

# Annual Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

TUESDAY 23RD MAY, 2017 AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

A G E N D A



ASSURANCE GROUP

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Agenda and Timetable  
Tuesday 23rd May, 2017

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Andrew Charlwood, Head of Governance  
Building 4, North London Business Park, Oakleigh Road South, N11 1NP

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## Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET  
held at Hendon Town Hall, The Burroughs, London NW4 4BQ, on 4 April 2017

### AGENDA ITEM 4

PRESENT:-

The Worshipful the Mayor (Councillor David Longstaff)  
The Deputy Mayor (Sury Khatri)

Councillors:

Jess Brayne	Ross Houston	Sachin Rajput
Mark Shooter	Anne Hutton	Barry Rawlings
Alison Cornelius	Andreas Ioannidis	Hugh Rayner
Maureen Braun	Dr Devra Kay	Tim Roberts
Pauline Coakley Webb	Adam Langleben	Gabriel Rozenberg
Dean Cohen	Kathy Levine	Lisa Rutter
Jack Cohen	Kitty Lyons	Shimon Ryde
Melvin Cohen	John Marshall	Brian Salinger
Philip Cohen	Kath McGuirk	Gill Sargeant
Geof Cooke	Arjun Mittra	Joan Scannell
Richard Cornelius	Alison Moore	Alan Schneiderman
Tom Davey	Ammar Naqvi	Agnes Slocombe
Val Duschinsky	Nagus Narenthira	Stephen Sowerby
Claire Farrier	Graham Old	Caroline Stock
Anthony Finn	Charlie O-Macauley	Daniel Thomas
Brian Gordon	Alon Or-Bach	Reuben Thompstone
Eva Greenspan	Reema Patel	Jim Tierney
Rohit	Bridget Perry	Laurie Williams
Helena Hart	Wendy Prentice	Peter Zinkin
John Hart		Zakia Zubairi

Apologies for Absence

Councillor Rebecca Challice      Councillor Paul Edwards

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rebecca Challice and Councillor Paul Edwards.

#### 2. ELECT A MEMBER TO PRESIDE IF THE MAYOR IS ABSENT

The Worshipful the Mayor was present.

**3. PRAYER**

The Mayor’s chaplain, Reverend Tristan Chapman, offered prayers.

**4. DECLARATIONS OF INTEREST**

The following members declared an interest:

<b>Councillor</b>	<b>Subject</b>	<b>Interest declared</b>
Councillor Arjun Mittra	15.2 and 15.3 Motions in the name of Councillor Dean Cohen and Councillor Adam Langleben	Councillor Arjun Mittra declared a non-pecuniary interest as he is employed by City Hall, working for the London Assembly Labour Group

**5. MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 7 March 2017 were agreed as a correct record, subject to a correction to the official announcements to note that Councillor Brian Salinger spoke in tribute to former Representative Deputy Lieutenant for the London Borough of Barnet Major Patrick O’Brien TD DL and Baroness Wall.

**6. OFFICIAL ANNOUNCEMENTS**

The Worshipful the Mayor welcomed back Councillor Zakia Zubairi following her accident, which was endorsed by Council. Councillor Zakia Zubairi spoke in thanks for Council’s best wishes during her recovery.

The Worshipful the Mayor expressed his shock and sadness on behalf of Council following the recent terror attack at Westminster on 22 March. He noted that Council’s thoughts and prayers were with the victims of the attack, the bereaved and those still anxiously awaiting news on the injured. He noted one of the injured in the attack was Barnet resident and policeman Kris Aves who had just attended a commendation ceremony and who had sustained very serious injuries. The Worshipful the Mayor expressed that the Council’s best wishes went out to him and his family.

The Worshipful the Mayor noted he had received a letter from the Mayor of the Berlin borough of Tempelhof-Schoneberg, Angelika Schottler, on this matter which he read to Council:

“Dear Mr Longstaff,

We are deeply shocked by the terror attack in London yesterday.

On behalf of the people of the Berlin borough of Tempelhof-Schoneberg I express my condolences to the victims and their families.

This strike on the anniversary of the Brussels attacks which claimed the lives of 32 people once again shows that radical extremists continue to have the ability and motivation to commit mass murder in Europe. We condemn all these horrific attacks in Europe.

This barbaric attack targeted the very heart of democracy in Westminster. However, it did not succeed because it will unite all of us against the scourge of violence and terrorism.

Yours sincerely  
Angelika Schottler  
Mayor”

The Worshipful the Mayor noted he had responded to Mayor Schottler to express his thanks on behalf of Council, and to note that he would be attending a service of Hope and Reconciliation at Westminster on 5 April where all London boroughs would be represented along with the Prime Minister, leaders of other faiths and the emergency services.

The Worshipful the Mayor noted he understood that other Members wanted to say a few words on this matter, and called on the Leader to speak, followed by the Leader of the Opposition.

Cllr Richard Cornelius and Cllr Barry Rawlings each spoke to express their views in solidarity with the sentiments expressed by The Worshipful the Mayor.

On request of The Worshipful the Mayor Council held a minute’s silence.

The Worshipful the Mayor noted that Council held a Civic Awards ceremony on 28 March to recognise exceptional people in the borough. He noted awards were presented to:

- Mr Andy Savage - In recognition of his service to the Avenue House Estate Trust and Friends of Stephens House and Gardens
- Mrs Chris Sykes - In recognition of her commitment and dedication to vulnerable elderly people in the borough
- Mr George Irons - In recognition of his services, commitment and contribution to the local area as Vice Chairman of the East Barnet Residents’ Association and the Champion of the Friends of Oak Hill Park
- Mr John Irving - In recognition of his outstanding voluntary contribution as Chairman of the Mill Hill Preservation Society for the last 12 years.
- Dr Chris Page - In recognition of his outstanding contribution to the North London Hospice as a trustee from 1995 until 2013 and as one of the Founders of the fundraising North West Support Group

The Worshipful the Mayor reminded Council that tickets for Gala Dinner on 4 May are still available and he hoped that as many of you that can attend will do so, as the proceeds will go to support the Mayoral charities. He noted that if Members could not attend the Dinner there was still the opportunity to support these charities by supporting him in his run in the London Marathon on 23 April. The Worshipful the Mayor noted Members’ sponsorship for his efforts would be much appreciated.

## **7. RESOLUTION OF APPRECIATION**

The Deputy Mayor moved the following resolution:

“At a meeting of the Council held at Hendon Town Hall on Tuesday 4 April 2017 it was resolved that we, the Members of the Council of the London Borough of Barnet, hereby express to The Worshipful the Mayor Councillor David Longstaff our appreciation of the excellent service he has rendered to the London Borough of Barnet as its Mayor during

the period May 2016 to May 2017, and for the friendly and conscientious way in which he has performed the duties of that office.

We offer him our sincere gratitude for the concern that he has shown at all times in promoting the welfare of the Borough and its residents, particularly for his willingness to support the many organisations and individuals who called on his time and services during his Mayoralty.

We congratulate him on the success of his appeals for his two charities: Noah's Ark Children's Hospice; and Dementia Club UK."

The foregoing resolution is to be engrossed over the common seal of the corporation and presented to The Worshipful Mayor at the Annual Meeting.

**8. ANY BUSINESS REMAINING FROM LAST MEETING**

There was none.

**9. QUESTIONS TO THE LEADER (AND COMMITTEE CHAIRMEN IF HE/SHE HAS DELEGATED)**

The questions, together with the answers provided, are set out in Appendix 1 to the minutes.

