

## **Councillor Conduct Committee**

Monday, 10 October 2016 at 6.30 pm  
Room 3, Civic Centre, Silver Street, Enfield,  
EN1 3XA

Contact: Penelope Williams  
Secretary  
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Councillors: Claire Stewart (Chair), Joanne Laban, Katherine Chibah and  
Alessandro Georgiou (Vice-Chair)

Independent Persons: Christine Chamberlain and Sarah Jewell

## **AGENDA – PART 1**

### **1. WELCOME AND APOLOGIES**

### **2. DECLARATION OF INTERESTS**

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

### **3. DISPENSATIONS - ANNUAL REVIEW 2015/16 (Pages 1 - 6)**

To receive a report from the Monitoring Officer reviewing the dispensations granted in 2015/16. (Report No: 18).

### **4. REVIEW OF COUNCILLOR COMPLAINTS PROCESS (To Follow)**

To receive a report from the Monitoring Officer on proposed changes to the Councillor Complaints Procedure.

### **5. MEMBER TRAINING AND DEVELOPMENT (Pages 7 - 12)**

To receive a report on the member training and development programme. (Report No: 119)

### **6. UPDATE ON COMPLAINTS RECEIVED**

To receive a verbal update from the Monitoring Officer on any complaints under consideration.

### **7. MINUTES OF THE PREVIOUS MEETING (Pages 13 - 18)**

To receive and agree the minutes of the meeting held on 24 May 2016 as a correct record.

**8. WORK PROGRAMME 2016/17 (Pages 19 - 20)**

To note the work programme for 2016/17 and agree any changes.

**9. DATES OF FUTURE MEETINGS**

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

- Wednesday 7 December 2016
- Thursday 2 March 2017

**10. 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.

## MUNICIPAL YEAR 2016/2017 - REPORT NO. **118**

### MEETING TITLE AND DATE

#### Councillor Conduct Committee

10 October 2016

**REPORT OF:** Asmat Hussain  
Monitoring Officer and Assistant  
Director Legal and Governance

**Contact officer:** Asmat Hussain  
(Assistant Director Legal and  
Governance)  
Tel: 020 8379 6438  
Email: [asmat.hussain@enfield.gov.uk](mailto:asmat.hussain@enfield.gov.uk)

| Agenda - Part: 1  | Item: 3 |
|---|---------|
| <p><b>Subject:</b> Dispensations granted by the Monitoring Officer and Councillor Conduct Committee – Annual Update 2015/16</p> |         |
| <p><b>Wards:</b> Not ward specific<br/><b>Key Decision No:</b> N/A</p>  |         |
| <p><b>Cabinet Member consulted:</b><br/>Not applicable</p>  |         |

### 1. EXECUTIVE SUMMARY

This report is an annual update, providing information to the Councillor Conduct Committee, on the dispensations granted in relation to the declaration of disclosable pecuniary interests in 2015/16.

### 2. RECOMMENDATIONS

To note that the Monitoring Officer and the Councillor Conduct Committee had granted the dispensations listed in section 3 of the report during 2015/16.

### 3. BACKGROUND

The Councillors Code of Conduct requires that members register any disclosable pecuniary, other pecuniary and non-pecuniary interests in the Register of Members Interests. If a councillor has an interest in a matter under discussion at a meeting of the authority and is aware of that interest, it must be disclosed at the meeting. If they have a disclosable pecuniary interest they must:

- Not participate or participate further, in any discussion at the meeting.
- Not participate in any vote, or further vote, taken on the matter at the meeting.
- Leave the room until the conclusion of the matter under discussion.

If the member has a disclosable pecuniary interest in a matter coming before a meeting of the authority, they can make a written request to the Monitoring Officer beforehand for a dispensation, which if granted would allow them to participate in the discussion and vote.

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.

Dispensations under (a) and (b) above shall be decided by the Monitoring Officer, with the right of appeal to the Councillor Conduct Committee. Those in (c) and (d) shall be considered by the Councillor Conduct Committee, after consultation with the Independent Person(s).

