

	Audit and Standards Advisory Committee 25 September 2025
	Report from the Director of Law
	Lead Member - Deputy Leader and Cabinet Member for Finance & Resources Councillor Mili Patel
Standards Report (including quarter two update on gifts and hospitality)	

Wards Affected:	All
Key or Non-Key Decision:	Not applicable
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	One Appendix A: Gifts & Hospitality Register (Qtr. 2)
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Marsha Henry, Director of Law 020 8937 4078 Marsha.henry@brent.gov.uk . Biancia Robinson, Principal Constitutional, Governance & Finance Lawyer 020 8937 1544 Biancia.robinson@brent.gov.uk .

1.0 Purpose of the Report

- 1.1 The purpose of this report is to update the Audit and Standards Advisory Committee on gifts and hospitality registered by Members, a recent standards decision made by Cornwall Council and the Government's announcement of the Ethics and Integrity Commission, replacing the long-standing Committee on Standards in Public Life.

2.0 Recommendations

- 2.1 That the Committee note the contents of the report.

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

- 3.1. The reviewing and maintenance of high standards of member conduct supports the delivery of the borough plan by promoting confidence in the operation and good governance of the council.

Gifts & Hospitality

- 3.2 Members are required to register gifts and hospitality received in an official capacity worth an estimated value of at least £50. This includes a series of gifts and hospitality from the same person that add up to an estimated value of at least £50 in a municipal year.
- 3.3 Gifts and hospitality received by Members are published on the Council's website and open to inspection at the Brent Civic Centre.
- 3.4 For the second quarter of 2025/26 one councillor has declared gifts and hospitality as being received, this is set out in further detail in Appendix A, together with the details of the receiving Councillor. The Committee will note its low value.
- 3.5 The Committee will recall that hospitality accepted by the Mayor in their civic role are recorded separately and published on the Council's website.

Member Training Attendance

- 3.6 At this Committee's request reports updating it on the attendance records for Member's in relation to mandatory training sessions has become a standard reporting item. Refresher mandatory training for all members has now completed, and were happy to report that most Members have completed it. However, there are still four Members who need to complete their DP training, and a training session is scheduled for them on the 17th of September. A calendar invite has been sent to all four Members. They are:

- Cllr.Shama.Tatler@brent.gov.uk
- Cllr.Paul.Lorber@brent.gov.uk
- Cllr.Jake.Rubin@brent.gov.uk
- Cllr.Kathleen.Fraser@brent.gov.uk

- 3.7 The Committee will know that:

- a) It is a requirement of the Members' Code of Conduct that all members' *"must attend mandatory training sessions on this Code or Members' standards in general, and in accordance with the Planning Code of Practice and Licensing Code of Practice"*.

- b) The schedule for all mandatory sessions is ordinarily published and approved in the Council calendar at the May Annual Council meeting.
- c) All internal training sessions attended by Members are published on the Council's Website and on individual Member profile pages.
- d) For face-to-face training sessions, reminders are sent via email, calendar invitations, and text messages and, on some occasions, direct telephone calls to Members. The same reminder process is employed for re-run(s) of sessions, where applicable, to take account of personal circumstances like work commitments and childcare arrangements etc.
- e) During 2025 the Committee will receive regular updates on Members who have not completed the mandatory training sessions.

Cornwall Council - Standards Decision

- 3.8 Cornwall Council has said it will refer to the police a former councillor's failure to correctly register his disclosable pecuniary interest (DPI) upon becoming Head of Air and Space at Cornwall Airport.
- 3.9 In an assessment decision notice made public on 9 June, former Councillor Louis Gardner failed to declare a non-registerable interest at a meeting of the Cornwall and Isles of Scilly Economic Prosperity Board on 27 February 2025, where the agenda included an item involving a vote on £200,000 in funding for Spaceport, which is a project owned and run by Cornwall Airport.
- 3.10 Mr Gardner had accepted a role at Cornwall Airport the day before the meeting of the Economic Prosperity Board. His DPI arose on the commencement of his employment, the report said, which was believed to be on 17 March 2025. It's reported that in on 11 April, he made enquiries as to who he should send an update to but made no further communication with regards to updating his register. He stopped being a councillor on 1 May.
- 3.11 Mr Gardner, who was a cabinet member and portfolio holder for economy, was found to have breached a series of provisions set out in Cornwall's Code of Conduct.
- 3.12 In relation to the failure to correctly declare his DPI, the assessment decision notice said this might represent a failure to comply with the requirements of Section 30 of the Localism Act 2011, "and this part of the complaint will be forwarded to the police to allow them to consider if an offence under Section 34 of the Localism Act has been committed". Section 34 of the 2011 Act makes it a criminal offence if a member "fails, without reasonable excuse, to comply with requirements under section 30 or 31 to register or declare disclosable pecuniary interests" and empowers the magistrates' court, upon conviction, to impose a fine of up to £5,000 and an order disqualifying the person from being a member of a relevant authority for up to five years.
- 3.13 A few points arising:

- The assessment decision notice said that, at the time of the board meeting, Gardner would not have had a DPI, "but he clearly had a non-registerable interest because of the Spaceport appointment".
- the funding decision might reasonably be regarded as affecting the financial position of Spaceport, "which might also reasonably be regarded as affecting [Gardner's] wellbeing (by providing funding for Spaceport that he would then have at least some responsibility for, and which would enable him to succeed in his role)".
- It was suggested that Gardner had breached the following provisions of the council's code of conduct:
 - You must not conduct yourself in a manner which is contrary to the council's duty to promote and maintain high standards of conduct by Members.
 - You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the council into disrepute.
 - You must not use or attempt to use your position as a Member of the Council improperly to confer on or to secure for yourself or any other person an advantage or disadvantage.
 - Declaration of interest at a meeting.
 - Registration of new disclosable pecuniary interests.

3.14 Mr Gardner argued that he had weighed up everything at the time of the meeting but decided he did not have an interest to declare as he had not started employment with Cornwall Airport and had not yet been given a contract. He also said that the Spaceport programme was a long-standing council project which was already fully endorsed by the Cabinet. In light of this, he said he believed he was "merely endorsing" a Cornwall Council project. He said that he would have sought legal advice but was "very wary" about informing anybody about his forthcoming move and wished to honour an agreement between him and the airport's managing director on who would be informed and when.

3.15 The decision notice stated: "I cannot see that the Subject Member had a reasonable excuse for not registering his interests. "A last-minute enquiry was made before going on holiday, but this was at the 11th hour, and the Subject Member has 28 days to act and register his employment." Consequently: "Whilst the failure to register the interest is a breach of the Code, in order to ensure this is dealt with as is required by the legislation this part of the complaint this will be forwarded to the police to allow them to consider if an offence under section 34 of the Localism Act has been committed."

Creation of an Ethics and Integrity Commission

3.16 The Government announced the creation of the Ethics and Integrity Commission (EIC), which will replace the Committee on Standards in Public Life (CSPL). A short summary follows so that the Committee is aware of the potential changes in relation to Standards matters.

- 3.17 This change is part of wider efforts to restructure the public standards framework and consolidate oversight mechanisms under a single administrative umbrella. Whilst this initiative stems from a manifesto pledge made by the Labour its stated objective of the reform is to simplify existing arrangements and improve coherence across standards-related bodies in government and “restore confidence in government and ensure ministers are held to the highest standards” and has stemmed in part from a number of scandals surrounding those in public office over the recent years.
- 3.18 Rather than create a new public body, the Government has chosen to reconstitute the Committee on Standards in Public Life (CSPL) as the Ethics and Integrity Commission (EIC). The EIC will continue to promote the Seven Nolan Principles of Public Life, first formalised by the CSPL in 1995. However, its role is now set to expand beyond its predecessor's remit. In addition to its existing standards-promoting function, the Commission will coordinate with other ethics bodies, produce annual reports on the state of public standards for the Prime Minister, and serve as an accessible point of contact for the public and professionals seeking guidance on ethical frameworks in government. The EIC will not have powers to investigate individual cases or enforce standards — functions that remain the domain of other regulatory bodies. Details are yet to be provided on the timescales for establishing the new Commission, Terms of Reference and resource allocation

4.0 Financial Considerations

- 4.1 There are no financial implications arising out of this report.

5.0 Legal Considerations

- 5.1 Pursuant to the Localism Act 2011, the Council has to have arrangements in place to deal with any allegations of failure to comply with the code of conduct and must appoint an Independent Person whose views are sought and taken into account by the council before it makes its decision on an allegation that it has decided to investigate.
- 5.2 The Council, individual Members and co-opted Members are required to promote and maintain high standards of conduct in accordance with s27 of the Localism Act 2011. The attendance at mandatory training sessions is a means to achieve this and a requirement pursuant to the Brent Members' Code of Conduct as set out in Part 5, of the council's Constitution.

6.0 Equity, diversity and inclusion Considerations

- 6.1 There are no equality implications arising out of this report.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 As set out in the body of the report.

8.0 Human Resources/Property Implications (if appropriate)

8.1 Not applicable.

9.0 Climate Change and Environmental Considerations

8.1 None.

10.0 Communication Considerations

9.1 None.

Report sign off:

Marsha Henry
Director of Law