



## Standards Committee

**Tuesday, 6 December 2011 at 7.00 pm**

Committee Room 4, Brent Town Hall, Forty Lane,  
Wembley, HA9 9HD

### Membership:

#### Members

Independents:

**Angela Ruotolo (Chair)**

**Sola Afuape (Vice-Chair)**

#### first alternates

Sheila Darr

John Mann

#### second alternates

John Mann

Sheila Darr

Councillors:

**Beck**

**Colwill**

**Gladbaum**

Lorber

HB Patel

Hossain

Brown

HM Patel

Harrison

**For further information contact:** Anne Reid, Democratic Services  
020 8937 1359, [anne.reid@brent.gov.uk](mailto:anne.reid@brent.gov.uk)

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**The press and public are welcome to attend this meeting**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item	Page
<b>1 Declarations of personal and prejudicial interests</b>	
Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.	
<b>2 Minutes of the previous meeting</b>	1 - 4
<b>3 Matters arising (if any)</b>	
<b>4 The Localism Act 2011 and the provisions regarding members' conduct</b>	5 - 8
The Localism Act 2011 received Royal Assent on 15 November 2011 introducing new arrangements for members' conduct. The provisions are not yet in force and no date has been set, although it is suggested it may be April 2012. This report outlines the major changes to the standards and members' conduct arrangements under the Localism Act 2011.	
<b>Ward Affected:</b> All Wards	<b>Contact Officer:</b> Fiona Ledden, Director of Legal and Procurement Tel: 020 8937 1292 fiona.ledden@brent.gov.uk
<b>5 Annual Report of the Monitoring Officer</b>	9 - 22
This is the Monitoring Officer's Annual Report to the Standards Committee for the period May 2010 to April 2011. This report provides an update on member conduct issues, and the work of the Standards Committee and the Monitoring Officer during that period.	
<b>Ward Affected:</b> All Wards	<b>Contact Officer:</b> Fiona Ledden, Director of Legal and Procurement Tel: 020 8937 1292 fiona.ledden@brent.gov.uk
<b>6 Review of Members' Expenses - April 2010 to April 2011</b>	23 - 28
The London Borough of Brent Members' Allowance scheme makes provision for the payment of travel expenses to members. Appendix 1	

outlines expenses claimed over the period from April 2010 to April 2011.

**Ward Affected:** All Wards      **Contact Officer:** Fiona Ledden,  
Director of Legal and Procurement  
Tel: 020 8937 1292  
fiona.ledden@brent.gov.uk

## 7 Sub-Committee membership changes (if any)

## 8 Date of Next Meeting

The next meeting of the committee is scheduled to take place on 13 March 2012.

## 9 Any Other Urgent Business

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.
  - Toilets are available on the second floor.
  - Catering facilities can be found on the first floor near The Paul Daisley Hall.
  - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE STANDARDS COMMITTEE Tuesday, 20 September 2011 at 6.00 pm

PRESENT: Angela Ruotolo (Chair), John Mann (Independent Member, for Sola Afuape), and Councillors Colwill, Harrison (for Gladbaum) and Lorber (for Beck)

Apologies were received from: Councillors Beck, Gladbaum and Sola Afuape (Independent Member)

#### 1. **Declarations of personal and prejudicial interests**

None declared.

#### 2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meetings held on 22 March and 28 April 2011 be approved as accurate records of the meetings.

#### 3. **Exclusion of press and public**

The committee gave consideration to whether the hearing should be conducted in the public or in private. The Monitoring Officer, Fiona Ledden, advised that having regard to the Standards Committee Regulations 2008 and the Local Government Acts 1972 and 2000 and the fact that the allegations concerned sensitive personal information relating to the complainant it was considered that the arguments for maintaining confidentiality outweighed the public interest in maintaining transparency.

RESOLVED:-

that the press and public be now excluded from the meeting as the information to be discussed relates to the following category of exempt information as specified in Paragraph 7c, Schedule 12A of the Local Government Act 1972 (as amended by The Standards Committee (England) Regulations 2008) namely:

7C information presented to a standards committee or sub-committee of standards committee, set up to consider any matter under regulations 13 or 16 to 20 of the Standards Committee (England) Regulations 2008, or referred under section 58(1)(c) of the Local Government Act 2000.

#### 4. **To conduct a hearing into an allegation of misconduct under the Standards Code of Conduct**

The committee met to conduct a hearing into an alleged breach of the Councillors' Code of Conduct by an elected member. Having confirmed that the meeting was quorate, the Chair opened the meeting and introduced those present. The Monitoring Officer (Fiona Ledden) outlined the procedure for the Hearing as set out in the Procedure Note included with the hearing papers previously circulated.