**10. PETITIONS FOR DEBATE**

There were none.

**11. REPORTS FROM THE LEADER**

There were none.

**12. REPORT OF THE CONSTITUTION ETHICS AND PROBITY COMMITTEE - CONSTITUTION REVIEW**

Councillor John Marshall, Chairman of the Constitution, Ethics and Probity Committee, moved reception and adoption of the recommendations in the report.

The recommendations as set out in the report were then put to the vote and were declared carried.

**RESOLVED:**

- 1. That Council approved the recommendations contained in the report from the Constitution Ethics & Probity Committee at Annex 1A, and the track change versions attached at Appendix A to Appendix M.**
- 2. That the Monitoring Officer be authorised to implement these revisions and publish a revised Constitution.**



**13. REPORT OF CONSTITUTION ETHICS AND PROBITY COMMITTEE - MEMBERS CODE OF CONDUCT**

Councillor John Marshall, Chairman of the Constitution, Ethics and Probity Committee, moved that the item of the Committee on the Members Code of Conduct be deferred to the next meeting as the published report contained administrative errors. This was duly agreed.

**14. REPORT OF GENERAL FUNCTIONS COMMITTEE - APPROVAL OF THE ANNUAL PAY POLICY STATEMENT**

Councillor Joan Scannell, Chairman of the General Functions Committee, moved reception and adoption of the recommendations in the report.

The recommendations as set out in the report were then put to the vote and were declared carried.

**RESOLVED: That Council approves the annual Pay Policy Statement for the financial year 2017/18 (Appendix 2).**

**15. REPORT OF THE ENVIRONMENT COMMITTEE - ADOPTION OF SECTION 16 OF LONDON LOCAL AUTHORITIES AND TRANSPORT FOR LONDON ACT 2003**

Councillor Dean Cohen, Chairman of the Environment Committee, moved reception and adoption of the recommendations in the report. He also moved the following amendments which were tabled:

- An amendment to recommendation 2 to change the Appointed Day for implementation of the adopted legislation from 10 July to 14 July.
- An additional recommendation 4 'That authority be delegated to the Commissioning Director for Environment to exercise powers and functions under the Act from the appointed day'.

The recommendations as set out in the report and amendments as tabled were then put to the vote and were declared carried.

**RESOLVED:**

- 1. That Council adopt Section 16 of the London Local Authorities and Transport for London Act 2003 ("the Act") so as to give effect to highway enforcement powers concerning unauthorised vehicle crossings over footway and verges for the benefit of public safety;**
- 2. That Council fix a day on which Section 16 of the London Local Authorities and Transport for London Act 2003 will come into operation. The Appointed Day for implementation of the adopted legislation should be 14<sup>th</sup> July 2017 pursuant to Section 3 of the (Act); and that the resolution and associated public notices be published in accordance with Section 3 of the Act.**

3. That Council note that, by adoption of this legislation, crossovers should not be enforced where they are redundant.
4. That authority be delegated to the Commissioning Director For Environment to exercise powers and functions under the Act from the appointed day.

## 16. REPORT OF THE HEAD OF GOVERNANCE

The Governance Team Leader introduced the report. He noted that the item set out at agenda item 13.1 detailed a nomination to a vacancy on an outside body (the Arts Depot Trust Ltd).

The Worshipful the Mayor noted that Appendix A set out the Administration nomination to the vacancy, Councillor John Hart. The Opposition Group Secretary, Councillor Ammar Naqvi moved that Councillor Anne Hutton be appointed to the vacancy, which was duly seconded.

On the Opposition nomination of Councillor Anne Hutton being put to the vote the votes were declared as follows:

For	28
Against	32
Abstain	1
Absent	2
<b>TOTAL</b>	<b>63</b>

The Opposition motion was declared lost.

On the Administration nomination of Councillor John Hart being put to the vote the votes were declared as follows:

For	32
Against	0
Abstain	29
Absent	2
<b>TOTAL</b>	<b>63</b>

The Administration motion was declared carried.

**RESOLVED: that Council appoint Councillor John Hart to fill the vacancy in the Arts Depot Trust Ltd for a term of 3 years.**

## 17. QUESTIONS TO COUNCIL REPRESENTATIVES ON OUTSIDE BODIES

There were none.

**18. ADMINISTRATION MOTION IN THE NAME OF CLLR JOHN MARSHALL - SAFETY OF THE OSSULTON WAY/ KINGSLEY WAY/A1 JUNCTION**

Under Council Procedure Rule 23.5 the Motion in the name of Councillor John Marshall was put to the vote without debate and was agreed unanimously by Council.

**RESOLVED –**

**Safety of the Ossulton Way/ Kingsley Way/A1 Junction**

**Council calls for an urgent meeting between Transport for London, officers of our Highways Department and local councillors to assess and improve the safety of the Ossulton Way/ Kingsley Way/A1 Junction.**

**19. ADMINISTRATION MOTION IN THE NAME OF CLLR DEAN COHEN - MAYOR KHAN: TACKLE ILLEGAL AIR POLLUTION ON OUR TRUNK ROADS**

Under Council Procedure Rule 23.5 the Motion in the name of Councillor Dean Cohen and the amendment to the Motion in the name of Councillor Adam Langleben, were put to the vote without debate

The amendment in the name of Councillor Adam Langleben was put to the vote, and the votes were recorded as follows:

For	29
Against	32
Abstain	0
Absent	2
<b>TOTAL</b>	<b>63</b>

The amendment was declared lost.

The motion in the name of Councillor Dean Cohen was then put to the vote, and the votes were recorded as follows:

For	32
Against	0
Abstain	29
Absent	2
<b>TOTAL</b>	<b>63</b>

The motion was declared carried.

**RESOLVED:**

**Mayor Khan: Tackle Illegal Air Pollution on Our Trunk Roads**

**Council calls on Mayor of London Sadiq Khan to explain what action he will take to reduce the unacceptable, unlawful, and harmful levels of NO2 around Barnet schools sited near roads administered by Transport for London.**

**A study commissioned by the Mayor found the air around 15 Barnet schools to be polluted with NO2 above the legal limit of 40 µg/m<sup>3</sup>. All schools but one were sited either on or around five TfL administered roads; the North Circular Road (A406), Edgware Road/West Hendon Broadway (A5), the M1, Brent Street (A502), and Watford Way/Hendon Way (A41).**

**To date this Council has introduced free green parking permits to drivers of electric cars, installed new charging points, and tabled the introduction of a diesel surcharge for Controlled Parking Zones later this year. We have also erected a ‘green wall’ around St Joseph’s Catholic Primary – one of the 15 schools affected by illegal levels of NO2.**

**We can and will do more, but the effects of our efforts will be limited while dangerously high levels of nitrogen continue to be belched from vehicles using TfL administered trunk roads. The Mayor’s Ultra Low Emission Zone, while welcome, uses the North Circular as its outermost border and therefore will not include West Hendon; the ward most severely affected by NO2 emissions.**

**20. ADMINISTRATION MOTION IN THE NAME OF CLLR BRIAN GORDON - MAYOR KHAN: REDRESS BARNET’S POLICING DEFICIT**

Councillor Brian Gordon moved the Motion in his name. Councillor Kath McGuirk moved the amendment in her name. Debate ensued.