This year we developed a new form for recording dispensations which makes the process of agreeing and recording them run more smoothly. The Councillor Conduct Committee were consulted on and approved the design of the form at their meeting held on 2 December 2015.

Dispensations were granted in 2015/16 in relation to the following items of Council business:

**Motion 15.3 (Trade Union Bill) in the name of Councillor Chibah – Council Meeting - 11 November 2016**

Following a request from the Leader of the Council, the Monitoring Officer agreed to grant a dispensation under Section 33 (a) and (b) of the Members Code of Conduct for all members of the Majority Group in relation to the declaration of any disclosable pecuniary interests they may have had relating to trade union sponsorship. Members noted that declarations would still need to be made in relation to any interests not involving sponsorship and that the dispensation only related to that meeting.

### **Opposition Business on Cycle Enfield and Motion 13.4 on the Housing and Planning Bill –Council Meeting - 28 January 2016**

Dispensations were also granted following a request from the Leader of the Council and the Leader of the Opposition, by the Monitoring Officer for all members under Section 33 (a) and (b) of the Members Code of Conduct in relation to the declaration of any disclosable pecuniary interest they may have relating to agenda items 7 (Opposition Business on Cycle Enfield) and 13.4 (Motion 13.4 on the Housing and Planning Bill)..

The Monitoring Officer was satisfied that there had been likely to be sufficient members with a disclosable pecuniary interest which would have adversely affected the transaction of business that evening. The political representation in the chamber would be similarly affected so as to alter the outcome of any vote on the matter. The dispensations only related to this meeting.

### **Setting of Council House Rents – Council Meeting – 24 February 2016**

In May 2013 the Councillor Conduct Committee had granted a dispensation for all members in terms of the declaration of Disclosable Pecuniary Interests relating to the setting of housing rents.

Subject to the requirements within Section 106 of the Local Government Finance Act 1992, this allowed all members to participate in the debate and vote on the decisions relating to the setting of housing rents 2016/17.

### **Motion on the Housing and Planning Bill – Council Meeting – 23 March 2016**

The Monitoring Officer agreed to a dispensation for 26 Labour councillors who felt that they might have disclosable pecuniary interests as they; their family; friends and close associates were tenants or landlords impacted by this bill. The dispensation was granted for the 23 March 2016 meeting only, on the grounds that it would impede the transaction of the business and/or affect the political balance of the council. These members were:

Councillor Abdul Abdullahi

Councillor Ali Bakir  
Councillor Dinah Barry  
Councillor Chris Bond  
Councillor Alev Cazimoglu  
Councillor Nesil Cazimoglu  
Councillor Bambos Charalambous  
Councillor Katherine Chibah  
Councillor Guney Dogan  
Councillor Christiana During  
Councillor Christine Hamilton  
Councillor Ahmet Hassan  
Councillor Achilleas Georgiou  
Councillor Doris Jiagge  
Councillor Nneka Keazor  
Councillor Adeline Kepez  
Councillor Bernadette Lappage  
Councillor Dino Lemonides  
Councillor Mary Maguire  
Councillor Ayfer Orhan  
Councillor Ahmet Oykener  
Councillor Vicki Pite  
Councillor George Savva  
Councillor Andrew Stafford  
Councillor Claire Stewart  
Councillor Doug Taylor

The Councillor Conduct Committee on 21 March 2016 also agreed a dispensation to Councillor Celebi, at this Council meeting on this same matter, in relation to her disclosable pecuniary interest as a landlord. Councillor Celebi is not only a landlord but also represents other landlords in the borough. The dispensation would have enabled her to represent her constituent landlords, tenants and residents.

**4. ALTERNATIVE OPTIONS CONSIDERED**

None.

**5. REASONS FOR RECOMMENDATIONS**

The remit of the Councillor Conduct Committee includes responsibility for requests for dispensations, by councillors and co-opted members, relating to interests set out in the Councillor Code of Conduct.