The Committee noted that the Investigator, Fiona Alderman, present at the meeting, was technically on maternity from the council and as such would be represented by Andy Potts (Solicitor). Each side then advised of the number of witnesses that they intended to call. The committee then noted the Findings of Fact by the Investigator and agreed by the member concerned and those disputed as set out in the Pre-Hearing Summary.

The Committee then heard evidence under oath from witnesses called by the Investigator and witnesses for the appellant following which questions were asked and answered. The Committee then heard evidence from the member under investigation following which members took the opportunity to ask questions.

Andy Potts then summarised the Investigating Officer's case referring to evidence presented both earlier in the evening and in written submissions. The member's representative then made final submissions referring also to evidence heard.

Parties to the appeal then left the meeting while the committee came to conclusions on the Findings of Fact and whether a breach of the Code of Conduct had occurred. They then returned to hear the committee's decision.

RESOLVED:-

- (i) that the member who was the subject of the hearing had not failed to comply with the Code of Conduct, the detailed reasons for which should be set out in a letter from the Monitoring Officer;
- (ii) that the Director of Legal and Procurement take the opportunity in her Annual Monitoring letter to remind all members of their responsibilities under the Code of Conduct.

**5. Sub-committee membership changes**

None.

**6. Date of Next Meeting**

It was noted that the next meeting was scheduled to take place on 6 December 2011.

**7. Any Other Urgent Business**


None.

The meeting closed at 11.35 pm

ANGELA RUOTOLO  
Chair

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	<p style="text-align: center;"><b>Standards Committee</b> 6 December 2011</p> <p style="text-align: center;"><b>Report from the Director of Legal and Procurement</b></p>
For Information	Wards Affected: ALL
<p style="text-align: center;"><b>The Localism Act 2011 and the provisions regarding members' conduct</b></p>	

## 1.0 Summary

- 1.1 The Localism Act 2011 received Royal Assent on 15 November 2011 introducing new arrangements for members' conduct. The provisions are not yet in force and no date has been set, although it is suggested it may be April 2012. This report outlines the major changes to the standards and members' conduct arrangements under the Localism Act 2011.

## 2.0 Recommendations

- 2.1 That the Committee note this report.

## 3.0 Detail

- 3.1 The changes to the Standards regime which concern members' conduct are set out in Chapter Seven ('Standards'), Sections 27-37 of the Localism Act 2011 which received Royal Assent on 15 November 2011. There is no commencement date for the provisions although it is suggested it may be April 2012. Until such time as the new law comes into force the current legal requirements continue.
- 3.2 The provisions regarding Standards set out in the original Localism Bill received much attention, and debate and amendment during the passage through Parliament. The main requirements now included out in the Act are set out below.

### *Code of Conduct*

- The "Standards Board regime" and all the current legislation will be repealed.

- There is a duty on the Council to promote and maintain high standards of conduct by members
- The Council must adopt a Code of Conduct to apply to members and co-opted members when they are acting in that capacity
- The Code must be consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership
- The Council must include in its Code provisions the Council considers appropriate in relation to registration and disclosure of pecuniary and other interests
- The Council must have arrangements for investigating and deciding allegations of breach of the Code
- The arrangements for deciding allegations of breach of the Code must include the appointment of at least one independent person (as defined in the Act)
- The independent person's views must be taken into account by the Council before it makes a decision on a matter that has been investigated
- The independent person's view may be sought
  - a) By the Council in circumstances other than where it has decided to investigate (when consultation is mandatory)
  - b) By a member if that person's behaviour is the subject of an allegation
- Where a Council decides there is a breach (whether or not that decision is made following an investigation) it can decide whether, and if so what action to take against the member
- The Code must be adopted by Full Council and publicised locally

*Register of Pecuniary and other Interests*

- There must be a Register of Interests which is published on the Council website
- It is for the Council to decide what should be on the register but those matters prescribed by Regulations issued by the Secretary of State are mandatory. No Regulations have yet been issued
- The Regulations will define or prescribe what are 'disclosable pecuniary interests'. In general a 'disclosable pecuniary interest' will exist where a member stands to gain or lose in some financial or material way

- Members must notify the Monitoring Officer of any disclosable pecuniary interests within 28 days of becoming a member. On re-election the member must update the disclosure to include any new matters

#### *Pecuniary Interests and Council meetings*

- At a meeting where a member has a disclosable pecuniary interest in the matter being considered but it is not on the register, the member must disclose the interest and the interest must then be added to the register
- When a member has a 'disclosable pecuniary interest' the member must not debate or participate in discussion on that matter, nor vote
- Standing Orders may provide that where the above situation arises the member should be excluded from the meeting for that item
- The Act provides for non-disclosure of 'sensitive interests' (where violence or intimidation may arise from disclosure)
- There are dispensation powers allowing those with a pecuniary interest to vote based on set criteria being met (allowing the Council to decide that notwithstanding pecuniary interests members can vote)