The amendment in the name of Councillor Kath McGuirk was put to the vote. Votes were recorded as follows:

For	28
Against	32
Abstain	1
Absent	2
<b>TOTAL</b>	<b>63</b>

The amendment was declared lost.

The motion in the name of Councillor Brian Gordon was put to the vote, and the votes were recorded as follows:

For	33
Against	0

Abstain	28
Absent	2
<b>TOTAL</b>	<b>63</b>

The motion was declared carried.

**RESOLVED:**

**Mayor Khan: Redress Barnet's Policing Deficit**

**Council calls on Mayor of London Sadiq Khan to redress the policing deficit in the London Borough of Barnet by providing the officers our taxpayers have already paid for.**

**Crime is rising in Barnet. The Mayor's Office for Policing and Crime (MOPAC) has itself recorded Barnet as the burglary capital of London. Gun crime is rising faster than in any other London borough and, last year, Barnet accounted for one sixth of all gun-related deaths in the capital.**

**Against this Barnet – the largest borough by population – has the fewest police officers per capita. Based on GLA statistics for 2016, there are 736 residents per police officer in Barnet, where the average for London boroughs, excluding Westminster is 529. With Barnet taxpayers making the single largest precept contribution to the Metropolitan Police budget, the borough's policing costs them £54,803.39 per officer, where the London average is £35,603.75.**

**In order to achieve the London average of 529 residents per officer, Barnet would need an additional 205 officers from the Mayor, bringing its total to 728. Given this Council has been repeatedly criticised for aiming for London averages, this ought not to be an unreasonable request.**

**However, with due regard to the Mayor's concerns about budgetary pressures on the Metropolitan Police, Council instead calls upon the Mayor to provide 15 additional Police Constables at no cost to the borough.**

**21. OPPOSITION MOTION IN THE NAME OF CLLR BARRY RAWLINGS - STANDING UP FOR THE RIGHT OF BARNET'S EU CITIZENS TO STAY IN THE UK**

Councillor Barry Rawlings moved the motion in his name. Councillor Daniel Thomas moved the amendment in his name, and Councillor Alon or-bach moved the amendment in his name. Debate ensued.

The amendment in the name of Councillor Daniel Thomas was put to the vote. Votes were recorded as follows:

For	32
Against	29
Abstain	0
Absent	2

<b>TOTAL</b>	<b>63</b>
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The amendment was declared carried.

The amendment in the name of Councillor Alon or-Bach was put to the vote. Votes were recorded as follows:

For	29
Against	32
Abstain	0
Absent	2
<b>TOTAL</b>	<b>63</b>

The amendment was declared lost.

The substantive motion as amended by Councillor Daniel Thomas was then put to the vote. Votes were recorded as follows:

For	32
Against	29
Abstain	0
Absent	2
<b>TOTAL</b>	<b>63</b>

The substantive motion was declared carried.

**RESOLVED:**

**Standing up for the right of Barnet's EU citizens to stay in the UK**

**Barnet has around 40,000 EU citizens who have made their home in the borough.**

**Many of these EU citizens have lived in Barnet for most of their lives. They contribute to the local economy and the local community, and help make our borough the diverse place it is. They would be a significant loss to Barnet in the unlikely event they were forced to leave.**

**There are also around 900,000 British citizens living in the EU, many of whom will be from Barnet, who have received no assurances from European Union officials or European heads of government on their status following Britain's exit from the EU.**

**Council notes that on 17th January 2017, the Prime Minister set out twelve principles to guide the UK's Brexit negotiations. One of those principles stated:**

**"Fairness demands that we deal with another issue as soon as possible too. We want to guarantee the rights of EU citizens who are already living in Britain, and the rights of British nationals in other member states, as early as we can.**

**"I have told other EU leaders that we could give people the certainty they want straight away, and reach such a deal now.**

**"Many of them favour such an agreement – 1 or 2 others do not – but I want everyone to know that it remains an important priority for Britain – and for many other member states – to resolve this challenge as soon as possible. Because it is the right and fair thing to do."**

**We agree with the sentiments expressed by the Prime Minister in her letter to European Council President Donald Tusk that:**

**"We should remember that at the heart of our talks are the interests of all our citizens. There are, for example, many citizens of the remaining member states living in the United Kingdom, and UK citizens living elsewhere in the European Union, and we should aim to strike an early agreement about their rights."**

**This Council recognises it is in the mutual interests of all parties to come to such an agreement, and that it would be reassuring both to EU citizens living in the borough, as well to Barnet families whose loved ones live in the EU.**

**We ask the Leader of the Council and the Leader of the Opposition to jointly write to the Prime Minister expressing support for her aim to guarantee the rights of both UK and EU citizens early in the Article 50 negotiations.**

**22. OPPOSITION MOTION IN THE NAME OF CLLR ADAM LANGLEBEN - TACKLING AIR POLLUTION AROUND BARNET SCHOOLS**

Under Council Procedure Rule 23.5 the Motion in the name of Councillor Adam Langleben and the amendments to the Motion in the name of Councillor Dean Cohen and Councillor Alison Moore were put to the vote without debate.

The amendment in the name of Councillor Dean Cohen was put to the vote, and the votes were recorded as follows:

For	32
Against	0
Abstain	29
Absent	2
<b>TOTAL</b>	<b>63</b>

The amendment was declared carried.

The amendment in the name of Councillor Alison Moore was put to the vote, and the votes were recorded as follows:

For	29
Against	32
Abstain	0
Absent	2
<b>TOTAL</b>	<b>63</b>

The amendment was declared lost.

The substantive motion as amended by Councillor Dean Cohen was then put to the vote, and the votes were recorded as follows:

For	32
Against	29
Abstain	0
Absent	2
<b>TOTAL</b>	<b>63</b>

The motion was declared carried.

**RESOLVED:**

**Tackling air pollution around Barnet schools**

**Council notes that according to a recent study commissioned by Mayor of London, Sadiq Khan, fifteen schools in Barnet are located near areas where the toxic pollutant Nitrogen Dioxide NO<sub>2</sub> is at or has breached EU legal limits of 40 micrograms per cubic metre of air.**

**The fifteen schools where air tests showed 40 micrograms, or more, of NO<sub>2</sub> per cubic metre of air are:**

- Wentworth Tutorial College (52 micrograms per cubic metre)**
- Beis Soroh Schneirer (47.8)**
- Rhodes Farm School (47.5)**
- Torah Vodaas (47.1)**
- Mapledown School (46.5)**
- St Joseph's Catholic Primary School (46.1)**
- Ayesha Community School (45.1)**
- Unity Girls High School (45.1)**
- Beis Medrash Elyon (44.7)**
- Wessex Gardends Primary School (43.1)**
- Whitefield School (41)**
- Tudor Primary School (40.7)**
- Beis Yaakov Primary School (40.6)**
- Hasmonean Primary School (40.1)**
- The Orion Primary School (40)**



**Council also notes that children are more vulnerable to the effects of pollution, and there is a link to increased asthma and severity of asthma and other respiratory diseases.**

**Council further notes that thousands of deaths are caused by pollution each year in London and that MPs have called the problem a public health emergency.**

**Council acknowledges that Barnet council has been awarded the Cleaner Air Borough accreditation, which is part of the Mayor of London's Local Air Quality Management Framework (LLAQM), and that the accreditation is awarded to boroughs for effectively monitoring and reducing air pollution.**

**Council asks the Environment Committee to urgently investigate what measurable outcomes have resulted from LB Barnet's Air Quality Action Plan over the last year, and to come up with recommendations for the Mayor of London to implement, in order to improve the air quality around these fifteen schools and across the borough.**

### **23. MOTIONS FOR ADJOURNMENT**

There were none.

