



## Standards Committee

**Wednesday, 4 November 2009 at 7.00 pm**

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

### Membership:

#### Members

Independents:

**John Mann (Chair)**

**Rochelle Gelman (Vice-Chair)**

#### first alternates

Darr

#### second alternates

Councillors:

**Bessong**

**Colwill**

**J Moher**

Leaman

HB Patel

Butt

Cummins

Detre

Beswick

**For further information contact:** Anne Reid, Principal Democratic Services Officer,  
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 meetings</b>	1 - 8
<ul style="list-style-type: none"><li>- 25<sup>th</sup> March 2009</li><li>- 25<sup>th</sup> August 2009</li><li>- 13<sup>th</sup> October 2009 (to follow)</li></ul>	
<b>3 Review of Members' Expenses</b>	9 - 16
The London Borough of Brent Members' Allowance scheme makes provision for the payment of travel expenses to members. Appendix 1 of this report outlines expenses claimed over the period from April 2008 to April 2009.	
<i>Appendices 1 and 2 are attached for information</i>	
<b>4 Annual Report of the Monitoring Officer (including the Review of the Register of Gifts and Hospitality and the Register of Members' Interests)</b>	17 - 26
The Monitoring Officer's Annual Report for the period May 2008 to April 2009 is presented to the Standards Committee for members' consideration. This report provides an update on member conduct issues, and the work of the Standards Committee and the Monitoring Officer during that period.	
<i>Appendix 1 is attached for information</i>	
<b>5 Sub-Committee membership changes (if any)</b>	
<b>6 Any Other Urgent Business</b>	
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.	

## 7 Date of Next Meeting

The next meeting of the Standards Committee is scheduled for the 20<sup>th</sup> January 2010.



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 Grand Hall.
- A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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# Agenda Item 2

## **MINUTES OF THE STANDARDS COMMITTEE** **Wednesday, 25<sup>th</sup> March 2009 at 7.00 pm**

PRESENT: John Mann (Chair, Independent Member), Rochelle Gelman (Vice-Chair, Independent Member) and Councillor Butt (for Councillor J Moher).

Apologies for absence were submitted on behalf of Councillors Colwill and J Moher.

Sheila Darr (alternate Independent Member) also attended the meeting.

### **1. Declarations of Personal and Prejudicial Interests**

None declared.

### **2. Deputations**

There were none.

### **3. Minutes of the Previous Meeting**

RESOLVED:-

that the minutes of the previous meeting held on 21<sup>st</sup> January 2009 be approved as an accurate record.

### **4. Annual Review of Member Development Programme May 2008-April 2009**

The report from the Mayor's Office and Member Development Manager, Rhiannon Leary, reviewed the Member Development Programme. In introducing the report, she outlined the activities undertaken since May 2008, the feedback from members, and identified constraints on the programme. Consideration was also given to future development of the programme and to additional training opportunities for members which have arisen as a result of new legislation, such as the 'Councillor Call for Action'.

The committee noted that the member development budget had been reduced to £15,000 and the Mayor's Office and Member Development Manager confirmed that requests to attend courses were each considered on their merits. She assured that funding should be sufficient to meet induction arrangements for newly elected councillors in 2010. She was currently considering issuing guidance on external courses. The committee agreed that the independent members on the committee may benefit from having personal development plans and should be kept informed of future training events.

The committee thanked the Mayor's Office and Member Development Manager for her comprehensive report.

RESOLVED:

- (i) that the Annual Review of Member Development Programme report be noted;

- (ii) that the independent members on this committee be kept informed of training events.

**5. Standards Board for England Statistics**

The report from the Borough Solicitor highlighted some of the latest statistics provided by the Standards Board for England about the number of complaints received by the standards committees of local authorities, the number of matters investigated and the decisions that were made. Members noted that under the new arrangements in place, no complaints had been received in the first three quarters about Brent councillors however three had been received in the last quarter. The Standards Board's statistics reveal that a significant proportion of allegations across the country were not referred for investigation, more than in the previous year. The committee were pleased to note that Brent's statistics were relatively low in comparison with the rest of the country.

RESOLVED:-

that the report on the Standards Board for England's statistics be noted.

**6. Annual Work Programme**

This report set out the work of the Standards Committee over the past municipal year and also contained a proposed work programme for the committee for the forthcoming municipal year for 2009/10. The committee recalled the networking event hosted earlier in the year, with James Goudie QC as the main speaker, which had been well received and had also been a good opportunity to meet a wide range of elected and independent members. Consideration could be given to extending the opportunity to other boroughs however care should be taken to avoid the event becoming too large.