#### *Offences Under the Localism Act 2011*

- It is a criminal offence to fail to notify the Monitoring Officer of a disclosable pecuniary interest, or to participate in a meeting or take a decision where the member has a disclosable pecuniary interest, without reasonable excuse
- It is an offence knowingly or recklessly to provide false or misleading information to the Monitoring Officer
- Only the DPP can authorise prosecutions
- A member guilty of an offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000). A court may also disqualify the member from being or becoming a member for a maximum of 5 years
- Proceedings must generally be brought within 12 months with an upper limit of 3 years.

## **4.0 Conclusion**

- 4.1 The significant differences between the provisions under the Localism Act 2011 and the Local Government Act 2000 as amended (i.e. the current arrangements) are the discretion given to councils under the new legislation as to the details of the arrangements including the content of the Code and

the procedure for dealing with allegations of breach of the Code, the absence in the new Act of any specific powers to sanction members who have breached the Code, and the introduction in the Localism Act 2011 of criminal sanctions relating to breaches of the rules on “disclosable pecuniary interests”.

- 4.2 The Council will need to decide the arrangements it wishes to put in place to implement the changes. Such changes will need to be adopted at Full Council. Officers will need to take guidance from the Constitutional Working Group and this committee in the drafting the Code, procedures and arrangements required under the new Act. Any draft or model code produced by ACSeS or other such national organisations with national interest in these matters may also be of relevance in deciding the most appropriate arrangements for this authority.

## **5.0 Financial Implications**

- 5.1 This report contains no specific financial implications.

## **6.0 Legal Implications**

- 6.1 These are addressed in the body of the report.

## **7.0 Diversity Implications**

- 7.1 This report contains no specific diversity implications.

## **8.0 Staffing Implications**

- 8.1 This report contains no specific staffing implications.

### ***Background papers***

*Localism Act 2011.*

Should any person require any further information about the issues addressed in this report, please contact Kathy Robinson, Senior Local Government Lawyer. Tel 020 8937 1368.

**Fiona Ledden**  
**Director of Legal and Procurement**

	<p style="text-align: center;"><b>Standards Committee</b> 6 December 2011</p> <p style="text-align: center;"><b>Report from the Director of Legal and Procurement</b></p>
For Action	Wards Affected: ALL
<p style="text-align: center;"><b>Annual Report of the Monitoring Officer (Including the Review of the Register of Gifts and Hospitality and the Register of Member's Interests)</b></p>	

## 1.0 Summary

- 1.1 This is the Monitoring Officer's Annual Report to the Standards Committee for the period May 2010 to April 2011. This report provides an update on member conduct issues, and the work of the Standards Committee and the Monitoring Officer during that period.

## 2.0 Recommendations

- 2.1 That the Committee note this report.

## 3.0 Detail

### *Members of the Standards Committee*

- 3.1 The members of the Standards Committee at the end of the period were:

- Angela Ruotolo (Chair), Independent Member
- John Mann (Vice-Chair), Independent Member
- Sola Afuape, Alternate Independent Member
- Sheila Darr, Alternate Independent Member
- Councillor Reg Colwill (Conservative)
- Councillor Helga Gladbaum (Labour)
- Councillor Jack Beck (Liberal Democrat)

### *Appointment of the Independent Members*

- 3.2 The independent members were appointed in May 2010 for a two year period which ends in May 2012. There has been considerable uncertainty as to the future of the Standards Committee and the role of independent members as a result of proposed changes to the arrangements by the government under the Localism Bill. The Bill is now an Act having received Royal Assent on 15<sup>th</sup> November 2011. During its passage through parliament various changes were made to the original draft provisions in relation to standards. It is now clear that one or more independent persons must be appointed by the Council and must be involved when the Council has investigated allegations and is deciding whether there has been a breach of the Code. The detail of the new arrangements set out in the Localism Act 2011, including the provisions regarding independent persons, are provided in a separate report to members of this committee.

*The Committee's work during 2010-2011*

- 3.3 The Code of Conduct was adopted by the Council on 10 September 2008. The Council has been operating under the current practices and procedures in relation to complaints and investigations regarding members' conduct since April 2008. The processes adopted and followed reflect the requirements set out in the Local Government Act 2000 (as amended) and the Standards Committee (England) Regulations 2008.
- 3.4 The Committee is scheduled to meet on four pre-arranged dates during the municipal year to discuss and decide on matters of policy and procedure, to conduct reviews and to deal with other general business. It also meets on additional dates as and when required to determine any complaints against councillors.

