



Standards Committee

Wednesday, 3 November 2010 at 7.00 pm

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

Membership:

Members

Independents:

John Mann (Chair)

Angela Ruotolo (Vice-Chair)

first alternates

Sola Afuape

Sheila Darr

second alternates

Councillors:

Gladbaum

Beck

Colwill

Long

Leaman

HB Patel

Harrison

Lorber

HM Patel

For further information contact: Anne Reid
020 8937 1359, 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**

1 Declarations of personal and prejudicial interests

Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.

2 Minutes of the previous meeting 1 - 4

3 Sub-Committee membership changes (if any)

4 Annual Report of the Monitoring Officer (Including the Review of the Register of Gifts and Hospitality and the Register of Member's Interests) 5 - 20

This is the Monitoring Officer's Annual Report to the Standards Committee for the period May 2009 to April 2010. This report provides an update on member conduct issues, and the work of the Standards Committee and the Monitoring Officer during that period.

Ward Affected: All Wards; **Contact Officer:** Toni McConville,
Director of Customer and Community
Engagement
Tel: 020 8937 1079
toni.mcconville@brent.gov.uk

5 Review of Members' Expenses - April 2009 to April 2010 21 - 28

The London Borough of Brent Members' Allowance scheme makes provision for the payment of travel expenses to members. This report outlines expenses claimed over the period from April 2009 to April 2010.

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

6 Date of Next Meeting

The next meeting of the committee is scheduled to take place on 19 January 2011.

7 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 Wednesday, 24 March 2010 at 7.00 pm

PRESENT: John Mann (Chair), Rochelle Gelman (Vice-Chair) and Bessong, Councillors Colwill and J Moher

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

None.

2. **Welcome**

The committee welcomed Fiona Ledden to her first meeting following her appointment as Borough Solicitor.

3. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 20 January 2010 be approved as an accurate record of the meeting.

4. **Matters arising**

Planning Code of Practice Review

The question was raised on how to ensure that all three members representing a ward were not mistakenly appointed to the Planning Committee and it was agreed that the political group offices would be reminded at the appropriate time.

5. **Annual Review of the Member Development Programme May 2009 - April 2010**

The Mayor's Office and Member Development Manager introduced the annual report which outlined activities undertaken since May 2009, feedback from members and constraints on the programme. She advised that the council would be going ahead with the e-learning package 'Modern Councillor' to start in September 2010. This could be part funded through the Capital Ambition Board. It was noted that member development training sessions would move from Thursdays to Mondays where possible at the request of the member development steering group. Attention was drawn to the programme of induction events to be delivered following the local elections in May 2010 which would include training on the Members' Code of Conduct.

The committee noted with concern that there were a significant number of occasions where members had failed to attend courses on which they had been booked, sometimes cancelling at short notice without reasons being given, resulting in a loss of money. It was agreed that a letter from this committee should be sent to the political group offices advising of this concern and reminding of the value of training in enabling them to properly fulfil their representative roles. In future, the committee would also wish to be notified of those members that had failed to attend external courses on which they had been booked. The committee agreed that feedback questionnaires should be completed for external courses. It was further agreed that independent members should be notified of training on offer so that they could consider attending. Elected members would continue to have precedence for places.

Members thanked the Mayor's Office and Member Development Manager for her interesting and informative report.

RESOLVED:

that the report be noted.

6. Standards for England Statistics

The Borough Solicitor introduced the report which highlighted some of the statistics provided by Standards for England about the complaints received by the standards committees of local authorities. She referred to one of the reports that related to a complaint investigated by this authority and comments made therein by the Adjudication Panel which had been considered unhelpful. It had been clarified that no criticism of this committee had been intended and the Board were happy to discuss the matter further if thought necessary.

RESOLVED:

that the report be noted.

7. Annual Work Programme 2010/11

Members considered the report which set out work carried out in the previous year and a proposed work programme for the municipal year 2010/11. The Borough Solicitor invited views on any items for inclusion. She advised of the intention to programme future reviews for earlier in the year and noted the request for the networking event to be scheduled for later in the calendar year if possible.

