

**Council Meeting
6 November 2012**

REPORT OF THE MONITORING OFFICER

1. MEMBERS CODE OF CONDUCT – DECISION OF THE FIRST TIER TRIBUNAL

Council is asked to note that on 27 July 2012, the First Tier Tribunal General Regulatory Tribunal (Local Government Standards in England) heard an appeal by Councillor Brian Coleman against both the decision of the Standards Sub-Committee of the London Borough of Barnet that he had failed to comply with paragraph 3(1) of the Council's Members' Code of Conduct (in force until July 2012) and the sanctions imposed.

The decision issued by the First Tier Tribunal General Regulatory Tribunal (Local Government Standards in England) on 8 August 2012 upheld the finding of the Standards Sub-Committee that Councillor Coleman had failed to comply with paragraph 3(1) of the Council's Members' Code of Conduct (in force until July 2012). The Tribunal also upheld the sanctions imposed on Councillor Coleman by the Standards Sub-Committee – censure and a written apology to be made to the complainants.

As is normal in such cases, a period of 28 days was given for a request to be made for permission to appeal against the decision of the First Tier Tribunal General Regulatory Tribunal (Local Government Standards in England). The Tribunal secretariat confirmed that no request for permission to appeal was received within the 28 days allowed.

The sanction imposed by the Standards Sub-Committee and confirmed by the First Tier Tribunal General Regulatory Tribunal (Local Government Standards in England) has been complied with.

RECOMMENDATION - Council is asked to note the decision of the First Tier Tribunal General Regulatory Tribunal (Local Government Standards in England).

2. APPOINTMENT OF DEPUTY MONITORING OFFICER

Section 5 (7) of the Local Government and Housing Act 1989 specifies that:-

“The duties of a relevant authority’s monitoring officer under this section shall be performed by him personally or, where he is unable to act owing to absence or illness, personally by such member of his staff as he has for the time being nominated as his deputy for the purposes of this section”.

I have appointed Maryellen Salter, Assistant Director of Finance, Audit and Risk Management, as Deputy Monitoring Officer pursuant to Section 5 (7) of the said Act.

RECOMMENDATION - Council is asked to note the appointment of Maryellen Salter, Assistant Director of Finance, Audit and Risk Management, as Deputy Monitoring Officer.

**Jeff Lustig
Monitoring Officer**