The matters dealt with at the ordinary meetings of the Committee are as follows;

- 3.5 Two scheduled meetings of the Standards Committee were cancelled in the municipal year 2010/11; 8<sup>th</sup> July 2010 and 19<sup>th</sup> January 2011. The work programme for the Standards Committee set on 24<sup>th</sup> March 2010 had planned various items relating to reviewing and developing the practices, procedures and guidance notes relating to the Code of Conduct for members and the investigation of breaches. However, in May 2010 the government announced plans to make significant changes to the law in relation to members' conduct, Standards for England, and the Standards Committee arrangements under the Localism Bill. Further development of the Council's standards arrangements was therefore put on hold pending confirmation of the new legal position. Also, a consequence of the government's proposed changes, the role of Standards for England diminished immediately; Statistics, information and guidance previously prepared by Standards

for England and routinely reported to this committee significantly reduced. This also had a direct impact on the volume of work required at scheduled meetings of this committee in the municipal year 2010/11.

- 3.6 At its meeting, on 3rd November 2010 the Committee considered the annual report of the Monitoring Officer (which included the review of member interests and the review of gifts and hospitality) and the annual review of members' expenses.
- 3.7 At its meeting on 22<sup>nd</sup> March 2011 the Committee considered the financial and procedural rules for the Mayor's Charity Appeal, a report on the Localism Bill and the annual review of the Members' Development Programme.

#### *Complaints against members*

- 3.8 Since April 2008 this Standards Committee has been responsible for receiving and dealing with complaints. During the period May 2010 to April 2011 there were two matters considered by this committee.
- 3.9 On 8<sup>th</sup> July 2010 the Standards (Review) Sub Committee considered a complaint against Ms Joseph. Ms Joseph was a member of this Council until May 2010 but was not re-elected in the local elections in May 2010 and is therefore no longer a councillor. At a meeting of the Standards (Initial Assessment) Sub Committee in April 2010 members decided, based on a number of factors, including the time lapse between the alleged incident and the complaint, that no action be taken. The complainant requested a review of that decision and at the Standards (Review) Sub Committee on 8<sup>th</sup> July 2010 the decision to take no action was upheld.
- 3.10 In September 2010 the Monitoring Officer received a complaint made in July 2010 regarding alleged breach of the Code of Conduct by Councillor Shaw and Councillor Cheese. The Standards (Initial Assessment) Sub Committee considered the matter on 9<sup>th</sup> November 2010 and decided that the complaint should be investigated. The report of the Investigating Officer was considered by the Standards Committee on 28<sup>th</sup> April 2011. The Investigating Officer found that there was no breach of the Code of Conduct by Councillor Cheese. In relation to the two allegations against Councillor Shaw, the Investigating Officer found no breach of the Code in respect of one allegation, but a breach in respect of the second allegation. The Standards Committee accepted the Investigating Officer's findings in respect of no breach and decided that the alleged breach of the Code by Councillor Shaw be considered at a hearing of the Standards Committee. The hearing took place on 20<sup>th</sup> September 2011, outside of the period covered by this report. On 20<sup>th</sup> September 2011 the

Standards Committee found there had been no breach of the Code of Conduct by Councillor Shaw.

#### *Monitoring Officer Advice Notes and Training*

- 3.11 During the period May 2010 to April 2011 the Monitoring Officer continued to issue Advice Notes to members as required. Together with the previously issued Advice Notes these form an ongoing resource for councillors. In the relevant period the Monitoring Officer issued the Annual Monitoring Officer Advice Note on 28<sup>th</sup> September 2010.
- 3.12 The Monitoring Officer provided training to members on matters pertaining to members' conduct immediately after the local elections and appointment of new members on 11<sup>th</sup> May 2010, and at a subsequent training session on 9<sup>th</sup> November 2010.

#### *Networking*

- 3.13 The annual networking event for the 2009/10 year was held on 27<sup>th</sup> January 2011. The Council hosted 27 guests from Brent, Ealing, Hammersmith and Fulham, Hounslow, Hillingdon, Harrow, Islington, Barnet and Kensington and Chelsea, Camden, Hackney and Richmond Standards Committees. Jonathan Goolden and Richard Dix of Wilkin Chapman Goolden Solicitors provided the speeches on 27<sup>th</sup> January 2011. The event was once again a great success and was considered to be very useful both in terms of the content of the presentation, and the opportunity for committee members of different boroughs to share ideas.