RESOLVED:

that the proposed work programme for 2010/11 be agreed.

8. Sub-Committee membership changes

None.

9. Date of Next Meeting

It was noted that the next meeting of the committee would be agreed by the annual meeting of the Full Council in May.


10. **Vote of thanks**

This being the last scheduled meeting of the committee for the municipal year before the local elections in May, the Chair on behalf of the committee thanked independent members and officers for their work and contributions. Members in turn thanked the Chair for the manner in which he had conducted business over the past years.

The meeting closed at 7.30 pm

JOHN MANN
Chair

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	<p style="text-align: center;">Standards Committee 3 November 2010</p> <p style="text-align: center;">Report from the Borough Solicitor</p>
For Action	Wards Affected: ALL
<p style="text-align: center;">Annual Report of the Monitoring Officer (Including the Review of the Register of Gifts and Hospitality and the Register of Member's Interests)</p>	

1.0 Summary

1.1 This is the Monitoring Officer's Annual Report to the Standards Committee for the period May 2009 to April 2010. 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:

- John Mann (Chair), Independent Member
- Rochelle Gelman (Vice-Chair), Independent Member
- Shelia Darr, Alternate Independent Member
- Councillor Reg Colwill (Conservative)
- Councillor James Moher (Labour)
- Councillor Daniel Bessong (Liberal Democrat)

Appointment of the Independent Members

- 3.2 The two year appointment of the independent members mentioned above ended in May 2010. The Council advertised the roles both in the Brent magazine and the local press. The Council received an excellent response of 28 applications. Following a short listing and interview process, members decided to appoint four instead of three independent members to allow for attendance at the sub committees and to enable succession planning. Those members are John Mann, Angela Ruotolo, Sola Afuape and Sheila Darr. Each is appointed for a term of office of two years commencing May 2010.

The Committee's work during 2009-2010

- 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 meets 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 At its meeting on 25 August 2008 the Committee considered a report summarising the new Standards Committee (Further Provisions) (England) Regulations which set out the circumstances in which Standards for England could suspend a Standards Committee from carrying out certain functions, provided a power to establish Joint Standards Committees and included amendments to the grounds on which the committee can grant a dispensation to a member who would otherwise be prohibited from participating on a matter of prejudicial interest. The Committee was also informed of guidance issued in August 2009 for members involved in outside bodies which included the types of organisations to which a member may be appointed.
- 3.6 At its second meeting, on 5 November 2009 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 third meeting on 23 January 2010 the Committee considered the annual review of the Planning Code of Practice. Various amendments to the Planning Code of Practice were approved and it was agreed that in view of the ongoing improvements noted in recent reviews that the frequency of review be reduced to once every two years.
- 3.8 At its fourth meeting on 24th March 2010 members considered the Annual Review of the Member Development Programme, the Standards for England Statistics and decided the annual work programme for 2010/11.

Complaints against members

- 3.9 Since April 2008 this Standards Committee has been responsible for receiving and dealing with complaints. During the period May 2009 to April 2010 there were three complaints against councillors dealt with by the Committee.
- 3.10 In January 2009 complaints were referred to the Standards Committee by an officer and a councillor regarding Councillor Bertha Joseph (as she was at the time). A decision was made by the Committee that an investigation should be undertaken and that the matter should remain with the Standards Committee rather than be referred to Standards for England. Some allegations were found not to constitute a breach of the Code of Conduct. Other allegations proceeded to be considered at a hearing of the Standards Committee on 13th October 2009. Members found breaches had occurred and a decision was made to suspend Councillor Joseph for 6 months. Councillor Joseph appealed the decision and the matter was heard by the First Tier Tribunal on 9th February 2010. The Tribunal upheld the decision of the Standards Committee and Councillor Joseph remained suspended. Ms Joseph stood for re election in the local elections in May 2010 but was unsuccessful, and is no longer a councillor. This was the first complaint considered and decided by the Council under the new standards arrangements.
- 3.11 On 24th March 2010 the Standards (Initial Assessment) Sub Committee considered a complaint against Councillor Malik who was a member of this Council for the period May 2006 – 2010 but who was not re elected in the local elections in May 2010 and is therefore no longer a councillor. The Committee decided that the matter should be referred to Standards for England in view of the nature of the complaint, the complexity of the investigation and the involvement of the police.
- 3.12 On 29th April 2010 the Standards (Initial Assessment) Sub Committee considered another complaint against Councillor Joseph. As mentioned above 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. Based on a number of factors, including the time lapse between the alleged incident and the complaint, the Initial Assessment Sub Committee decided that no action be taken. The complainant requested a review and at the Review Sub Committee on 8th July the decision to take no action was upheld.