RESOLVED:-

that the proposed work programme for 2009/10 be agreed.

**7. Sub-Committee Membership Changes**

RESOLVED:-

that the following changes to the sub-committee memberships be approved:

**Standards Initial Assessment Sub-Committee**

**Member**  
J MOHER

**1<sup>st</sup> alternate**  
Butt

**2<sup>nd</sup> alternate**  
Beswick

## **Standards (Review) Sub-Committee**

**Member**  
BESWICK

**1<sup>st</sup> alternate**  
Butt

**2<sup>nd</sup> alternate**  
J Moher

### **8. Date of next meeting**

It was noted that the date of the next meeting would be agreed at the Annual Meeting in May 2009.

### **9. Any other business**

There was none.

The meeting ended at 7.30pm.

J MANN  
Chair

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**Minutes of the Standards Committee  
25 August 2009 at 7.00pm**

Present: John Mann (Chair, independent member), Rochelle Gelman (Vice Chair, independent member), Bessong, J Moher and HB Patel (for Colwill).

Sheila Darr (independent member) was also in attendance at the meeting.

Apologies for absence were submitted on behalf of Councillor Colwill.

**1. Declarations of interest**

Councillor HB Patel declared a personal interest in the item relating to the allegation of a breach of the Code of Conduct as he was Deputy Mayor of Brent at the time the alleged incidents took place.

**2. Minutes of previous meeting**

RESOLVED:

that the minutes of the previous meeting held on 2 July be approved as an accurate record.

**3. Standards for England Intervention, Joint Standards Committees and Dispensations**

The report from the Borough Solicitor summarised the new Standards Committee (Further Provisions) (England) Regulations which came into force on 15 June 2009. These set out the circumstances in which Standards for England could suspend a Standards Committee from carrying out certain functions, provide a power to establish Joint Standards Committees and amend 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 heard that the Regulations were based on the new system of determination set out in the Local Government and Public Health Involvement in Health Act 2007 and as such were not new. Guidance was expected to be published later in the week.

RESOLVED:

that the report be noted.

**4. Guidance for members involved in outside bodies**

The Committee heard that guidance for members involved in outside bodies was issued on 14 August setting out general obligations for members involved in outside bodies and also the types of organisations to which that a member may be appointed. The Council had earlier in the year completed a review and updated its guidance which was subsequently adopted by the General Purposes Committee on 30 June 2009.

RESOLVED:

that the guidance issued by the Borough Solicitor as attached at Appendix 1 to her report be noted.

**5. Committee membership changes**

None.

**6. Exclusion of press and public**

RESOLVED:

that the press and public be now excluded from the meeting as the report and appendix to it are not for publication because it contains a confidential report that will be presented to the Standards Committee set up to consider a matter under Regulation 17 of the Standards Committee (England) Regulation 2008.

**7. Allegation of a breach of the Code of Conduct**

The committee had before it a report from the Borough Solicitor which introduced a report from an independent investigator into two allegations of misconduct against a councillor referred for investigation by the Standards (Initial Assessment) Sub-Committee on 21 January 2009 and on 2 July 2009 a further allegation referred for investigation. The committee was required to either agree that there had been no breach of the Code of Conduct, to hold a hearing to determine whether there had been a breach of the Code of Conduct or to refer the matter to the Adjudication Panel for England for a hearing.

The Borough Solicitor advised the committee that the first matter on which a decision was required was whether this meeting should be held in public, and the report be publicly available. The test to be applied was whether the public interest in holding the meeting in private outweighed the public interest in disclosure. After some discussion, the committee agreed to hold the remainder of the meeting in public and agreed by

majority that the investigator's report into allegations of misconduct by Councillor Joseph be publicly available. The committee noted that a revised version of the investigator's report had been circulated following the receipt of comments from the councillor concerned, Councillor Joseph, in relation to one of the allegations.

The committee next considered the allegations set out in the investigator's report in order to come to a conclusion on whether there was a case to answer, in which case a hearing would be necessary. The Borough Solicitor referred members to the allegations summarised in her report.