#### *Review of the Register of Member's Interests*

- 3.14 Section 81(1) of the Local Government Act 2000 requires the Monitoring Officer to establish and maintain a register of interests of the elected members and the co-opted members of the Council. Section 81 of the Local Government Act 2000 requires the register to be available for inspection by the public at all reasonable hours. The Brent register of member's interests is held by Legal and Procurement Department and is available for inspection by the public via appointment or via the Council's website.
- 3.15 The interests that are required to be registered are set out in paragraph 8 of the Code of Conduct. These are set out in **Appendix 1**.
- 3.16 Following the local elections in May 2010 all members – new and re-elected were required to complete new declaration of interest forms within 28 days of accepting office. Guidance was provided to members



about the completion of the declaration form both by way of written information and a presentation on 11th May 2010.

3.17 A review of the declarations takes place annually. However, it is important to stress that the responsibility for declaring interests rests with members.

3.18 In October 2011 members were reminded by correspondence via Group Offices of the possible pitfalls and common errors and were advised to check their declarations. The current position in November 2011 is that all members have declared their appointments to outside bodies, there are four outstanding issues in relation to membership of governing bodies, four queries in relation to members' property interests in the borough and some members have not declared membership of a political party. These will be followed up.

### *Gifts and Hospitality*

3.19 Under the Code of Conduct, gifts and hospitality with a value of £25 or over are treated as a personal interest and they are therefore included in each member's register of personal interests.

3.20 Set out in the table below are all the gifts and hospitality that were registered by members during the period covered by this report. The declarations are organised alphabetically.

### **Details of the Register for the period 1 May 2010 to 30 April 2011**

Councillor's name	Date of gift/receipt of hospitality	Details of gift/hospitality	Estimated value	Person/ body providing gift / hospitality	date of declaration
Cllr Al Ebadi	17/11/2010	3 tickets to England v France at Wembley	£90	Wembley National Stadium Ltd	19/10/2010
Cllr Al Ebadi	12/10/2010	3 tickets to England v Montenegro at Wembley	£150	Wembley National Stadium Ltd	13/10/2010
Cllr Arnold	17/11/2010	2 tickets to England v France at Wembley	£60	Wembley National Stadium Ltd	18/11/2010
Cllr Beck	11/08/2010	6 tickets to England v Hungary football match (for local residents to experience stadium)	£240	The Football Association	12/08/2010
Cllr Beck	12/10/2010	2 tickets to England game	£100	Wembley Stadium Football Association	15/10/2010

Cllr Beck	17/11/2010	Ticket to England v France at Wembley	£25	FA/Wembley Stadium	22/11/2010
Cllr Choudry	17/11/2010	2 tickets to England v France at Wembley	£60	Wembley National Stadium Ltd	23/11/2010
Cllr Colwill	08/08/2010	2 tickets for Charity Shield football match - Chelsea v Manchester United	£80	The Football Association	17/08/2010
Cllr Colwill	11/08/2010	2 tickets for England v Hungary football match	£80	The Football Association	17/08/2010
Cllr Colwill	12/10/2010	Two tickets for England football match at Wembley Stadium	£100	Wembley Stadium Ltd	27/10/2010
Cllr Colwill	17/11/2010	2 tickets to England v France at Wembley	£100	Wembley Stadium	18/11/2010
Cllr Crane	09/09/2010	Dinner	£100	Henderson Asset Managers	13/09/2010
Cllr Gladbaum	12/10/2010	2 tickets to England v Montenegro at Wembley	£100	The FA and Wembley National Stadium Ltd	13/10/2010
Cllr Gladbaum	17/11/2010	2 tickets to England v France at Wembley	£60	Wembley National Stadium Ltd	18/11/2010
Cllr Green	25/11/2010	Wine - 2 bottles	£27	Natashi Hidvegi (local resident)	25/01/2011
Cllr Hashmi	17/11/2010	4 tickets for England v France football match	£100	Football Association / Wembley National Stadium Ltd	22/11/2010
Cllr Hirani	12/10/2010	2 tickets for England v Montenegro football match	£100	The Football Association and Wembley National Stadium Ltd (took local resident)	13/10/2010
Cllr John	15/05/2010	3 tickets to FA cup final at Wembley Stadium	£250	Quintain	<b>17/05/2010</b>
Cllr John	11/08/2010	2 tickets for England v Hungary football match (daughter and grandson)	£80	Wembley National Stadium Ltd	11/08/2010
Cllr John	17/11/2010	2 tickets for England v France	£60	Wembley National Stadium Limited	18/11/2010
Cllr John	12/12/2010	Formal dinner to celebrate 44 years of the Independence of the Caribbean island of Barbados	£65	Mr and Mrs Sealy	14/12/2010