Monitoring Officer Advice Notes

3.13 During the period May 2009 to April 2010 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. Those issued for the period covered by this report are set out below.

Number	Subject	Date Issued
42.	Annual Conduct Letter 2009	14.8.09
43.	Guidance for Members Involved in Outside Bodies	14.8.09
44.	Changes to the Planning Code of Practice	16.4.10

Networking

3.14 The annual networking event for the 2009/10 year was held on 12th January 2010. The Council hosted 26 guests from Brent, Ealing, Hammersmith and Fulham, Hounslow, Hillingdon, Harrow, Islington, Barnet and Kensington and Chelsea Standards Committees. Peter Keith- Lucas provided the speeches on *Confidentiality and Standards Hearings*, and *Review of Recently Reported Standards Cases; trends and lessons to be learned*. 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

3.15 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.

- 3.16 The interests that were required to be registered are set out in paragraph 8 of the Code of Conduct. These are set out in **Appendix 1**.
- 3.17 In November 2009 a full review of the members' register of personal interests was carried out as part of the internal audit programme. The audit showed that on the whole councillors were updating the register properly and the instances of failure to do so were minimal. For example, there was one possible non compliance identified regarding failure to register ownership of land in the borough, and four cases where a change in school governor status did not appear to have been declared. There were also some instances where members had not updated their role on outside bodies. These were followed up with the members concerned.
- 3.18 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. In September 2010 members were reminded by correspondence of the possible pitfalls and common errors and were asked to check their declarations. Also in September 2010 Group Offices were asked to remind members about appointments to outside bodies including LEA governor and children centre appointments.
- 3.19 The current position in October 2010 is that there are two members who have not declared appointments to outside bodies, one outstanding issue in relation to the appointment of a Children Centre Board, nine queries relating to members' property interests in the borough, and some members have not yet declared membership of a political party. These are being actively followed up.

Gifts and Hospitality

- 3.20 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.
- 3.21 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 1st May 2009 – 31st April 2010