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

6.1 **Financial Implications** – There are no financial implications.

**6.2 Legal Implications**

The Terms of Reference of the Councillor Conduct Committee includes within its remit the requirement to consider requests for dispensations by councillors and co-opted members relating to member interests in relation to circumstances c and d as set out above.

It is good practice for the granting of the dispensations by the Monitoring Officer to be reported to the Councillor Conduct Committee.

**7. KEY RISKS**

None identified.

**8. IMPACT ON COUNCIL PRIORITIES**

**8.1 Fairness for All, Growth and Sustainability and Strong Communities**

Granting the dispensation allowed all members to take part in the discussion on the issues of Cycle Enfield, Motion on the Housing and Planning Bill, Motion on Trade Unions, and Setting Council House rents.

**9. EQUALITIES IMPACT IMPLICATIONS**

An equalities impact assessment was not necessary for this decision.

**Background Papers**

None

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**MUNICIPAL YEAR 2016/2017 - REPORT NO. 119**

**MEETING TITLE AND DATE**  
**Councillor Conduct Committee**  
 10 October 2016

**REPORT OF:** Asmat Hussain, Assistant  
 Director Legal and Governance

Contact: Lisa McEwan Member Support  
 Officer  
 Tel number: 0208 379 4571  
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|   |                |
|---|----------------|
| <b>Agenda - Part: 1</b>                             | <b>Item: 5</b> |
| <b>Subject:</b><br><b>Member Development Update</b> |                |
| <b>Wards: Non specific</b>                          |                |
| <b>Cabinet Member consulted: N/A</b>                |                |

**1. EXECUTIVE SUMMARY**

- 1.1 This report updates members following a report to the Council Conduct Committee in September 2015 providing a summary of the member development programme 2015/16 and 2016/17.

**2. RECOMMENDATIONS**

- 2.1 To note the information provided on the training and member development programme and to consider any suggestions for future training.

**3. BACKGROUND**

- 3.1 The Member and Democratic Services Group endorsed the development of a member training programme in 2015.
- 3.2 Since 2015/2016 there has been a more structured approach to member training, with regular internal training sessions being offered to members throughout the year. External training is also organised as required.
- 3.3 So far this year training sessions have been held on Adult and Child Safeguarding, Charing Skills, Presentation and Public Speaking, Conflict Resolution, Ward case work and Personal Safety.

3.4 Regular briefing sessions are also organised for all members of the Planning and Licensing Committees. All newly appointed members receive training before they take up their positions on these committees. They are also regularly briefed on any new legislation or issues of particular relevance to the matters under discussion.

3.5 Details of the training sessions that have been delivered since September 2015 are provided below.

| <u>Date</u>                              | <u>Topic</u>   | <u>Trainer</u>      | <u>Status</u>        |
|--|--|---------------------|----------------------|
| Wednesday 14 <sup>th</sup> October 2015  | Licensing Committee refresher                                | Licensing           | 16 attendees         |
| Wednesday 28 <sup>th</sup> October 2015  | Safeguarding   | Children's Services | 18 attendees         |
| Thursday 29 <sup>th</sup> October 2015   | Gang awareness   | Community Safety    | 32 attendees         |
| Wednesday 25 <sup>th</sup> November 2015 | Chairing skills  | External            | 14 attendees         |
| Thursday 14 <sup>th</sup> January 2016   | Presentation and public speaking                             | External            | 26 attendees         |
| Thursday 11 <sup>th</sup> February 2016  | Conflict resolution  | External            | 12 attendees         |
| March 2016                               | Ward surgeries – Case work/personal safety/members enquiries | Governance          | 22 attendees         |
| April 2016                               | Assets of Community Value                                    | External            | To be rearranged     |
| Thursday 21 <sup>st</sup> July 2016      | Children's Safeguarding                                      | Internal            | 36 attendees         |
| Thursday 29 <sup>th</sup> September 16   | Adults Safeguarding  | Internal            | 24 attendees to date |