		at the Camden Centre			
Cllr John	14/12/2010	Dinner at the Mandeville Hotel	£25	Vinu Bhattessa, Trustee of the Swaminarayan Temple	17/12/2010
Cllr John	26/01/2011	Model mechanical digger	not known	Skanska at the Civic Centre Groundbreaking Ceremony	27/01/2011
Cllr John	27/02/2011	1 ticket for Carling Cup	not known, above £25	WNSL	28/02/2011
Cllr Leaman	02/06/2010	Bottle of champagne	£25	Mark Easton and Marcia Saunders	10/06/2010
Cllr Lorber	08/08/2010	2 tickets for Charity Shield football match (given to local resident)	£80	The Football Association	12/08/2010
Cllr Lorber	11/09/2010	4 tickets to Muse concert at Wembley Stadium	£240	Wembley National Stadium/FA	14/09/2010
Cllr Lorber	17/11/2010	Tickets to England game (given to local residents)	£50	FA/Wembley Stadium	15/12/2010
Cllr Lorber	25/11/2010	Dinner at Wembley Plaza Hotel	£30	Wembley Plaza Hotel	26/11/2010
Cllr Lorber	28/04/2011	Tour of Wembley Stadium (1 adult, 2 children)	£31	Football Association and Wembley Stadium	03/05/2011
Cllr Mashari	12/10/2010	2 tickets for England v Montenegro football match*	£80	Wembley National Stadium Limited	18/11/2010
Cllr Mashari	17/11/2010	2 tickets for England v France football match	£60	Wembley National Stadium Limited	18/11/2010
Cllr Matthews	11/08/2010	2 tickets to England v Hungary football match	£80	The Football Association	12/08/2010
Cllr McLennan	12/10/2010	2 tickets for England v Montenegro football match	£100	The Football Association and Wembley National Stadium Ltd	19/10/2010
Cllr McLennan	17/11/2010	2 tickets for England v France	£60	Wembley National Stadium Limited	18/11/2010
Cllr J Moher	11/08/2010	2 tickets England v Hungary football match at Wembley	£80	Wembley National Stadium Ltd	02/09/2010
Cllr J Moher	12/10/2010	2 tickets for England v Montenegro football match	£100	The Football Association and Wembley National Stadium	13/10/2010

Cllr R Moher	17/11/2010	2 tickets for England v France	£60	Wembley National Stadium Ltd	17/11/2010
Cllr BM Patel	11/08/2010	2 tickets England v Hungary football match - given to a friend	£80	Football Association	17/08/2010
Cllr CJ Patel	12/10/2010	5 tickets to England football match	£250	Wembley Stadium Ltd / Football Association	15/10/2010
Cllr CJ Patel	17/11/2010	2 tickets to England v France football match	£50	Football Association / Wembley National Stadium Ltd	22/11/2010
Cllr HB Patel	11/08/2010	2 tickets England v Hungary football match	£80	Football Association	17/08/2010
Cllr HB Patel	17/11/2010	2 tickets for England v France football match	£100	Wembley Stadium	18/11/2010
Cllr HM Patel	11/08/2010	2 tickets England v Hungary football match	£80	Football Association	13/08/2010
Cllr HM Patel	12/10/2010	2 tickets England v Montenegro football match	£100	Wembley Stadium	10/11/2010
Cllr HM Patel	17/11/2010	2 tickets for England v France football match	£100	Wembley Stadium	19/11/2010
Cllr Sheth	15/05/2010	Abhishek*	-	BAPS Shri Swaminarayan Manir, Neasden	01/10/2010
Cllr Sheth	12/06/2010	Yogi Jayanti dinner*	£0	Mr Vinu and Mrs Sudha Bhattessa	01/10/2010
Cllr Sheth	19/06/2010	Open day and lunch*	£0	Parish Church of St Michael the Archangel, Tokyngton	01/10/2010
Cllr Sheth	04/07/2010	4 tickets – Britain's Got Talent Live 2010*	-	Wembley Arena	01/10/2010
Cllr Sheth	06/08/2010	Jamaica's Independence Day Celebration and dinner*	£0	Parish Church of St Michael the Archangel, Tokyngton	01/10/2010
Cllr Sheth	11/08/2010	2 tickets England v Hungary football match*	£80	The Football Association and Wembley National Stadium Ltd	01/10/2010
Cllr Sheth	14/08/2010	Hanuman Aradhana*	£0	Yagnam Sanskar Mandal	01/10/2010
Cllr Sheth	15/08/2010	India's Independence Day Celebration and lunch	£0	Brent Indian Association	01/10/2010
Cllr Sheth	03/09/2010	2 tickets England v Bulgaria football match	£80	The Football Association and Wembley National	01/10/2010