The meeting finished at 8.58 pm

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## Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET  
held at Hendon Town Hall, The Burroughs, London NW4 4BQ, on 4 April 2017

PRESENT:-

The Worshipful the Mayor (Councillor David Longstaff)  
The Deputy Mayor (Councillor Sury Khatri BSc (Hons) MSc (Lond))

Councillors:

Jess Brayne	Anne Hutton	Hugh Rayner
Alison Cornelius	Andreas Ioannidis	Tim Roberts
Maureen Braun	Dr Devra Kay	Gabriel Rozenberg
Pauline Coakley Webb	Adam Langleben	Lisa Rutter
Dean Cohen	Kathy Levine	Shimon Ryde
Jack Cohen	Kitty Lyons	Brian Salinger
Melvin Cohen	John Marshall	Gill Sargeant
Philip Cohen	Kath McGuirk	Joan Scannell
Geof Cooke	Arjun Mittra	Alan Schneiderman
Richard Cornelius	Alison Moore	Mark Shooter
Tom Davey	Ammar Naqvi	Agnes Slocombe
Val Duschinsky	Nagus Narenthira	Stephen Sowerby
Claire Farrier	Graham Old	Caroline Stock
Anthony Finn	Charlie O-Macauley	Daniel Thomas
Brian Gordon	Alon Or-Bach	Reuben Thompstone
Eva Greenspan	Reema Patel	Jim Tierney
Rohit Grover	Bridget Perry	Laurie Williams
Helena Hart	Wendy Prentice	Peter Zinkin
John Hart	Sachin Rajput	Zakia Zubairi
Ross Houston	Barry Rawlings	

Apologies for Absence

Councillor Rebecca Challice      Councillor Paul Edwards

### 1. THE WORSHIPFUL THE MAYOR TO READ THE NOTICE OF THE MEETING

The Worshipful the Mayor read the Notice of the Meeting.

### 2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rebecca Challice and Councillor Paul Edwards.

**3. ELECT A MEMBER TO PRESIDE IF THE MAYOR IS ABSENT**

The Worshipful the Mayor was present.

**4. DECLARATIONS OF INTEREST**

There were none.

**5. REPORT OF THE MONITORING OFFICER (IF ANY)**

There was none.

**6. CLLR ADAM LANGLEBEN - PLANNING AND PLANNING ENFORCEMENT IN BARNET**

Councillor Adam Langleben moved the motion in his name. Councillor Richard Cornelius moved the amendment in his name.

In accordance with Council Procedure Rule 13.4, Councillor Richard Cornelius at the conclusion of his speech moved “That the question be now put.” This was duly seconded and the votes were recorded as follows:

For	32
Against	29
Abstain	0
Absent	2
<b>TOTAL</b>	<b>63</b>

**RESOLVED: that the question be now put.**

In accordance with Council Procedure Rule 13.5 Councillor Adam Langleben retained his right of reply.

The amendment in the name of Councillor Richard Cornelius was then put to the vote and the votes were recorded as follows:

For	32
Against	29
Abstain	0
Absent	2
<b>TOTAL</b>	<b>63</b>

The amendment was declared carried.

Councillor Adam Langleben then raised the right of some Members to vote, but this was not accepted.

The substantive motion as amended by Councillor Richard Cornelius was put to the vote and the votes were recorded as follows:

For	32
Against	29
Abstain	0
Absent	2
<b>TOTAL</b>	<b>63</b>

The substantive motion was declared carried.

**RESOLVED:**

**Planning and planning enforcement in Barnet**

**Council notes that greater effort needs to be put into planning enforcement in the borough. However members recognise that the 145-page response, in which many cases are marked as “no further action”, does not give sufficient clarity as to the real situation.**

**Many such cases were either not breaches, or were otherwise settled. It is not possible to comment on individual planning applications, but members recognise the inefficient and convoluted process that enforcement entails.**

**The Re contract should be reviewed by a cross-party panel of councillors. Council is satisfied the Performance & Contract Management Committee fits this description, and recognises that planning and enforcement are such an integral part of the Re contract, that they cannot be separated out.**

The meeting finished at 9.16 pm

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	<p><b>Annual Council</b></p> <p><b>23 May 2017</b></p>
<p style="text-align: right;"><b>Title</b></p>	<p><b>Report of Head of Governance – Appointments and Changes to the Calendar of Meetings</b></p>
<p style="text-align: right;"><b>Report of</b></p>	<p>Head of Governance</p>
<p style="text-align: right;"><b>Wards</b></p>	<p>All</p>
<p style="text-align: right;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: right;"><b>Enclosures</b></p>	<p>Appendix A – Calculation of political balance Appendix A1 – Councillor Appointments to Committees (<i>To Follow</i>) Appendix A2 – Non-Councillor Appointments to Committees Appendix B – Appointments to Outside Bodies (<i>To Follow</i>) Appendix C– Calendar of Meetings 2017-18</p>
<p style="text-align: right;"><b>Officer Contact Details</b></p>	<p>Andrew Charlwood, Head of Governance, 020 8359 2014, <a href="mailto:andrew.charlwood@barnet.gov.uk">andrew.charlwood@barnet.gov.uk</a></p>

## Summary

This item presents various constitutional and administrative matters for Council's agreement. Full details are as set out in the appended reports.

## Recommendations

**That Council:**

- 1. Consider and make appointments to the committees as set out in Appendices A1 and A2.**
- 2. Consider and make appointments to the Outside Bodies as set out in Appendix B.**
- 3. Note the changes to the Calendar of Meetings 2017-18 as set out in Appendix C.**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 The Head of Governance report seeks Council's approval for various matters of business relating to the Council's statutory and constitutional functions.
- 1.2 When considering appointments to Committees as set out in Appendix A and A1, it should be noted that the proportionality of committees remains unchanged from the last municipal year.
- 1.3 When considering appointments to Outside Bodies, it should be noted that Appendix B lists only those Outside Bodies which have vacancies to appoint to. A full list of outside bodies is retained within Governance Service, and vacancies arising during the year will be appointed to by General Functions Committee or Council.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 As set out in the attached Appendices.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 N/A

## **4. POST DECISION IMPLEMENTATION**

- 4.1 Council decisions will be minuted and implemented through the Head of Governance.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 As set out in attached Appendices.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 There are no specific financial implications from the changes in the appendices. All changes will be funded from the Council's budget.

### **5.3 Legal and Constitutional References**

- 5.3.1 Council Constitution, Full Council Procedure Rules, Annual Meetings of the Council – details that Annual Council has responsibility for "Appointing the Chairman, Vice Chairman and members of Committees and other regulatory bodies and approving their respective terms of reference"



5.3.2 Council Constitution, Full Council Procedure Rules, Annual Meetings of the Council – details that Annual Council has responsibility for “Appointing representatives to Outside Bodies unless the appointment has been delegated by Council”.

5.3.3 Council Constitution, Full Council Procedure Rules – sets out that Council “Agree the calendar of meetings including for ordinary meetings of the Council.”