3.6 The following sessions are planned for the remainder of 2016/17:

| <u>Date</u>                             | <u>Topic</u>                 | <u>Trainer</u> | <u>Status</u>             |
|---|------------------------------|----------------|---------------------------|
| Thursday 20 <sup>th</sup><br>October 16 | Planning                     | Internal       | tbc                       |
| November 2016                           | Member Safety                | Internal       | not<br>enough<br>interest |
| January 2017                            | Recruitment and selection    | Internal       | tbc                       |
|   | Gang Awareness               | Internal       | tbc                       |
|   | Councillor Conduct Refresher | Internal       | tbc                       |

3.7 More sessions will be arranged early next year according to member interest.

3.8 In addition to the member development programme, training opportunities from the Local Government Association and other equivalent organisations are regularly circulated to members.

3.9 Individual members have also been booked on specific courses as requested to assist with their roles, such as Tackling Child Sexual Exploitation, Young Councillor's Weekender, Transforming the delivery of sport and leisure in local communities, National Child and Adult Services, Scrutiny and Major Change, The Future of Primary Care: Transforming General Practice, The 3rd Annual UK Resilience Conference: Enhancing Capabilities to Absorb and Respond to and Recover from Emergencies.

3.10 The majority of the training is now being done internally using the expertise and knowledge of officers in-house thereby limiting the costs of the programme.

3.11 The feedback received on the training undertaken has been positive.

3.12 Members have been asked to identify their development needs for 2017/2018.

- 3.13 The code of conduct training is also usually provided annually. We will be organising an extra refresher session on the councillor code of conduct, following a recommendation from the Councillor Conduct Committee on 24 May 2016. All members will be required to attend.
- 3.14 If Members wish an annual refresher on any of the items listed in the report, this can be accommodated.
- 3.15 In the near future the Members will be introduced to the new online training platform called I-Learn, The new online Self Service Learning Platform will transfer the way Members can access a wide range of learning opportunities within the council. The site is externally hosted so can be accessed from any device whether in the office or at home. All members will be notified of this when it is up and running and training sessions will be set up. This is being developed by Human Resources team.
- 3.16 Due to the recent reduction in the Member training budget, we have had to slightly alter our booking procedure. Group whips have been notified that when bringing in external trainers, there will need to be a commitment of 20 or more attendees for the cost to be viable. If we cannot get 20 Members to attend a training session, we will have to either postpone or cancel the event (which may have a cost bearing on the authority).
- 3.17 Due to the changes in Governance and Electoral Services the Member support function, the responsibility for the Member Development Programme has been transferred to Kathy Constantinou the Head of Registration and Mayoral Services. The day to day contact for booking any training and development is Lisa McEwan (Member Support Officer) working in conjunction with Human Resources.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

None

#### **5. REASONS FOR RECOMMENDATIONS**

To update the Councillor Conduct Committee on the training and development provided to members since the update received at their meeting in September 2015.

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

##### **6.1 Financial Implications**

The cost of member training and development is met from the existing Member Training budget.

## **6.2 Legal Implications**

**None**

## **7. KEY RISKS**

There is a risk that members will not be fully aware of their duties and responsibilities as representatives of the Council.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All. Growth and Sustainability, Strong Communities**

The training and development provided to councillors helps them to provide a better service to their constituents enabling them to support local residents in developing stronger more sustainable communities.

## **9. EQUALITIES IMPACT IMPLICATIONS**

Equalities impact implications are not required for this report.

