Ahmet	10,570		10,570	
HAYWARD Elaine	10,570	3,390	13,960	
HAYWARD Robert	10,570		10,570	
HURER Ertan	10,570		10,570	
HURMAN Suna	8,950		8,950	
JEMAL Jansev	8,950		8,950	
JIAGGE Doris	8,950		8,950	
JUKES Eric	10,570		10,570	
KEAZOR Nneka	10,570	6,777	17,347	
KEPEZ Adeline	8,950		8,950	
LABAN Joanne	10,570	7,418	17,988	
LAPPAGE Bernadette	8,950		8,950	
LAVENDER Michael	10,570	2,560	13,130	
LEMONIDES Dino	10,570	8,071	18,641	
LEVY Derek	10,570	8,071	18,641	103
MAGUIRE Mary	8,950		8,950	
McGOWAN Donald	10,570	12,604	23,174	
MILNE Andy	8,950		8,950	
NEVILLE Terence	10,570	12,706	23,276	27
ORHAN Ayfer	10,570	12,604	23,174	
OYKENER Ahmet	10,570	12,604	23,174	
PEARCE Anne Marie	10,570		10,570	
PEARCE Daniel	10,570		10,570	
PITE Vicki	8,950		8,950	
RYE Michael	10,570	1,294	11,864	
SAVVA George	10,570	7,401	17,971	
SIMBODYAL Rohini	10,570	11,877	22,447	
SIMON Toby	10,570	8,071	18,641	142

COUNCILLOR	BASIC £	SRA * £	TOTAL ALLOWANCES	EXPENSES £
SITKIN Alan	10,570	11,877	22,447	
SMITH Edward	10,570	8,071	18,641	
STAFFORD Andrew	10,570	12,604	23,174	
STEVEN Jim	8,950		8,950	
STEWART Claire	8,950	6,773	15,723	
TAYLOR Doug	10,570	25,204	35,774	116
ULUS Haydar	8,950		8,950	
UZOANYA Ozzie	10,570	6,108	16,678	
VINCE Glynis	10,570		10,570	
Ms Chrstine Chamberlain - Lay Member of Councillor Conduct Committee (Co-Opted Member)	500		500	
TOTALS	624,290	274,060	873,673	458
				* Special Responsibility Allowance
				** Mayoral Allowance
				*** Deputy Mayoral Allowance

MEMBERS WHO RETIRED OR WHO WERE NOT RETURNED IN THE MAY 2014 ELECTIONS				
COUNCILLOR	BASIC £	SRA * £	TOTAL ALLOWANCES	EXPENSES £
ANOLUE Kate	1,620			
ANWAR Chaudhury **	1,620	1,316		100
BARKER Alan	1,620			
BEARRYMAN Catriona	1,620			
BUCKLAND Jayne	1,620			
CICEK Yusuf	1,620			
COLE Christopher	1,620			
CONSTANTINIDES Andreas	1,620	1,294		
CRANFIELD Ingrid ***	1,620	516		
DEACON Christopher	1,620			
EAST Marcus	1,620			
GODDARD Del	1,620	2,020		76
HALL Jonas	1,620			
HEADLEY Denise	1,620			
IBRAHIM Tahsin	1,620	1,294		
JOANNIDES Chris	1,620			
KAYE Jonathan	1,620			
LAMPRECHT Henry	1,620			
MAYNARD Simon	1,620			
McCANNAH Paul	1,620			
MURPHY Chris	1,620			
PRESCOTT Martin	1,620			
ROBINSON Geoffrey	1,620			
WATERHOUSE Tom	1,620	683		
ZETTER Lionel	1,620			
ZINKIN Ann	1,620			
TOTALS	42,120	7,123	-	176
GRAND TOTALS	666,410	281,183	873,673	633

COUNCILLOR CONDUCT COMMITTEE - 17.9.2015

**MINUTES OF THE MEETING OF THE COUNCILLOR CONDUCT COMMITTEE
HELD ON THURSDAY, 17 SEPTEMBER 2015**

COUNCILLORS

PRESENT Claire Stewart, Elaine Hayward, Donald McGowan and Joanne Laban, Christine Chamberlain (Independent Person) and Sarah Jewell (Independent Person)

OFFICERS: Asmat Hussain (Assistant Director Legal), Jill Bayley (Principal Lawyer - Safeguarding), Esther Hughes (Team Leader Consumer Protection) and Sean Newton (Planning Officer) Penelope Williams (Secretary)

143**WELCOME AND APOLOGIES**

The Chair welcomed everyone to the meeting. There were no apologies.

144**DECLARATION OF INTERESTS**

There were no declarations of interest.

145**PLANNING AND LICENSING CODES OF CONDUCT**

The Committee received copies of the existing planning and licensing codes of practice taken from the Council's Constitution.

1. Licensing and Gambling Code of Conduct

Esther Hughes, Team Leader Consumer Protection, advised the committee, highlighting the following:

- The Licensing and Gambling Code was last been revised in 2008, and so was due a refresh.
- A Training session had been organised for all members of the Licensing Committee on 14 October 2015. During this session the members would be given the opportunity to review to code.
- There were some areas of duplication and overlap that could be removed. Rules on the declaration of gifts and hospitality for example were already covered in the Councillors Code of Conduct.

AGREED that officers would take carry out a review of the current code in consultation with Licensing Committee members and bring a revised copy back to December's meeting.

