

Decisions of the Constitution, Ethics and Probity Committee

8 January 2018

Members Present:-

Councillor John Marshall (Chairman)

Councillor Richard Cornelius
Councillor Ross Houston

Councillor Alan Schneiderman (In place of
Councillor Barry Rawlings)
Councillor Peter Zinkin (In place of
Councillor Melvin Cohen)

Apologies for Absence:

Councillor Melvin Cohen
Councillor Dr Devra Kay

Councillor Barry Rawlings
Councillor Joan Scannell

1. MINUTES OF LAST MEETING

RESOLVED that the minutes of the special meeting held on 19 October 2017 be approved as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

An apology for absence had been received from Councillor Melvin Cohen who had been substituted for by Councillor Peter Zinkin.

An apology for absence had been received from Councillor Barry Rawlings who had been substituted for by Councillor Alan Schneiderman.

Apologies for absence had been received from Councillor Dr Devra Kay and Councillor Joan Scannell.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS

None.

4. REPORT OF THE MONITORING OFFICER

None.

5. PUBLIC QUESTION AND COMMENTS

None.

6. MEMBERS' ITEMS (IF ANY)

None.

7. CONSTITUTION REVIEW

The Chairman reported that the Financial Regulations (Appendices M and N) and Contract Procedure Rules (Appendices O and P) had been withdrawn from the agenda and would be considered at the next scheduled meeting on 22 March 2018. The Head of Governance reported that the authorisation and acceptance thresholds set out in Table A of the Contract Procedure Rules had been updated to clarify reporting requirements and thresholds, and that financial limits were required to be updated to be compliant with the new EU Thresholds which had come into force on 1 January 2018. It was noted that these changes needed to be implemented immediately. The Committee therefore agreed that the Monitoring Officer could use his delegated authority to update the tables (as set out in pages 227 – 229 of the agenda) in Article 10 and the Contract Procedure Rules.

In relation to the Members Planning Code of Practice, the Committee requested that the Monitoring Officer provide revised wording for following sentence at the next scheduled meeting of the Committee: “13.5 The Chairman should ensure:...the cross-questioning of speakers should only take place if there is need for clarification of what a speaker has already outlined.”

RESOLVED that the Committee recommend to Council that the Constitution be amended to incorporate the changes set out in Appendix A to Appendix L subject to the following amendments:

- 1. Members Planning Code – in section 13.5 bullet point 4, delete “meeting” and replace with “item”, amended wording to read:
13.5 The Chairman should ensure:...Residents and applicants understand that the late submission of evidence could lead to the deferral of the item and may not be permitted without agreement of all parties.**
- 2. Members Licensing Code – delete section 3.2 and replace with the following:
“A Member with a pecuniary interest may not exercise a right to speak at Licencing Committee or Sub-Committee, but may, after declaring their interest, make written representations to officers.”**
- 3. Add a new paragraph in section 3 (Political Neutrality of Officers) as follows:
“Information received by officers at these meetings may be shared with other officers as is necessary but should not be shared with Members of another Political Party unless this is agreed and necessary.”**
- 4. Amend section 1 of the Access to Information Rules to delete “...will usually...” and add “Other than in emergency or other exceptional circumstances...” with the amended wording to read:
“Other than in emergency or other exceptional circumstances the Council will give at least five clear working days’ notice of any meeting by posting details of the meeting at Hendon Town Hall, The Burroughs, Hendon, NW4 4BG and on its website at <http://barnet.moderngov.co.uk/>”**

The meeting finished at 7.48 pm