In relation to the allegation that Councillor Joseph breached the Code of Conduct by failing to register gifts and hospitality in relation to a trip to Dominica in 2006, the Borough Solicitor stated that whilst there were some conflicts in the evidence, the investigator found that, on balance the trip was official and that there was no breach of the Code. Similarly, in relation to items received from certain local businesses in the borough, the investigator was of the view that there was insufficient evidence to prove a breach of the Code of Conduct had taken place and consequently there was no need for a hearing into this allegation. In connection with the allegation that the Councillor obtained gifts from two local businesses (Malcolm Butchers and Twinstar Motors) and failed to register them within 28 days, the investigator was of the view that there had been a breach of the Code of Conduct which warranted a hearing by the Standards Committee.

The Borough Solicitor outlined the options open to the committee namely to come to a view that no breach had occurred, to agree that a breach had occurred and to conduct a hearing or to refer the matter to the Standards Adjudication Panel for adjudication.

The committee agreed that given the conflicting evidence there was little value in conducting a hearing into the receipt of gifts and hospitality from overseas nor of the gifts received from certain local businesses. In relation to gifts from Malcolm Butchers and Twinstar Motors the committee agreed that a hearing should be convened to hear allegations that Councillor Joseph brought her office into disrepute, that she had used her position to gain an advantage for herself and that she failed to register the receipt of the gifts within the prescribed period. The committee agreed to hold a hearing into these allegations notification of which would be sent in accordance with the agreed procedures.


RESOLVED:-

- (i) that the public interest in holding the meeting in public outweighed the public interest in having the meeting in private and that the meeting should be held in public;

- (ii) that that the investigator's report be made public;
- (iii) that in relation to the allegation that Councillor Joseph breached the Code of Conduct by failing to register gifts and hospitality from a trip to Dominica in 2006 that there has been no breach of the Code of Conduct;
- (iv) that in relation to the allegation that Councillor Joseph breached the Code of Conduct by failing to register the receipt of gifts from Wembley Printing, Spema Print Finishers, Gentle Care Home Care Services and Alexandra Motors that there has been no breach of the Code of Conduct;
- (v) that in relation to the allegation that Councillor Joseph breached the Code of Conduct by failing to register the receipt of gifts from Twinstar Motors and Malcolm Butchers within 28 days of receiving the gifts, a hearing be held to determine whether there has been a breach of the Code of Conduct.
- (vi) that in relation to the allegation that Councillor Joseph brought her office into disrepute by seeking and obtaining cash gifts which were used to buy items that conferred a personal benefit on her, a hearing be held to determine whether there has been a breach of the Code of Conduct;
- (vii) that in relation to the allegation that Councillor Joseph used her position to gain an advantage for herself by seeking and obtaining cash gifts which were used to buy items that conferred a personal benefit on her, a hearing be held to determine whether there has been a breach of the Code of Conduct.

The meeting ended at 8.10pm.

JOHN MANN  
Chair

	<p><b>Standards Committee</b> 4 November 2009</p> <p><b>Report from the Director of Communication and Diversity</b></p>
For Information	Wards Affected: None
<p><b>Review of Members' Expenses - April 2008 to April 2009</b></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 2008 to April 2009.

## 2.0 Recommendation

- 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 publish expenses paid under the Members' Allowances scheme on a yearly basis in a locally circulating newspaper. The yearly expenses for the period covered by this report were duly published on 28 May 2009 in the Wembley Observer.
- 5.2 It is also a requirement to have the records available for public inspection by appointment. During the period from 1 April 2008 to 1 April 2009 nobody came to inspect the records personally. However, two Freedom of Information (FOI) requests were received via email and sought information regarding travel expenses claimed by members during this period. Both requests were processed according to FOI guidelines.
- 5.3 London Councils has recently reconstituted its Independent Remuneration Panel and has 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. It is anticipated that the new report will be published early in 2010. Members and officers may wish to refer to it either in advance of, or after, the local elections scheduled for May 2010 in any consideration of the members' allowance scheme.
- 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 report of the Independent Remuneration Panel to London Councils December 2006.