#### **5.4 Risk Management**

5.4.1 As set out in attached Appendices.

#### **5.5 Equalities and Diversity**

5.5.1 As set out in attached Appendices.

#### **5.6 Consultation and Engagement**

5.6.1 None specifically arising from this report.

### **6. BACKGROUND PAPERS**

6.1 None.

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## **APPENDIX A – APPOINTMENT TO COMMITTEES AND OTHER BODIES**

**Annual Council, 23 May 2017**

### **CALCULATION OF POLITICAL BALANCE (PROPORTIONALITY)**

#### **Background**

The Council must allocate seats on committees and other prescribed bodies so as to give effect to the political balance rules.

The rules for the allocation of seats are set out in Sections 15 and 16 of the Local Government and Housing Act 1989 (the '1989 Act') and Local Government Committee and Political Group Regulations 1990 (the 'Regulations').

Section 15(5) of the 1989 Act sets out four rules, and requires authorities to apply them in descending order of priority.

- Rule 1: Where some or all of the members of an authority have formed into two or more political groups, then no Committee may comprise just members from one political group.
- Rule 2: Where a majority of members of Council are members of one political group, that political group must have a majority of the seats on each Committee.
- Rule 3: Without being inconsistent with the first two rules, the number of seats allocated to each political group on all the Committees taken together be as near as possible proportionate to their strength on Council.
- Rule 4: So far as is consistent with Rules 1 to 3, each political party must be allocated that number of seats on each Committee taken individually as is proportionate to their strength on the Council. However, as set out above, this is subject to the need to give the majority a majority on each Committee.

Any seats left unallocated go by default to any members who are not members of any political group. A political group must comprise at least two members.

The Council can only depart from these rules by passing a resolution with no member voting against the resolution (S17 1989 Act).

The political proportionality rules also apply to those outside bodies dealing with local government matters to which the council appoints three or more representatives (Schedule 1 para 2 of the 1989 Act).

For some committees there is a statutory exception to the requirement to be politically balanced.

This proportionality report is based on the principles described above. Council is asked to agree this report to ensure the committee and body membership is determined in accordance with statutory requirements (where applicable).

The political composition of the Council is as follows:

	<b>Council</b>	<b>Conservative</b>	<b>Labour</b>	<b>Un-grouped</b>
<b>Members</b>	63	32	30	1
<b>Percentage</b>	100%	50.79%	47.62%	1.59%

### **Bodies to which proportionality does not or need not apply**

- i. Consultative bodies established for consultation with staff are not regarded as council committees subject to the political balance rules. Each has a special composition.
- ii. By virtue of the Local Authority (Public Health, Health and Well Being Board and Health Scrutiny) Regulations 2013 (Si 218/2013) the Health and Well Being Board is not required to be politically balanced. In previous years the Council has accepted the recommendation of the Constitution, Ethics & Probity Committee that the Health & Well Being Board is not politically balanced. This report proposes that the composition of the Health & Well Being Board for the previous –four years applies for the forthcoming year also.
- iii. Council agreed on 8 December 2015 the recommendations of the Constitution, Ethics and Probity Committee in respect of establishment of a Standards Committee to replace the Group Leaders Panel. It was agreed to not to apply the political balance contained in the Local Government and Housing Act 1989 and appoint two members each from the Administration and Opposition Groups, and a non voting Independent Person to act as Chairman.
- iv. Council on 28 July 2015 agreed to set up a section 102 joint committee (the West London Economic Prosperity Board) and approved the Board’s functions and procedure rules which provide that each participating borough will appoint a member and substitute member to the Board. The requirement for political balance does not apply to appointment of fewer than three members to outside bodies.
- v. The Barnet Partnership Board is advisory only and so is not subject to the statutory requirements in relation to political balance.
- vi. The Regulations provide an exception from the political balance requirements where a committee is established to discharge functions in part of an authority’s area where:

- (a) It consists entirely of Members elected for wards which comprise the area, and
- (b) Either the area or its population does not exceed two-fifths of the total for the authority.

The regulations allow the Area Planning Committees and Area Committees to be constituted on a Ward Member basis.

### **Achieving Political Balance**

An allocation of seats is detailed in the table below. The number of Members and any specific requirements of membership are taken from the Responsibility for Functions section of the Constitution.

Whilst there is no requirement to set the size of Committees to secure proportionality, in order to comply with the requirement for the majority party to enjoy a majority on each Committee, yet get as close as possible to arithmetic proportionality, the number of seats on all Committees within the proportionality calculation (with the exception of Policy and Resources) is an odd number.

**Table A – Seat Allocations on Politically Proportionate Basis**

<b>Committee</b>	<b>Number of Members</b>	<b>Cons</b>	<b>Labour</b>	<b>Un-Grouped</b>	<b>Others</b>
Policy and Resources	12	7	5	0	
Performance and Contract Management	11	6	5	0	
Children Education Libraries and Safeguarding	9 <i>(plus up to 6 co-opted Members)</i>	5	4	0	Up to 6 Co-opted Members (4 Voluntary Aided Schools; 2 Parent Governors)
Environment	11	6	5	0	
Assets Regeneration and Growth	9	5	4	0	

Adults and Safeguarding	9	5	4	0	
Housing	9	5	4	0	
Community Leadership	11	6	5	0	
Licensing Committee	11	6	5	0	
Audit Committee	7	4	3	0	2 Independent Members
Planning Committee	11	6	5	0	
General Functions Committee	7	4	3	0	
Health Overview and Scrutiny Committee	9	5	4	0	
Constitution, Ethics and Probity Committee	7	4	3	0	
Chief Officer Appointments Panel (must include Leader, Deputy Leader, General Functions Committee Chairman and all Group Leaders)	5	3	2	0	
Pension Fund Committee	7	4	3	0	

Urgency Committee (must include Leader, Deputy and Opposition Leader)	3	2	1	0	
Total	148	83	65	0	
<b>Percentages</b>	<b>100%</b>	<b>56.08%</b>	<b>43.92%</b>		N/A

Appointments should also be made to the following committees not included within the schedule. Members for Area Planning Committees, Area Committees and the Welsh Harp Joint Consultative Committee should represent wards within the appropriate area concerned. The Corporate Parenting Advisory Panel is not subject to proportionality rules, but the Panel has been appointed to on a proportional basis in previous years.

**Table B – Seat Allocations on Non-Politically Proportional Bodies**

Committee	Membership	Seat Allocation			
		Con	Lab	Un-Grouped	Other
Finchley and Golders Green Area Committee	7	4	3		
Chipping Barnet Area Committee	7	3	4		
Hendon Area Committee	7	4	3		
Finchley and Golders Green Area Planning Committee	7	4	3		
Chipping Barnet Area Planning Committee	7	3	4		
Hendon Area Committee	7	4	3		
Finchley and Golders Green Residents Forum	2	2			

Chipping Barnet Residents Forum	2	2			
Hendon Residents Forum	2	2			
Welsh Harp Joint Consultative Committee	4	2	2		
Standards Committee	5	2	2		1 Independent Person (non-voting)
Corporate Parenting Advisory Panel	9	5	4		
Health & Well-Being Board	3	3			3 officers and 5 external health partners
Children's Trust Partnership Board	7 members (2 council seats)	2			5 external partners
Safer Communities Partnership Board	12 members (1 council seat)	1			4 officers and 11 external partners
Barnet Partnership Board (Local Strategic Partnership)	18 members (6 council seats)	3	3		12 external partners
West London Economic Prosperity Board	6 members (1 council seat)	1			5 elected members from other participating boroughs
North Central London Joint Health Overview	10 members (2 council seats)	2			8 elected members from other



& Scrutiny Committee					participating boroughs
Local Pension Board	5 members (1 council seat)	1			2 employee reps and 2 employer reps
Licensing Sub-Committees	3	Any three Members of the Licensing Committee			

Council will note that the proportionality calculations result in the un-grouped member securing no seats on any Committee. Council could, if it so resolved by a resolution with no member voting against the resolution, depart from proportionality to allocate some seats to the un-grouped member. However, Council should note that, if the majority party were to retain a majority of seats on each Committee, any seats given to the un-grouped member would have to come from within those seats otherwise allocated to the Labour Party group.