Meeting  
Date

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Date

				Stadium Ltd	
Cllr Sheth	12/10/2010	2 tickets England v Montenegro football match	£100	The Football Association and Wembley National Stadium	13/10/2010
Cllr Sheth	17/11/2010	2 tickets for England v France at Wembley	£60	Wembley National Stadium Limited	18/11/2010
Cllr Singh	11/08/2010	3 tickets for England v Hungary football match	£120	Wembley National Stadium Ltd	02/09/2010
Cllr Singh	03/09/2010	2 football match tickets	£80	Football Association	08/09/2010
Cllr Thomas	03/05/2010	2 tickets to England v Egypt match	£60	Wembley Stadium and Football Association	04/05/2010

3.21 Members generally complied with the requirement to declare the gift or hospitality within 28 days. However, there are 8 instances where declarations were made outside this time limit. These gifts have been highlighted with an asterisk. Members will be reminded of the requirements

3.22 The Act requires that gifts of over £25 be registered. The Council's form requires members to provide an estimate of the value. In declarations where such information is not provided the member will be asked to provide that detail.

#### **4.0 Financial Implications**

4.1 This report contains no specific financial implications.

#### **5.0 Legal Implications**

5.1 These are addressed in the body of the report.

#### **6.0 Diversity Implications**

6.1 This report contains no specific diversity implications.

#### **7.0 Staffing Implications**

7.1 This report contains no specific staffing implications.

### ***Background papers***

*Members Register of Personal Interests*  
*Brent Members Code of Conduct*

*Local Government Act 2000*

Should any person require any further information about the issues addressed in this report, please contact Kathy Robinson Senior Local Government Lawyer on telephone number 020 8937 1368.

**Fiona Ledden**  
**Director of Law and Procurement Department**

## APPENDIX 1

### Paragraph 8 (1)

'You have a personal interest in any business of your authority where either

- (a) it relates to or is likely to affect
  - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
  - (ii) any body—
    - (aa) exercising functions of a public nature;
    - (bb) directed to charitable purposes; or
    - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

- (iii) any employment or business carried on by you;
- (iv) any person or body who employs or has appointed you;
- (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
- (vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
- (vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
- (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;

- (ix) any land in your authority's area in which you have a beneficial interest;
- (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant; or
- (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer'.




**Personal interests**

8. (1) You have a personal interest in any business of your authority where either –
- (a) it relates to or is likely to affect -
    - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority.
    - (ii) any body -
      - (aa) exercising functions of a public nature;
      - (bb) directed to charitable purposes; or
      - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),  
of which you are a member or in a position of general control or management;
    - (iii) any employment or business carried on by you;
    - (iv) any person or body who employs or has appointed you;
    - (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
    - (vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
    - (vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
    - (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
    - (ix) any land in your authority's area in which you have a beneficial interest;
    - (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you

are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;

- (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
  - (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;
- (2) In sub-paragraph (1)(b), a relevant person is –
- (a) a member of your family or any person with whom you have a close association; or
  - (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
  - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
  - (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

	<p style="text-align: center;"><b>Standards Committee</b> 6 December 2011</p> <p style="text-align: center;"><b>Report from the Director of Customer and Community Engagement</b></p>
For Information	Wards Affected: ALL
<b>Review of Members' Expenses - April 2010 to April 2011</b>	

## 1.0 Summary

- 1.1 The London Borough of Brent Members' Allowance scheme makes provision for the payment of travel expenses to members. Appendix 1 outlines expenses claimed over the period from April 2010 to April 2011.

## 2.0 Recommendations

- 2.1 Members are asked to note this report.

## 3.0 Detail

- 3.1 Part 8 of the Council's Constitution contains the Members' Allowance Scheme which explains that travel expenses may be claimed if they meet the following criteria:

- a) Any claims must be submitted in writing to the Mayor's Office Manager within two months of the date on which the duty in respect of which the entitlement to the allowance arises;
- b) A travel allowance may be claimed by a councillor, independent member or voting co-opted member in respect of the cost of travel to or from a meeting or conference or other similar event (together referred to as a meeting for the purposes of the Scheme) provided that:-
  - i) The meeting is of a type specified in the regulations (Schedule 2 of the Scheme, attached at *Appendix 2* – extract from the Local Authorities (Members allowances) (England) Regulations 2003);
  - ii) The allowance will be for reimbursement only of the reasonable costs of standard class travel;
  - iii) Expenses can only be claimed for travel undertaken outside of the borough;
  - iv) Approval of an expenses claim must be sought from the Mayor's Office Manager prior to the date of the meeting for which travel costs will be incurred;