Councillor's Name	Date of gift / receipt of hospitality	Details of gift / hospitality	Estimated Value*	Person / Body providing gift / hospitality	Date of declaration
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Cllr Ahmed	03/03/10	Ticket to England v Egypt match at Wembley	£30	Football Association and Wembley Stadium Ltd	03/03/10
Cllr Anwar*	11/4/2010	2 tickets to England game + hospitality	£200	Quintain Ltd	13/5/2010
Cllr Baker	03/03/10	2 tickets to England v Egypt at Wembley Stadium	£80	Communications Dept.	06/03/10
Cllr Bessong	14/10/09	Ticket to England game at Wembley Stadium	£100	F.A.	02/11/09
Cllr Bessong*	05/09/09	Wembley Stadium tickets	£100	Quintain	12/10/09
Cllr Bessong	30/05/09	Ticket to FA cup final at Wembley Stadium	£100	Football Association	11/06/09
Cllr Beswick	03/03/10	England international v Egypt	£40	Football Association	03/03/10
Cllr Beswick	12/09/09	Award presentation plaque	approx. £50	Jamaica Building Society	21/09/09
Cllr Blackman	14/10/09	2 x tickets for England v Belarus	£60	Wembley Stadium	28/10/09
Cllr Blackman	3/3/2010	2 tickets for England v Egypt	£60	Wembley National Stadium	19/3/2010
Cllr V Brown	07/12/09	17 piece tea service	NK	Mr V Shah	24/12/09
Cllr Butt	05/09/09	1 ticket to watch England v Slovenia internation football match	£45	Wembley Stadium Ltd	01/10/09
Cllr Chavda	26/10/09	Attended dinner in honour of the President of India	over £25	The High Commission of India	12/11/09
Cllr Colwill	03/03/10	2 tickets to Wembley Stadium	£60	Via Communications Dept.	01/03/10
Cllr Colwill	28/02/10	Cup final ticket/hospitality	£100	Quintain	01/03/10
Cllr Colwill	14/10/09	Two tickets England v Belarus	£N/K	Via Communications Dept.	27/10/09
Cllr Crane	10/09/09	Dinner at Pension Conference	£100	Henderson Asset Management	14/09/09
Cllr Eniola	03/03/10	2 tickets to England v Egypt at Wembley	£80	Communications Dpet.	13/03/10
Cllr Farrell	03/03/10	2 tickets to England v Egypt football match	£60	Wembley Stadium	03/03/10
Cllr John	08/03/10	2 DVDs	£25	BTWSC (community organisation)	15/03/10
Cllr John	09/09/09	2 tickets for	not known	Wembley National	07/09/09

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		England v Croatia at Wembley Stadium	>£25	Stadium Ltd	
Cllr John	29/08/09	2 tickets for the rugby league cup final at Wembley Stadium	not known >£25	Wembley National Stadium Ltd	07/09/09
Cllr John	9/08/09	3 tickets for the Charity Shield at Wembley Stadium	£300	Peter Swordy Wembley Stadium	7/08/09
Cllr John	9/05/09	Party to celebrate the award of an OBE from HM the Queen	Not known	The Trustees of the Swaminaryan Temple, Brentfield Road	11/05/09
Cllr Jones	22/3/2010	Voucher equivalent sum £20 given to Mayor's Charity	£20	Resident – 20 Chapter Road, NW2	23/3/2010
Cllr Kansagra	05/09/09	England v Slovakia tickets at Wembley Stadium	unknown	via Communications Dept	14/09/09
Cllr Long	18/12/09	Meal, drinks and gift at Christmas dinner	£25 approx	Fortunegate Elders Forum	19/12/09
Cllr Long	28/10/09	Meal after awayday	£25 approx.	Fortunegate Community Housing	2/11/09
Cllr Long	05/09/09	Ticket to England v Slovekia football friendly	unknown	Wembley Stadium	08/09/09
Cllr Lorber	28/01/10	Lunch for Phil Sealy's OBE	£25 est.	Leari Constantine Centre	09/02/10
Cllr Lorber	26/11/09	Dinner at the Plaza (annual event) - invited as Leader of the Council	£40	Jack Nicholas and The Plaza Hotel, Wembley	30/11/09
Cllr Lorber	09/08/09	FA Community Shield tickets and hospitality	£200 (est)	Quintain Development Ltd	18/08/09
Cllr Lorber	30/05/09	FA cup final ticket	£100	Football Association to Leader of the Council	1/06/09
Cllr Matthews	03/03/10	2 tickets to England v Egypt at Wembley	£100	Wembley National Stadium Ltd and FA	09/03/10
Cllr Matthews	05/09/09	2 tickets to England v Slovenia Wembley Stadium	£250	Wembley Stadium	09/09/09
Cllr Mendoza	03/03/10	2 tickets to England v Egypt	£60	Football Association and Wembley Stadium Ltd	03/03/10
Cllr J Moher	03/03/10	2 tickets for Wembley Stadium football	£60	Wembley National Stadium	03/03/10
Cllr Moloney	03/03/10	Tickets to Wembley	£60	Football Association	03/03/10