**RECOMMEND:**

1. That Council note the political balance of the Council is:
  - 32 Members of the Conservative Group;
  - 30 Members of the Labour Group;
  - 1 Liberal Democrat
2. That Council agree the allocation of seats as set out in the Table A of this report in order to comply with the political balance regulations requiring seats to be allocated proportionately to the political groups represented on Council.
3. That Council agree the allocation of seats on non-politically proportionate bodies as set out in Table B of this report.
4. That Council determine whether it wishes to allocate a seat(s) to the member not part of a political group on such committee(s) as Council may determine.
5. That Council consider the nominations for appointments to Committees and other bodies as set out in Appendix A1 and agree the appointments.

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## Appendix A2 – Non-Councillor Appointments to Committees and Boards

Current Independent, Co-opted, Partner and Officer Members of Committees and Boards are listed below. It is recommended Council confirm approval of these memberships for the next year.

### Children Education Libraries and Safeguarding Committee

<b>Co-opted Member role</b>	<b>Member</b>	<b>Appointed</b>	<b>Expiring</b>
Voluntary Aided School Representative	Mr Denis Carey (Roman Catholic Diocese of Westminster)	13 May 2015 – reconfirmed on 24 May 2016	N/A
Voluntary Aided School Representative	Ms Gladys Vendy (Church of England)	13 May 2015 - reconfirmed on 24 May 2016	N/A
Voluntary Aided School Representative	Ms Marilyn Nathan (Jewish Schools)	15 July 2014 – reconfirmed on 24 May 2016	N/A
Voluntary Aided School Representative	Mr Kevin McSharry (SACRE)	8 December 2015 reconfirmed on 24 May 2016	N/A
Parent Governor Representative	Vacancy  (NB There will be a review of co-opted members before next Annual Council)	24 May 2016	Expired
Parent Governor Representative	Vacancy  (NB There will be a review of co-opted members before next Annual Council)	24 May 2016	Expired

### Audit Committee

The following members are recommended for re-approval for the next year:

<b>Independent Member</b>	<b>Appointed</b>	<b>Term</b>	<b>Expiring</b>
Geraldine Chadwick	28 July 2015	4 years, subject to annual re-appointment by Council	28 July 2019
Richard Harbord	2 June 2014	4 years, subject to annual re-appointment by Council	May 2018

### Standards Committee

The following members are recommended for approved for the next year:

<b>Independent Member</b>	<b>Appointed</b>	<b>Term</b>	<b>Expiring</b>
Tanya Ossack	24 May 2016	2 years	24 May 2018
Stephen Ross	24 May 2016	2 years	24 May 2018
Joanna Brown	24 May 2016	4 years	24 May 2020
Michael Schindler	24 May 2016	4 years	24 May 2020
Michael Crozier	24 May 2016	4 years	24 May 2020

### Local Pension Board

The following members are recommended for re-approval for the next year:

<b>Role</b>	<b>Member</b>	<b>Substitute Member</b>	<b>Appointed</b>	<b>Expiring</b>
Independent Member	Stephen Ross	N/A	28 July 2015 – reconfirmed 24 May 2016	N/A
Employer Representative	Tom Evans (Re)	Richard Budd (Re)	28 July 2015 – reconfirmed 24 May 2016	N/A
Employer Representative (Retired/ Deferred Member)	Geoffrey Alderman	Hem Savla	28 July 2015 – reconfirmed 24 May 2016	N/A
Employee Representative (Active Member)	Salar Rida	N/A	7 March 2017	N/A

### **Health and Wellbeing Board**

The Health and Social Care Act 2012 states that HWBB should consist of the minimum (core) statutory membership of at least the following members:

- At least one elected Member of the local authority
- Local Authority Director of Adult Social Services (DASS),
- Local Authority Director of Children’s Services,
- Local Authority Director of Public Health,
- A representative from the local CCG (which falls within the area of the local authority) ; and
- A representative from local Healthwatch organisation.

Current officer and representative Members of the Health and Wellbeing Board are listed below:

<b>Role</b>	<b>Post</b>	<b>Current member/s</b>
Director of Children’s Services	Director of Children’s Services/ Commissioning Director for Children and Young People	<ul style="list-style-type: none"><li>• Commissioning Director for Children and Young People, Chris Munday</li><li>○ Substitute – Strategic Lead Children and Young People – Ben Thomas</li></ul>
Director of Public Health	Director of Public	<ul style="list-style-type: none"><li>• Andrew Howe</li></ul>

	Health (Barnet and Harrow)	<ul style="list-style-type: none"> <li>○ Substitute –Consultant in Public Health: Dr Jeff Lake</li> </ul>
Barnet Clinical Commissioning Group (CCG) representative(s)	<p>Three CCG GP Members</p> <p>One Barnet CCG Accountable Officer</p>	<p>Barnet CCG GP members:</p> <ul style="list-style-type: none"> <li>● Chair of Barnet CCG, Dr Debbie Frost</li> <li>● Dr Clare Stephens</li> <li>● Dr Charlotte Benjamin</li> <li>○ Substitute – Dr Barry Subel</li> <li>○ Substitute – Bernadette Conroy</li> <li>○ Substitute – Dr Ahmer Farooqui</li> </ul> <p>Barnet CCG Accountable Officer:</p> <ul style="list-style-type: none"> <li>● Cathy Gritzner, Accountable Officer</li> <li>○ Substitute –Neil Snee, Interim Director of Commissioning</li> </ul>
Barnet Healthwatch representative	Head of Healthwatch	<ul style="list-style-type: none"> <li>● Head of Healthwatch – Selina Rodrigues</li> <li>○ Healthwatch substitute – Julie Pal (CommUNITY Barnet)</li> </ul>
NHS England representative	Senior representative	<ul style="list-style-type: none"> <li>● Ceri Jacob – (Director of Commissioning Operations for NCEL)</li> <li>○ Elizabeth Comley, (Acting Head of Assurance North Central and East London, NHS England)</li> </ul>
Safeguarding Adults Board and Safeguarding Children’s Board	Chair/ designated Board Member	<ul style="list-style-type: none"> <li>● Safeguarding Adults and Children Board Chair (non-voting member with full speaking rights)</li> </ul>

### **Childrens Trust Partnership Board**

The Childrens Trust Partnership Board includes representatives from the following partners:

- Barnet Clinical Group
- CommUNITY Barnet
- Barnet and Southgate College
- Metropolitan Police
- Primary, Secondary and Special Schools

### **Local Strategic Partnership (Barnet Partnership Board)**

The Barnet Partnership Board includes the following partners:

- Barnet Clinical Commissioning Group
- CommUNITY Barnet
- Barnet and Southgate College
- Middlesex University
- Brent Cross Shopping Centre
- Metropolitan Police
- Job Centre Plus
- Groundwork London

- Federation of Small Businesses (North London Branch)
- West London Business
- Argent Related
- Saracens