## **10. PUBLIC HEALTH IMPLICATIONS**

*N/A*

## **Background Papers**

None

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**COUNCILLOR CONDUCT COMMITTEE - 24.5.2016****MINUTES OF THE MEETING OF THE COUNCILLOR CONDUCT COMMITTEE  
HELD ON TUESDAY, 24 MAY 2016****COUNCILLORS**

**PRESENT** Claire Stewart, Joanne Laban, Katherine Chibah and Alessandro Georgiou, Anne Marie Pearce, Sarah Jewell (Independent Person), Christine Chamberlain (Independent Person)

**OFFICERS:** Asmat Hussain (Assistant Director Legal) Penelope Williams (Secretary)

**Also Attending:** Olwen Dutton (Bevan Brittan)

**10  
WELCOME AND APOLOGIES**

The Chair welcomed everyone to the meeting including the two new committee members Councillors Alessandro Georgiou and Katherine Chibah.

**11  
SUBSTITUTIONS**

Councillor Anne Marie Pearce was the substitute for Councillor Alessandro Georgiou for Item 4 Complaints against Councillors.

**12  
DECLARATION OF INTERESTS**

Councillor Alessandro Georgiou declared a non-pecuniary interest in item 4 Complaints against Councillors as he was one of the complainants and was the subject of the other complaint. He withdrew from the meeting when this item was discussed.

**13  
COMPLAINTS AGAINST COUNCILLORS**

The Committee received the report of the Monitoring Officer on the complaints investigation.

The Monitoring Officer introduced the report and set the context to the complaints.

NOTED

**COUNCILLOR CONDUCT COMMITTEE - 24.5.2016**

1. The advice that members had to decide whether or not any further action was required or whether a formal complaint hearing should be heard.
2. No appeal against the decision of the Councillor Conduct Committee was possible except to the Local Government Ombudsman.

Before considering the complaint the committee watched an extract from the 11 November 2016 full council meeting where the incidents, from which the complaints had arisen, had occurred.

Olwen Dutton presented her investigation report to the committee. She highlighted the following:

- Four complaints had been received in total: one from Councillor Alessandro Georgiou about Councillor Haydar Ulus, three from Councillor Haydar Ulus about Councillors Alessandro Georgiou, Terry Neville and Erin Celebi.
- Because they had all been concerned with the events which had occurred at the full Council meeting on 11 November 2016, she had thought it appropriate that they should all be covered in the same investigation.
- Article 10 of the European Human Rights Convention set a high bar for political expression so as not to fall within the category of justifiable comment and free speech.
- The comments of Councillor Neville received after the report had been completed.
- Having investigated the complaint and considered all the evidence, in the light of Article 10 of the European Convention, although she could not condone the behaviour, on balance, she had found that all four complaints were not upheld.
- Her recommendation that the Monitoring Officer should provide refresher training to all councillors on the code of conduct and on the need for all councillors to behave in a way that was fitting for a public meeting in the Council Chamber, with due regard to their office.
- She also felt that members should be discouraged from taking part in "tit for tat" complaints.

NOTED

1. The view of Christine Chamberlain, Independent Person, that the incidents at the Council meeting, as seen in the recording of the meeting, raised fundamental issues about the behaviour of members and their relationships to each other. She had concern that the



**COUNCILLOR CONDUCT COMMITTEE - 24.5.2016**

situation had escalated very quickly, in a way that she thought would be unacceptable in a work context. The behaviour was not good for informed debate, the reputation of the councillors or the Council itself. She was also concerned that if the complaints were not upheld then a message should also be put out that such behaviour could not be condoned.

2. These comments were supported by Sarah Jewell, Independent Person.
3. All members of the committee condemned the behaviour that had occurred and felt that members should show greater respect for each other and for the Mayor.
4. The view that if the Mayor had been able to control the initial incident more quickly, the subsequent events would not have occurred. It was suggested that the Mayor should receive more training on how to manage difficult situations.
5. The suggestion that the Monitoring Officer should organise a refresher training session on the councillor code of conduct and that all members should be required to attend. The whips would be asked to ensure that they did.
6. The suggestion that a short statement should be read out by the Mayor, at the start of each Council meeting, reminding members that they must show each other respect, and abide by the Councillor Code of Conduct.
7. The new Mayor had indicated that she would continue the recently introduced practice, of having a comfort break half way through the meeting, which should help to prevent people becoming tired.

