

Decisions of the Group Leaders Panel

3 September 2014

Members Present:-

Councillor Richard Cornelius (Chairman)
Councillor Daniel Thomas (Vice-Chairman)

Councillor Alison Moore Councillor John Marshall
Councillor Barry Rawlings

Also in attendance

Tanya Ossack (Independent Person)

Apologies for Absence

Councillor Joan Scannell

1. MINUTES OF LAST MEETING

The minutes of the meeting of the Group Leaders Panel held on 11 March 2014 were agreed as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

Apologies for absence were received from Councillor Joan Scannell, for whom Councillor John Marshall was substituting.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)

Councillor Marshall declared a non-pecuniary interest on agenda item as a Council-appointed Director of Barnet Homes for part of the period covered by the case but remained in the room and participated in the discussion.

Councillor Cornelius declared a non-pecuniary interest on agenda item 7 as the Cabinet Member for Housing for part of the period covered by the case but remained in the room and participated in the discussion.

Councillor Moore wished it to be placed on record that she was uncomfortable with the Chairman continuing to chair the Panel for consideration of Case 002/14 on the grounds of previously reported comments by him. Councillor Cornelius reported that he had considered what comments he had made and was satisfied that there was no predetermination, and continued to chair the Panel.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

There was no report.

5. DELEGATIONS REPORT

The Monitoring Officer introduced her report summarising the number of Member complaints received since the last Group Leaders Panel and the decisions made by her.

She clarified that at para 1.1 the three complaints received related to separate Councillors. The date in para 1.2, 2nd bullet point should have read '16th June' and not '16th July'.

RESOLVED-

That the Group Leaders Panel note the delegations used to reject any formal complaints made under the member Code of Conduct during the period from 11th March 2014 to the 3rd September 2014.

6. DECISION ON WHETHER TO EXCLUDE THE PUBLIC AND THE PRESS

Papers for this item had not been made available in accordance with Section 100B (1) and (2) of the Local Government Act 1972 as the matters yet to be discussed involved the likely disclosure of exempt information. It was for the panel to decide whether the public and press should be excluded for consideration of this item. The Councillor who was the subject of the complaint consented to the matter being held in open session.

RESOLVED-

That case 002/14 be held in public session, save for the Panel going into closed session for consideration of legal advice before reconvening, as the public interest in disclosing the information outweighs the public interest in maintaining the exemption.

7. CASE 002/14

The Panel considered the report as presented by the Investigating Officer appointed by the Monitoring Officer which set out details of the complaint.

The Panel had the opportunity to ask questions of the Investigating Officer, hear from the Independent Person and the member who was the subject of the complaint. The subject member did not wish to make any further comment other than what had been presented in the investigator's report. The complainant was not in attendance.

The Panel went into closed session to receive legal advice and to consider the evidence. Following their deliberations, they reconvened in public to provide their verdict.

RESOLVED-

(i) That there was no breach of the Member Code of Conduct in respect of the allegation of 'improper use of his position as a Councillor in dealings with Council officers; misuse of public office and acting in breach of paragraphs 1(6), 4 and 5 of the Code'.

VOTING: For 5, Against 0

(ii) That there was no breach of the Member Code of Conduct in respect of declaration of interests at each of the meetings in the schedule below:

Council, 2 March 2010
VOTING: For 3, Against 2

Council, 1 March 2011
VOTING: For 3, Against 2

Council, 6 March 2012
VOTING: For 3, Against 2

Council, 5 March 2013
VOTING: For 5, Against 0

Council, 4 March 2014
VOTING: For 5, Against 0

Business Management Overview and Scrutiny Committee, 12 July 2010
VOTING: For 2, Against 2 (motion carried on Chairman's casting vote)

Business Management Overview and Scrutiny Committee, 16 December 2010
VOTING: For 2, Against 2 (motion carried on Chairman's casting vote)

Business Management Overview and Scrutiny Committee, 9 January 2012
VOTING: For 2, Against 2 (motion carried on Chairman's casting vote)

Business Management Overview and Scrutiny Committee, 6 January 2014
VOTING: For 4, Against 0

Business Management Overview and Scrutiny Committee, 2 May 2013
VOTING: For 2, Against 2 (motion carried on Chairman's casting vote)

(iii) That the Panel request Group Leaders to remind Members of their Group to seek suitable advice regarding when they are acting as a Councillor and when they are acting in a private capacity;

(iv) That the Panel request Group Leaders to remind Members of their legal and constitutional obligations in respect of declaration of interests to uphold high standards of public accountability; and that training be arranged by Officers for Members, to include examples of what constitutes and does not constitute an interest.

8. ANY OTHER ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting finished at 7.40 pm