**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 Communication and Diversity**

**Appendix 1 – summary of members’ expenses from April 2008 to April 2009**

<b>Councillor's Name (Claimant)</b>	<b>Nature of expense</b>	<b>Date expense incurred</b>	<b>Date claim submitted</b>	<b>Value of claim</b>	<b>Claim Approved/rejected</b>
Cllr Ahmed	Travel expenses incurred for travel to Leadership Academy in Warwick	10-11/01/2009	26/01/2009	£39.90	Approved
Cllr Ahmed	Travel expenses incurred for travel to Leadership Academy in Warwick	22-23/11/2008	2/12/2008	£61.50	Approved
Cllr Ahmed	Travel expenses incurred for travel to Leadership event in Warwick	25-26/10/2008	28/10/2008	£75.00	Approved
Cllr Allie	Travel expenses incurred for travel to London Councils Housing Forum	3/12/2008 and 3/11/2008	18/12/2008	£10.60	Approved
Cllr Allie	Travel expenses incurred for travel to West London Housing Partnership meetings	31/01/2008 and 26/06/2008 and 6/11/2008	8/12/2008 and 8/12/2008 and 6/11/2008	£17.70	Approved
Cllr Colwill	Travel expenses incurred for travel to Social Services conference, Birmingham	20-24/10/2008	19/12/220	£62.60	Approved
Cllr Crane	Travel expenses incurred for travel to local government pensions conference	03/09/2008	08/09/2008	£167.31	Approved
Cllr D Brown	Travel expenses incurred for travel to Harrow	21/10/2008	23/10/2008	£1.05	Approved

	Civic Centre				
Cllr D Brown	Travel expense incurred for travel to the Leadership Centre and accommodation expense	13/06/2008	19/06/2008	£129.00	Approved
Cllr Dunwell	Travel expense incurred for travel to LGiU Conference	15/05/2008	21/05/2008	£9.40	Approved
Cllr Dunwell	Travel expenses incurred for travel to CNWL meeting	21/04/2008	21/05/2008	£4.10	Approved
Cllr Lorber	Travel expenses incurred for travel to London Councils Leaders meeting	08/01/2009	14/01/2009	£5.60	Approved
Cllr Lorber	Travel expenses incurred for travel to meeting of London Councils	03/11/2008	17/11/2008	£5.00	Approved
Cllr Matthews	Travel to Leadership Academy module 4 and Leadership Academy summer school	04/08/2008 and 20/06/2008	27/08/2008	£230.66	Approved
Cllr Sneddon	Travel expenses incurred for travel to Leadership Academy in Warwick	6-8/01/2009	16/03/2009	£48.90	Approved
Cllr Sneddon	Travel expenses incurred for travel to Leadership Academy in Warwick	29-30/10/2008 and 26-27/11/2008	5/12/2008	£116.50	Approved
Cllr Van Colle	Travel expenses incurred for travel to meetings of London Councils	Various	09/10/2008	£150.64	Approved

	and West London Waste Authority				
Cllr Van Colle	Travel expenses incurred for travel to TEC meeting of London Councils and West London Waste Authority	Various	22/07/2008	£81.64	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 authorise 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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	<p><b>Standards Committee</b> 4 November 2009</p> <p><b>Report from the Borough Solicitor</b></p>
For Information	Wards Affected: None
<p><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 2008 to April 2009. 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 Recommendation

- 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
- Councillor Reg Colwill (Conservative)
- Councillor James Moher (Labour)
- Councillor Daniel Bessong (Liberal Democrat)

### *Appointment of the Independent Members*

- 3.2 John Mann and Rochelle Gelman are appointed by the Council for a period of two years until May 2010. Shelia Darr was appointed in September 2008 to serve as an alternate independent member until May 2010.

### *The Committee's work during 2008-2009*

- 3.3 Members will recall that a new Model Code of Conduct was issued by the Secretary of State (4 April 2007) and following this a new Code of Conduct was adopted by the Council on 10 September 2008. Additionally major changes were made to the ethical standards framework by the Local Government and Public Involvement in Health Act 2007. The changes were brought into effect in April 2008 by the Standards Committee (England) Regulations 2008. The impact of the changes is that complaints are now referred to and considered by the Standards Committee at first instance. Guidance was issued by Standards for England (previously known as the Standards Board) which has been adopted and incorporated into the committee's procedures for dealing with complaints against members. This is the first annual report under the new regime.
- 3.4 The Committee meet on four occasions during the municipal year. The main items addressed by the committee at each meeting are set out below.