**AGREED** that the four complaints were not upheld and no further action was required.

**14  
DISPENSATION REQUEST**

The Committee received a report from the Monitoring Officer containing a request for a dispensation from Councillor Bernadette Lappage, the current Mayor, on her disclosable pecuniary interest in matters relating to the North London Waste Authority.

**NOTED**

1. The Mayor's husband was a senior officer at the North London Waste Authority which would mean that whenever the North London Waste Authority was discussed at Council meetings she would need to

**COUNCILLOR CONDUCT COMMITTEE - 24.5.2016**

declare a disclosable pecuniary interest and withdraw from the meeting.

2. The Mayor had requested a general dispensation to cover her year of office to enable her to participate in all Council meetings where issues relating to the North London Waste Authority were discussed.
3. The dispensation has been requested under circumstance (a) "where members of the decision making body have disclosable pecuniary interests in a matter that would "impede the transaction of the business".
4. Although the Mayor did not normally vote at Council meetings, having to leave the meeting as chair could impede the transaction of business.
5. The Independent Persons advised that they thought that the request was reasonable.

**AGREED** that a dispensation be granted to Councillor Bernadette Lappage whilst she was Mayor, for the municipal year 2016/17, in regard to her disclosable pecuniary interest in relation to her husband's position on the North London Waste Authority.

**15**

**COUNCILLOR CONDUCT COMMITTEE ANNUAL REPORT 2015/16**

The Committee received a copy of the draft annual report for 2015/16.

**AGREED** to approve the report as the Councillor Conduct Committee Annual Report for 2015/16.

The report would be referred to the Council meeting to be held on 8 June 2016.

**16**

**MINUTES OF MEETING HELD ON 21 MARCH 2016**

The minutes of the meeting held on 21 March 2016 were agreed as a correct record.

**17**

**WORK PROGRAMME 2016/17**

The Committee received a draft work programme for 2016/17.

NOTED that additional items can be added to the work programme throughout the year.

**AGREED** that the draft work programme should form the basis of items to be considered by the Committee in 2016/17.

**COUNCILLOR CONDUCT COMMITTEE - 24.5.2016**

**18**

**DATES OF FUTURE MEETINGS**

The Committee noted the dates agreed for meetings for the 2016/17 Municipal Year:

- Wednesday 6 July 2016
- Wednesday 5 October 2016
- Wednesday 7 December 2016
- Thursday 2 March 2016

**19**

**EXCLUSION AND PRESS AND PUBLIC**

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## Councillor Conduct Committee: Work Programme 2016/17

| ITEM   | Lead/ Support Officer               | 24 May 2016                                     | 6 July 2016<br>Cancelled  | 10 October 2016           | 7 December 2016           | 2 March 2017                   |
|--|-------------------------------------|---|---------------------------|---------------------------|---------------------------|--------------------------------|
| Annual Report  | Asmat Hussain/<br>Penelope Williams | To agree the Annual Report 2015/16              |                           |                           |                           | To agree Annual Report 2016/17 |
| Work Programme 2016/17   | Asmat Hussain/<br>Penelope Williams | To Agree the Outline Work Programme for 2016/17 | Work Programme Monitoring | 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                    | Update                         |
| Independent Persons Training   | Independent Persons                 |   |                           |                           |                           | Report on training Received    |
| Complaints – Review of complaints received in 2015/16  | Asmat Hussain                       |   | Review                    |                           |                           |                                |
| Member Training  | Claire Johnson                      |   |                           | 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               | If required                    |
| Review of Protocol for Member Officer Relations  | Asmat Hussain                       |   |                           |                           |                           | Report                         |
| Review of Member's Expenses  |                                     |   |                           |                           | Report                    |                                |
| Dispensations  | Asmat Hussain                       | To consider request received                    |                           | Annual Update             |                           |                                |
| Gifts and Hospitality  |                                     |   |                           |                           |                           | Report                         |
|  |                                     |   |                           |                           |                           |                                |
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