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Cllr Moloney	05/09/09	Tickets to Wembley Stadium	£90	Wembley PLC	06/09/09
Cllr Motley	14/10/09	Tickets to football match at Wembley	£100	Wembley Stadium via Group Office	23/10/09
Cllr O'Sullivan	28/02/10	2 tickets to Carling Cup Final	£100	via Communications Dept.	10/03/10
Cllr O'Sullivan	27/02/10	Plasma TV Waterford crystal	£450 £100	Won in raffle at Leitrim Association Dinner and Dance Mayors' function	10/03/10
Cllr O'Sullivan	06/02/10	Dinner function	£80	Mr Tim Clifford (friend)	16/02/10
Cllr O'Sullivan	27/11/09	Belleek candle holder Silk tie (Kells) Kells biro Cork County flag	£25 £10 £10 £6	Meath Association, London	07/12/09
Cllr O'Sullivan	20/11/09	Crystal bowl	£35	Beara Association, London	07/12/09
Cllr O'Sullivan	28/10/09	Silk Scarf	£25	Chinese delegation visiting Brent	28/10/09
Cllr O'Sullivan	18/05/09	Mont Blanc	£100	James O'Connell	27/05/09
Cllr O'Sullivan	15/05/09	Voucher for dinner at Gallery restaurant, 407-441 Hendon Way	£100	Brendon Breen	27/05/09
Cllr HB Patel	05/09/09	Wembley Stadium two tickets for friendly football match	unknown	Wembley Stadium via Communications section	07/09/09
Cllr HM Patel	05/09/09	England v Slovakia friendly match at Wembley Stadium	unknown	via Communications Dept	14/09/09
Cllr Pervez *	05/09/09	Football match tickets at Wembley, England v Slovakia	£50 x2	Football Association	23/11/09
Cllr Sneddon	14/10/09	Ticket to Wembley	£50 (est)	Football Association	13/10/09
Cllr Thomas	03/03/10	2 tickets to England v Egypt match	£60	Wembley Stadium and FA	02/03/10
Cllr Van Colle	12-15/11/09	Fact finding trip to Germany to look at waste sites organised by Chartered Institute of Waste Management	unknown	Financed in part by West London Waste Authority (paid for travel costs) and subsidised by a manufacturer of waste bins in Germany (Brent is not supplied by this company)	21/11/09
Cllr Van Colle	20/10/09	Guest at President's Dinner, Chartered	£100 (?)	CIWM invitation, in role as Chairman, West London Waste	28/10/09

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		Institute of Waste Management		Authority	
Cllr Van Kalwala	05/09/09	1 ticket to watch England v Slovenia international football match	£45	Wembley Stadium Ltd	01/10/09

3.22 Members generally complied with the requirement to declare the gift or hospitality within 28 days. However, there are three instances where declarations were made outside this time limit. These gifts have been highlighted with an asterisk.

3.23 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.

Proposed Work Programme for the Standards Committee 2010 -11

3.24 On 24 March 2010 the Standards Committee agreed a work programme for the forthcoming year which is set out in the table below.

Work Programme for 2010/11

	Name of Report	Proposed
1	Report on Standards for England Annual Review 2008/9, Standards for England research and areas of good practice	Meeting 1
2	Annual Report of the Monitoring Officer for period May 2009 – May 2010 (including the review of member interests and review of gifts and hospitality)	Meeting 1
3	Annual review of members' expenses for period May 2009 – May 2010	Meeting 1
4	Standards Committee review of Local Procedures	Meeting 2
5	Review of Licensing Code of practice	Meeting 2
6	Review of Induction programme	Meeting 2
7	Nationally reported conduct cases and lessons to be learnt	Meeting 3
8	Annual review of Standards Board Statistics and Reports	Meeting 4
9	Annual review of the member development programme	Meeting 4
10	Annual work programme for 2010/11	Meeting 4

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11	Annual networking event	Special meeting
12	Training: Standards for England DVD on assessments and workshop	Special meeting

3.25 There have been some changes to this programme. The first meeting did not take place since the Chair was not available and there were no pressing matters. Items 1,4 and 7 have been postponed pending further clarity on the future of the Standards regime which is to be revised under the Decentralisation and Localism Bill expected in the Autumn 2010. Item 8 may also be withdrawn from the work programme: Standards for England are no longer collecting statistics on conduct cases and have produced no new guidance for some time. The Government have made it plain that Standards for England is to be abolished as part of the review of the standards regime.