#### 24 June 2008

- Standards Sub Committees
- Applications for Political Restriction
- Ethical Standards Framework

#### 5 November 2008

- Review of Members Expenses
- New Model Code of Conduct
- Annual Report of the Monitoring Officer (including the review of the Register of the Gifts and Hospitality and the Register of Members' Interests)

#### 21 January 2009

- Planning Code of Practice Annual Review
- Standards Board Investigation – report back from Ethical Standards Officer
- Allegation of Misconduct

#### 25 March 2009

- Annual review of the member development programme
- Annual work programme for 2009/10
- Standards Board for England Statistics

### *Complaints against members*

- 3.5 In previous Annual Reports there has been an update on complaints received and dealt with by Standards for England. However, since April 2008 this Standards Committee has been responsible for receiving and dealing with complaints. During the period May 2008 to April 2009 there was one matter referred to Standards for England. In January 2009 the Standards for England Ethical Standards Officer reported back on this case in which there was found to be no breach of the Code.
- 3.6 In January 2009 complaints were referred to the Standards Committee by an officer and a councillor regarding Councillor Bertha Joseph. 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 the Standards for England. Although outside the period covered by this report, members will be aware that some allegations were found not to constitute a breach of the Code of Conduct. Other allegations proceeded to be considered at a hearing where the Committee found breaches had occurred and a decision was made to suspend Councillor Joseph. Councillor Joseph may appeal the decision.

### *Monitoring Officer Advice Notes*

- 3.7 During the period May 2008 to April 2009 the Monitoring Officer continued to issue Advice Notes to members as required. Together with the previously issue Advice Notes these form an ongoing resource for councillors. The complete set of Advice Notes can be found on the Standards Committee web page but those issued for the period covered by this report are set out below.

Number	Subject	Date Issued
38.	Booking rooms by Members	25.07.08
39.	Planning Code of Practice	1.8.08
40.	Annual Conduct Letter 2008	30.9.08
41.	Prejudicial Interests – Overview and Scrutiny Committee	29.10.08

### *Networking*

- 3.8 In addition to the formal meetings, the committee hosted the West London Alliance Standards Committee Networking Event on the 27<sup>th</sup> of January 2009.
- 3.9 Thirty three members and officers from nine London boroughs attended the event. The event is primarily for the six West London Alliance boroughs. However, due to the success of this annual event, other

Councils have also shown a keen interest and accordingly members and officers from The Royal Borough of Kensington and Chelsea and the London Boroughs of Barnet and Islington were also invited.

- 3.10 The feature presentation of the evening was from James Goudie QC. Mr Goudie QC addressed two topical areas: Firstly the '*Empowerment White Paper, Communities in Control: Real people, Real Power*' and the Local Government and Public Involvement in Health Act 2007, and secondly the government's wider agenda for local government and how this will affect the role of the local ward councillor. There was also a short panel discussion led by Brent's Monitoring Officer and the Constitutional Lawyer for the London Borough of Harrow. The debate concerned whether the Code of Conduct should apply to members when acting in a non- official capacity and there was discussion about initial experiences under the new local determination framework. 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*

- 3.11 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 Democratic Services and is available for inspection by the public via appointment or through the Councils website.
- 3.12 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.
- 3.13 In January 2008 a full review of the members' register of personal interests was carried out as part of the internal audit programme. The audit showed that there were some minor failures by members to register memberships of political parties, interest in any land in the Council's area and appointments as school governors. This was followed up with members. Upon a current review by the Monitoring Officer it is apparent that on the whole councillors are updating the register properly and the instances of failure to do so are minimal. For example, there is 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 does not appear to have been declared. There are also some instances where members have not updated their role on outside bodies. These are being followed up with the members concerned.

### *Gifts and Hospitality*

3.14 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.

3.22 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 May 2008 - April 2009**

<b>Councillors Name</b>	<b>Date of gift / receipt of hospitality</b>	<b>Details of gift / hospitality</b>	<b>Estimated Value*</b>	<b>Person / Body providing gift / hospitality</b>	<b>Date of declaration</b>
Cllr Beswick	05/06/08	Dinner with Governor General of Jamaica and High Commission at Learie Constantine Centre	£30	Patrons of Learie Constantine Centre	17/06/08
Cllr Beswick	13/06/08	Copland School, Annual Dinner, House of Lords	£50	Copland School	17/06/08
Cllr Blackman	13/06/08	Dinner at House of Commons	£100	Copland High School	19/06/08
Cllr Blackman*	17/05/08	FA Cup Final Ticket and Hospitality	£100	Quintain Estates	17/06/08
Cllr D Brown	8/11/08	5 tickets to the Lord Mayor's show lunch and reception	£250	City of London	10/11/08
Cllr D Brown	24/10/08	Veolia kit inc jacket and trousers for photo.	£41	Veolia	10/11/08
Cllr Chavda*	01/09/08	Visited India as guest of Government of India	£3313.05	Government of India	21/09/09
Cllr Colwill	13/06/08	House of Commons Dinner - 2 tickets	£100	Copland School	16/06/08
Cllr Hashmi*	28/05/08	Ticket and hospitality to England/USA game	£100	Alex Horne and Wembley Stadium Ltd via Cllr Lorber	04/07/08
Cllr John	11/03/09	Lunch	£25	Bethell Community Centre	11/03/09