### **Safer Communities Partnership Board**

The Safer Communities Partnership Board includes the following partners:

- London Probation Trust
- National Probation Service
- London Fire Brigade
- Barnet Clinical Commissioning Group
- MOPAC (Mayor's Office for Policing Crime)
- Barnet Safer Neighbourhood Board
- Middlesex University
- North West London Magistrates' Court
- CommUNITY Barnet
- Victim Support, North London Division
- Department of Works and Pension

**RECOMMEND – That Council approve the Independent, Co-opted, Partner and Officer Members of Committees listed in Appendix A2 for the next year.**

## Annual Council, 23 May 2017 - Appendix C: Calendar of Meetings 2017/2018

	June 2017	July 2017	Aug 2017	Sep 2017	Oct 2017	Nov 2017	Dec 2017	Jan 2018	Feb 2018	Mar 2018	Apr 2018	May 2018
<b>Council – Annual Meeting</b>												22 <sup>nd</sup>
<b>Council</b>		25 <sup>th</sup>			31 <sup>st</sup>		12 <sup>th</sup>	30 <sup>th</sup>		6 <sup>th</sup> (budget)		
<b>Party Group Meetings</b>		20 <sup>th</sup>			26 <sup>th</sup>		7 <sup>th</sup>	25 <sup>th</sup>		1 <sup>st</sup>		TBC
<b>Audit Committee</b>		27 <sup>th</sup>				2 <sup>nd</sup>		31 <sup>st</sup>			19 <sup>th</sup>	
<b>Policy and Resources Committee</b>	27 <sup>th</sup>			5 <sup>th</sup>	10 <sup>th</sup>		5 <sup>th</sup>		13 <sup>th</sup>	20 <sup>th</sup>		TBC
<b>Pension Fund Committee</b>		18 <sup>th</sup>			24 <sup>th</sup>			17 <sup>th</sup>		13 <sup>th</sup>		
<b>General Functions Committee</b>	28 <sup>th</sup>				9 <sup>th</sup>	8 <sup>th</sup>	6 <sup>th</sup>	15 <sup>th</sup>		19 <sup>th</sup>		
<b>Health O&amp;SC</b>		3 <sup>rd</sup>			2 <sup>nd</sup>		4 <sup>th</sup>		5 <sup>th</sup>			TBC
<b>Performance and Contract management Committee</b>		4 <sup>th</sup> (Q4)		12 <sup>th</sup> (Q1)		28 <sup>th</sup> (Q2)		16 <sup>th</sup>	27 <sup>th</sup> (Q3)			
<b>Children, Education, Libraries &amp; Safeguarding Committee</b>		12 <sup>th</sup>		18 <sup>th</sup>		15 <sup>th</sup>		16 <sup>th</sup>		7 <sup>th</sup>		TBC
<b>Adults and Safeguarding Committee</b>	12 <sup>th</sup>	10 <sup>th</sup>		19 <sup>th</sup>		6 <sup>th</sup>		22 <sup>nd</sup>		5 <sup>th</sup>		
<b>Environment Committee</b>		13 <sup>th</sup>		TBC		7 <sup>th</sup>		11 <sup>th</sup>		14 <sup>th</sup>		TBC

## Annual Council, 23 May 2017 - Appendix C: Calendar of Meetings 2017/2018

	June 2017	July 2017	Aug 2017	Sep 2017	Oct 2017	Nov 2017	Dec 2017	Jan 2018	Feb 2018	Mar 2018	Apr 2018	May 2018
<b>Assets, Regeneration and Growth Committee</b>	5 <sup>th</sup>	24 <sup>th</sup>		4 <sup>th</sup>		27 <sup>th</sup>				12 <sup>th</sup>		
<b>Housing Committee</b>	26 <sup>th</sup>				23 <sup>rd</sup>				7 <sup>th</sup>			TBC
<b>Community Leadership Committee</b>	21 <sup>st</sup>			6 <sup>th</sup>		22 <sup>nd</sup>				15 <sup>th</sup>		
<b>F &amp; GG Area Committee</b>			2 <sup>nd</sup>			14 <sup>th</sup>			15 <sup>th</sup>			
<b>F &amp; GG Residents Forum</b>		5 <sup>th</sup>			18 <sup>th</sup>			23 <sup>rd</sup>		21 <sup>st</sup>		
<b>Hendon Area Committee</b>		24 <sup>th</sup>					4 <sup>th</sup>		26 <sup>th</sup>			
<b>Hendon Residents Forum</b>		5 <sup>th</sup>			18 <sup>th</sup>			23 <sup>rd</sup>		21 <sup>st</sup>		
<b>Chipping Barnet Area Committee</b>		17 <sup>th</sup>			30 <sup>th</sup>				5 <sup>th</sup>			
<b>Chipping Barnet Residents Forum</b>		5 <sup>th</sup>			18 <sup>th</sup>			23 <sup>rd</sup>		21 <sup>st</sup>		
<b>Planning Committee</b>	22 <sup>nd</sup>	26 <sup>th</sup>		19 <sup>th</sup> 28 <sup>th</sup>	25 <sup>th</sup>	23 <sup>rd</sup>	14 <sup>th</sup>	24 <sup>th</sup>	21 <sup>st</sup>	28 <sup>th</sup>		23 <sup>rd</sup>
<b>FGG, CB and Hendon Area Planning Committees</b>	14 <sup>th</sup>	19 <sup>th</sup>		7 <sup>th</sup>	17 <sup>th</sup>	1 <sup>st</sup> - 30 <sup>th</sup>		18 <sup>th</sup>	8 <sup>th</sup>	8 <sup>th</sup>		TBC
<b>Licensing</b>		6 <sup>th</sup>				20 <sup>th</sup>						



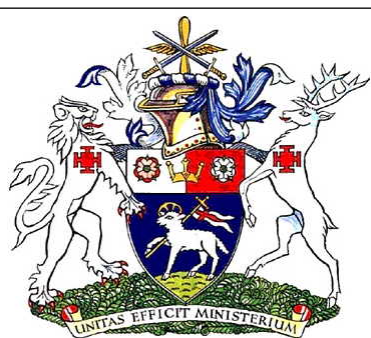
## Annual Council, 23 May 2017 - Appendix C: Calendar of Meetings 2017/2018

	June 2017	July 2017	Aug 2017	Sep 2017	Oct 2017	Nov 2017	Dec 2017	Jan 2018	Feb 2018	Mar 2018	Apr 2018	May 2018
<b>Constitution, Ethics and Probity Committee</b>	29 <sup>th</sup>					13 <sup>th</sup>				22 <sup>nd</sup>		
<b>Welsh Harp JCC*</b>		18 <sup>th*</sup>				28 <sup>th*</sup>				13 <sup>th*</sup>		
<b>Joint Health O&amp;SC</b>	9 <sup>th</sup>			22 <sup>nd</sup>		24 <sup>th</sup>		26 <sup>th</sup>		23 <sup>rd</sup>		
<b>Corporate Parenting Advisory Panel</b>				14 <sup>th</sup>			13 <sup>th</sup>		6 <sup>th</sup>			TBC
<b>Health &amp; Well-Being Board* 9am</b>		20 <sup>th</sup>		14 <sup>th</sup>		9 <sup>th</sup>		25 <sup>th</sup>		8 <sup>th</sup>		
<b>Safer Communities Partnership Board 10am</b>		21 <sup>st</sup>			27 <sup>th</sup>			26 <sup>th</sup>			27 <sup>th</sup>	
<b>Children's Partnership Board* 10am</b>												
<b>Barnet Partnership Board 8.30am</b>				TBC								
<b>Local Pension Board</b>				11 <sup>th</sup>		29 <sup>th</sup>			14 <sup>th</sup>		17 <sup>th</sup>	
<b>West London Economic Prosperity Board 10am</b>	22 <sup>nd</sup>											

\*The meeting dates of the Welsh Harp JCC are provisional at time of publication, and will be confirmed at Brent Council Annual Council meeting on 17 May. Children's Partnership Board meets once a year; the date for 2017-18 is yet to be confirmed.