3.26 Items 2 and 3 are being considered at the second meeting of the Standards Committee. Item 5 is to be considered at the third meeting: Outside solicitors were commissioned to undertake the Licensing Review on 10th September 2010. The Review has been started but could not be completed by the second meeting of the Standards Committee because the solicitors have not yet been able to interview all those involved. The exercise is complicated in part by the change of membership of the Licensing Committee since the local elections.

3.27 Item 6 will not proceed at the second meeting because the induction programme is ongoing into the Autumn 2010 and the item can be included in the report under item 7.

3.28 The dates for items 9 and 10 have yet to be set.

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

Register of Gifts and Hospitality
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).

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	<p style="text-align: center;">Standards Committee 3 November 2010</p> <p style="text-align: center;">Report from the Director of Customer & Community Engagement</p>
For Information	Wards Affected: ALL
<p style="text-align: center;">Review of Members' Expenses - April 2009 to April 2010</p>	

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 2009 to April 2010.

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 now detailed on the Brent Council website and are also publicly available for inspection at the Mayor's Office.

4.0 Financial Implications

- 4.1 There is no specific budget for Members' expenses. However payments made through the members' allowance scheme would normally be recharged. For example, if travel is incurred as a result of attending a member development event, this would be recharged to the member development budget.

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 2009 to 1 April 2010 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 13th 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 Elly Cook, 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 from April 2009 to April 2010

Councillor s' Name (Claimant)	Nature of expense	Date expense incurred	Date claim submitted	Value of claim	Mode of travel	Claim Approved/ rejected
Cllr Ahmed	Travel expenses incurred for travel to Leadership Academy in Warwick	27/06/09-28/06/09	03/08/09	£59.90	Train and Taxi	Approved
Cllr Crane	Travel expenses incurred for travel to Local Government Pensions Conference in Newport	09/09/09 - 11/09/09	14/09/09	£173.75	Car	Approved
Cllr Dunwell	Travel expenses incurred for travel to national parking & traffic management conference (Manchester).	11/06/09	24/06/09	£232.45	Car	Approved
Cllr Lorber	Travel expenses incurred for travel to Camden for a Leaders' meeting	15/03/10	15/03/10	£8.00	Underground Train	Approved
Cllr Lorber	Travel expenses incurred for travel to London Partnership Meeting, London Councils and Iberian American Reception	Between 22/09/09 and 17/11/09	30/11/09	£9.80	Underground Train	Approved
Cllr Lorber	Travel expenses incurred for travel to London Leader's Congress,	Between 29/04/09 and 22/05/09	02/06/09	£14.40	Underground Train	Approved

	London Councils meeting and meeting with the Mayor of London at City Hall					
Cllr Sneddon	Travel expenses incurred for travel to Leadership Academy in Warwick	13/07/09 - 15/07/09	03/08/09	£38.90	Train	Approved
Cllr Van Colle	Travel expenses incurred for travel to meetings of London Councils, Traffic Flow conference Westminster and West London Waste Authority	Between 09/12/09 and 07/04/10	12/04/10	£36.98	Car	Approved
Cllr Van Colle	Travel expenses incurred for travel to West London Waste Authority and London Council meetings	Between 13/08/09 and 30/11/09	11/12/09	£75.78	Car and Taxi	Approved
Cllr Van Colle	Travel expenses incurred for travel to meetings of London Councils and West London Waste Authority	Between 03/10/08 and 21/07/09	04/08/09	Travel £142.87 Refreshments £6.50	Car	Part approved. Rejected claim for refreshments

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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