Cllr John	28/10-3/11/08	Attendance at the Association of Community College Trustees conference in New York. Hotel and accommodation	Approx. £1,500	College of North West London	04/11/08
Cllr John	13/06/08	Dinner at the House of Commons	Not known	Copland Community School	23/06/08
Cllr John	28/05/08	Tickets for England v USA game at Wembley with dinner beforehand	Not known	Football Association	03/06/08
Cllr Joseph	19/09/08	Business meeting drink	£N/K	Communique'	19/09/08
Cllr Joseph	19/09/08	Celebration dinner	£N/K	Residents Association	19/09/08
Cllr Joseph	30/08/08	Celebration dinner	£N/K	Somali Community	19/09/08
Cllr Long	15/09/08	Meal after Board awayday, Balls Brothers, London Bridge	circa £50	Fortunegate Community Housing	29/09/08
Cllr Long	08/08/08	Meal, drink & entertainment	£9	Fortunegate Community Housing	11/08/08
Cllr Long	13/05/08	Light Bulb, Power Down plug, key ring	£1.25 £15 £1.50	Family Mosaic as a thank you for visiting the Family Mosaic Customer Bus	13/05/08
Cllr Lorber	08/04/09	Opening of Kangana Club as chief guest. Hospitality (ie dinner)	approx £25	Proprietor - Mr Chind	27/04/09
Cllr Lorber	20/11/08	Xmas dinner	£40	Plaza Hotel, Wembley	27/11/08
Cllr Lorber	20/08/08	4 Tickets to Wembley England v Czech Republic Football	£200	Football Association	27/08/08
Cllr Lorber	17/07/08	Consultation Dinner	£50	London Councils	27.08.08
Cllr Lorber*	28/05/08	Ticket for England v USA football game at Wembley	£100 approx	Alex Horne and Wembley Stadium LTD	26/06/08
Cllr Matthews	17/07/08	Dinner and away day	£50	London Councils	27/07/08
Cllr Matthews*	28/05/08	Ticket to Wembley for England v USA	£100	Director of Wembley Stadium	27/08/08
Cllr Mendoza	08/05/08	2x tickets to Israel Go show	£25 each	Quintain	13/05/08

Cllr Mistry	13/06/08	Dinner at House of Commons	£25-50	Copland School	25/06/08
Cllr O'Sullivan	17/10/08	Diwali lunch	£6	Brent Housing Partnership	17/10/08
Cllr O'Sullivan	20/07/08	Case of wine	£40	Raffle prize at Masonic Open Day, Kenton	25/07/08
Cllr HB Patel	13/06/08	Dinner	£100 (tickets weren't priced but had 2 complimentary tickets)	Copland School	16/06/08

3.23 Members generally complied with the requirement to declare the gift or hospitality within 28 days. However, there are five instances where declarations were made outside this time limit. These gifts have been highlighted with an asterisk. In relation to the declaration by Councillor Chavda members are advised that this may not be hospitality that needs to be registered due to the circumstances in which Councillor Chavda received it, namely that it seems likely that the hospitality was not provided to him as a consequence of him being a councillor and so may not be registerable.

3.24 In declarations where the value is listed as not known the entry is considered incomplete and members are urged to provide the actual or estimated amount of the gift or hospitality.

*Proposed Work Programme for the Standards Committee 2009-10*

3.25 On 25 March 2009 the Standards Committee agreed a work programme for the forthcoming year which is set out in the table below.

### **Work Programme for 2009/10**

	Name of the Report	Date
1	Guidance on membership of outside bodies	25.08.09
2	Annual report of the Monitoring officer (including the review of member interests and review of gifts and hospitality)	4.11.2009
3	Annual review of members' expenses	4.11.2009
4	Annual review of the Planning code of Practice	20.1.2010
5	Annual review of Licensing Code of practice	20.1.2010
6	Annual review of Standards Board statistics	24.3.2010
7	Annual review of the member development programme	24.3.2010
8	Annual work programme for 2010/11	24.3.2010
9	Annual networking event	Special meeting tba

## **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.

**TERRY OSBORNE**  
**Borough Solicitor**

## 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'.