- v) No allowances can be claimed for travel to any meeting of the Council or a meeting of a Committee or Sub-Committee of the Council, other than a Joint Committee;
  - c) Claims for car mileage allowance (fuel costs) or travel by bicycle must be made from time to time in accordance with the scheme that is in place for officers.
- 3.2 The Mayor's Office is responsible for administering the Members' Allowance Scheme and oversees the receipt, processing and payment of all appropriate expense claims submitted by members.
- 3.3 All claims submitted since May 2006 are detailed on the Brent Council website and are also publicly available for inspection at the Mayor's Office.
- 3.4 Since the last time members of the Standards Committee examined members' expenses, on the 3 November 2010, the following actions have been carried out as result of concerns raised by the committee:
- A letter was sent to all group offices on behalf of the Standards Committee asking all members to consider taking the cheapest form of transport when making a journey or to consider car sharing when possible.
  - In order to increase transparency members have been instructed of the need to make separate claims for each meeting/event attended. Since November 2010 there have been no occasions where members have claimed for more than one event on one claim form.

#### **4.0 Financial Implications**

- 4.1 The total amount spent on claims made between April 2010 and April 2011 was £273.17

#### **5.0 Legal Implications**

- 5.1 The Local government (Members' Allowances) (England) Regulations 2003, as amended, requires the council to have the records available for public inspection by appointment. During the period from 1 April 2010 to 1 April 2011 nobody came to inspect the records personally.

- 5.3 London Councils last year reconstituted its Independent Remuneration Panel and commissioned a new report from its members. Prior to its reconstitution, the most recent report by the Independent Panel on the remuneration of councillors in London was published in 2006. The new report was published in May 2010 and was available for members and officers to refer to during consideration of the members' allowance scheme which was agreed at the meeting of the full Council on 13 September 2010.

#### **6.0 Diversity Implications**

- 6.1 There are no diversity implications arising from this report.

## **Background Papers**

Brent Council Constitution, Part 8;  
The Local Authorities (Members Allowances) (England) Regulations 2003;  
The reports of the Independent Remuneration Panel to London Councils December 2006 and May 2010.

### **Contact Officer:**

Any person wishing to inspect these documents should contact Rhiannon Leary, Mayor's Office & Member Development Manager, Room 202, Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD. Tel. 020 8937 1158.

**TONI MCCONVILLE**  
**Director of Customer and Community Engagement**

**Appendix 1 – summary of members’ expenses claimed from April 2010 to April 2011**

<b>Councillor Name (Claimant)</b>	<b>Nature of expense</b>	<b>Date expense incurred</b>	<b>Date claim submitted</b>	<b>Mode of travel</b>	<b>Value of claim</b>	<b>Claim Approved/rejected</b>
Cllr Ashraf	Travel expenses incurred for travel to an Capital Ambitions event on shared services for members	07/02/11	09/03/11	Train and Bus	£6.40	Approved
Cllr Ashraf	GLA welcome reception for new councillors	01/07/10	08/07/10	Tube	£6.30	Approved
Cllr S Choudhary	Travel expenses incurred for travel to Local Government Conference Pension summit	08-10/09/10	3/10/10	Train & coach	£55.00	Approved
Cllr Crane	Travel expenses incurred for travel to Local Government Conference Pension summit	08-10/09/10	4/10/10	Car	£158.49	Approved
Cllr Lorber	Transportation meeting with Brent officers and Chiltern Railways	22/07/10	22/07/10	Tube	£10	Approved
Cllr Van Colle	Travel expenses incurred for travel to meetings of London Councils, Traffic Flow conference Westminster and West London Waste Authority	Various	12/04/10	Car	£36.98	Approved

## **Appendix 2 – Schedule 2 of the members’ allowance scheme, Part 8 of the Brent Constitution**

### **SCHEDULE 2**

#### **Extract from The Local Authorities (Members Allowances) (England) Regulations 2003**

##### **Travelling and subsistence allowance**

8. (1) A scheme may provide for the payment to members of an authority of an allowance in respect of travelling and subsistence ("travelling and subsistence allowance"), including an allowance in respect of travel by bicycle or by any other non-motorised form of transport, undertaken in connection with or relating to such duties as are specified in the scheme and are within one or more of the following categories -
- (a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
  - (b) the attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that -
    - (i) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited, or
    - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
  - (c) the attendance at a meeting of any association of authorities of which the authority is a member;
  - (d) the attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;
  - (e) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
  - (f) the performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorize the inspection of premises;
  - (g) the performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996, and
  - (h) the carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees or sub-committees.

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