COUNCILLOR CONDUCT COMMITTEE - 17.9.2015

2. Planning Committee Code of Practice

Sean Newton, Principal Planning Officer, advised the committee highlighting the following:

- The existing code was quite long and could be streamlined.
- Officers would review and suggest changes.
- All new members of the planning committee received training before taking up their positions.
- Other sessions were frequently organised, before Planning Committee meetings, to brief members on particular issues.
- The Planning Advisory Service had recently carried out a review of planning committee processes and had suggested changes which had been adopted. The number of members had been reduced from 15 to 12 as it was thought that this smaller number could achieve a similar outcome. Members also now sat alphabetically to help avoid perceptions of bias.

2.2 Questions/Comments

2.2.1 It was felt that regular refresher sessions should be organised for members who had been on the committee for several years, to ensure that they were kept up to date with changes.

2.2.2 Briefing sessions are held on particular issues as necessary.

2.2.3 The Cabinet Member for Economic Regeneration and Business Development was invited, but not required, to attend planning committee meetings.

AGREED that the code and guidance would be revised and brought back to the committee in December.

146

DISCLOSURE AND BARRING SERVICE (DBS) CHECKS

The Committee received a report on requirements for checks under the Disclosure and Barring Service (DBS), previously known as Criminal Records Bureau (CRB) Checks.

1. Presentation of Report

Jill Bayley (Principal Lawyer) presented the report to the Committee highlighting the following:

COUNCILLOR CONDUCT COMMITTEE - 17.9.2015

- The report had come about as a result of the outcomes from the enquiry into the recent problems in Rotherham. The enquiry had found that Rotherham councillors had not received the appropriate DBS checks.
- It was therefore felt that Enfield should adopt a policy to ensure that procedures and policy were put in place to ensure that members were subject to the necessary checks as appropriate.
- It was proposed that all members with a function or responsibility relating to children, vulnerable adults or education should have DBS checks.
- Members should request checks within 14 days of appointment.

2. Questions/Comments

- 2.1 Currently the checks are valid until officers are aware that there may be problem.
- 2.2 Checks are required for each role undertaken. If a member has a check for a position as school governor for example they would still need another one for their work as a democratic member at the Council.
- 2.3 Members will be reminded that if anything happens to change their status that they will be responsible for declaring it.
- 2.4 It was suggested that new checks would be required every 4 years. It would make sense to renew all checks after the local council elections.

AGREED

1. That the Councillor Conduct Committee would support the recommendation that there should be a policy to require all members of the Cabinet, Shadow Cabinet, all members of any committee with a social care function, whether relating to adults or children, all members with any education function and the Mayor and Deputy Mayor to have current DBS checks.
2. The policy should include the requirement that checks are carried out every 4 years, usually after the local council elections.
3. That the policy be referred for comment to the Member and Democratic Services Group.

147

COUNCILLOR TRAINING AND DEVELOPMENT 2015/16

COUNCILLOR CONDUCT COMMITTEE - 17.9.2015

The Committee received a report updating members on the member development programme for 2015/16.

NOTED

1. The request for party whips to encourage their members to attend the training.
2. Officers would be contacted to ensure that all training available to members was included on the list.

AGREED to note progress on the programme.

148

UPDATE ON COUNCILLOR COMPLAINTS

Asmat Hussain, Monitoring Officer advised the Committee that she had received one complaint since the last meeting. Christine Chamberlain, Independent Person, had been consulted. The complaint had been dealt with informally and an apology received and accepted.

149

MINUTES OF THE MEETING HELD ON 16 JULY 2015

The minutes of the meeting held on 16 July 2015 were received and agreed as a correct record.

150

WORK PROGRAMME 2015/16

The Committee received and noted the work programme for 2015/16.

It was also noted that the review of the protocol for Member Officer Relations would be considered at the 24 March 2016 meeting.

151

DATES OF FUTURE MEETINGS

NOTED the dates agreed for future meetings of the Committee:

- Wednesday 2 December 2015
- Thursday 24 March 2016

Councillor Conduct Committee: Work Programme 2015/16

ITEM	Lead/ Support Officer	16 July 2015	17 September 2015	2 December 2015	24 March 2016
Annual Report	Asmat Hussain/Penelope Williams				To agree Annual Report 2015/16
Work Programme 2015/16	Asmat Hussain/ Penelope Williams	To Agree the Outline Work Programme for 2015/16	Work Programme Monitoring	Work Programme Monitoring	Work Programme Monitoring
Review of Code of Conduct and Complaints Processes	Asmat Hussain				Review
Update on Complaints Received	Asmat Hussain	Update	Update	Update	Update
Independent Persons Training	Independent Persons				Report on training Received
Complaints – Review of complaints received in 2015/16	Asmat Hussain				
Member Training	Claire Johnson		Update		
Media Relations for Councillors	David Greely	Report			
Gifts and Hospitality	Asmat Hussain	Report			
Internet and Email Usage Policy for Councillors	Mohi Nowaz	Report		Update	
Review of Planning and Licensing Committees Code of Practice	Esther Hughes Andy Higham		Report	Update	
Regular update on Standards Matters – bringing members attention to recent standards news items for information.	Asmat Hussain	If required	If required	If required	If required
Review of Protocol for Member Officer Relations					Report
Review of Member's Expenses	Peter Stanyon			Report	
Dispensations		Update		Revised form	

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