TBC =The dates of these meetings will likely need to be changed due to the timing of the 2018 local elections and the Labour Party Conference.

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**Annual Council**  
**23 May 2017**

<b>Title</b>	<b>Report of the Constitution Ethics and Probity Committee – Revised Members Code of Conduct</b>
<b>Report of</b>	Head of Governance
<b>Wards</b>	All
<b>Status</b>	Public
<b>Enclosures</b>	Annex A – Report to Constitution Ethics and Probity Committee, 16 March 2017 Annex B – Current Member Code of Conduct Annex C – Revised Member Code of Conduct
<b>Officer Contact Details</b>	Andrew Charlwood, Head of Governance, 020 8359 2014, <a href="mailto:andrew.charlwood@barnet.gov.uk">andrew.charlwood@barnet.gov.uk</a>

**Summary**

The Constitution, Ethics and Probity Committee at its meeting of 16 March 2017 considered a report on proposed revisions to the Members Code of Conduct, and resolved to **recommend to full Council that the amended Code be adopted as the Council’s Members Code of Conduct**. Only Full Council may amend the Constitution and therefore Council are recommended to approve the revised Code.

**Recommendation**

- 1. That the revised Members Code of Conduct as set out at Annex C be adopted, replacing the existing Code of Conduct (as contained in Annex B - Parts 1, 2, and 3 and Appendix 1).**
- 2. That Council note that the Hearing Procedure, as set out in Appendix 2 in the current Members Code of Conduct, will be retained unchanged**

## **1. WHY THIS REPORT IS NEEDED**

1.1 As set out in the report to Constitution, Ethics and Probity Committee.

## **2. REASONS FOR RECOMMENDATIONS**

2.1 The Constitution, Ethics and Probity Committee (CEP) is required under its terms of reference to proactively review and keep under review all aspects of the Constitution. The proposals contained in Annex C were discussed by that Committee and are now recommended to ensure the smooth running of the Council.

2.1.1 The reasons for the recommendations are as set out in the report to Constitution, Ethics and Probity Committee at Annex A.

2.1.2 The Constitution, Ethics and Probity Committee made the following decision at their meeting on 16 March 2017:

“RESOLVED that the Committee recommend the revised Members Code of Conduct as set out in Appendix B be recommended to full Council for adoption, subject to:

- i) Adding a new section 2 (f) to introduce a duty to report safeguarding concerns
- ii) References to ‘City Council’ being amended to ‘Council’; and
- iii) Additional text being included after the definitions of pecuniary and non-pecuniary interests as follows: “In the event that Members are unsure as to whether they have an interest and/or the type of interest they are advised to consult with the Monitoring Officer”

The revised Members Code of Conduct attached at Annex C has been amended to take into account the amendments detailed above.

2.1.3 The Procedure for dealing with complaints (currently Appendix 2 of the existing Code of Conduct) remains the same.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

3.1 The reasons for the proposals as set out in the report to Constitution, Ethics and Probity Committee.

## **4. POST DECISION IMPLEMENTATION**

4.1 The Monitoring Officer will make arrangements for any changes agreed to be actioned, together with minor drafting and housekeeping changes. The revised Constitution will be published online and for existing hard copies issued to be revised and replaced.

## **5. IMPLICATIONS OF DECISION**

5.1 **Corporate Priorities and Performance**

5.1.1 The Council has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by members and co-opted members of the Council.

**5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 None.

**5.3 Legal and Constitutional References**

5.3.1 As set out in section 5.1.1

5.3.2 Council Constitution, Responsibility for Functions, Functions of Full Council, Paragraph 1.2: "Only the Council will adopt and change the Constitution, except where otherwise provided in the Constitution or by resolution of the Council".

**5.4 Risk Management**

5.4.1 As set out in the report to Constitution, Ethics and Probity Committee.

**5.5 Equalities and Diversity**

5.5.1 As set out in the report to Constitution, Ethics and Probity Committee.

**5.6 Consultation and Engagement**

5.6.1 None in the context of this decision.

**6. BACKGROUND PAPERS**

6.1 None.

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	<p align="center"><b>Annex A - Constitution, Ethics and Probity Committee</b></p> <p align="center"><b>16 March 2017</b></p>
<p><b>Title</b></p>	<p><b>Members Code of Conduct</b></p>
<p><b>Report of</b></p>	<p>Monitoring Officer</p>
<p><b>Wards</b></p>	<p>None</p>
<p><b>Status</b></p>	<p>Public</p>
<p><b>Enclosures</b></p>	<p>Appendix A: Existing Members Code of Conduct Appendix B: Revised Members Code of Conduct</p>
<p><b>Officer Contact Details</b></p>	<p>David Tatlow, Interim Monitoring Officer, 020 8359 2786 <a href="mailto:david.tatlow@barnet.gov.uk">david.tatlow@barnet.gov.uk</a></p>

<p><b>Summary</b></p>
<p>This report considers the content of the Code of Conduct, transforms the Code into a straightforward format in plain English and recommends changes designed to improve its provisions.</p>

<p><b>Recommendations</b></p>
<p><b>That the Committee consider the revised Members Code of Conduct shown at Appendix B and recommend to full Council that the amended Code be adopted as the Council’s Members Code of Conduct.</b></p>

## **1. WHY THIS REPORT IS NEEDED**

### **Introduction**

- 1.1 It would appear timely to consider whether any changes to the content of the Code of Conduct itself should be considered, in the light of the experience of the operation of the Code in practice since its introduction in 2012.
- 1.2 In some respect the Code as written is complex and not easy to follow. Accordingly the Code has been re-written in a more straightforward way and in plain English. The changes are intended primarily to clarify the circumstances in which Members need to declare interests.

### **Background**

- 1.3 As set out in previous reports to the Committee, Section 27 of the Localism Act 2011 imposes a duty on the Council to “promote and maintain high standards of conduct by members and co-opted members” of the Council. The Council is also required by Section 28 of the Act to adopt a code dealing with the conduct that is expected of Members and co-opted Members of the Council when they are acting in that capacity, and such a Code must include the provisions the Council considers appropriate in respect of the registration and disclosure of Pecuniary and Non-Pecuniary interests.
- 1.4 For the most part it is a matter for the Council to decide what the contents of its Code should be. However that part of the standards regime introduced by the 2011 Act which relates to pecuniary interests is statutory. The Act, or Regulations made under the Act, define pecuniary interests, require their registration and disclosure, and create criminal offences if the statutory provisions are not complied with. The Code sets out and reflects these statutory provisions.
- 1.5 However, it is for the Council to decide what other provisions to include in the Code. The current Code does so in Section 10, which deals with “Other interests”, which are referred to as non-disclosable pecuniary interests or non-pecuniary interests.
- 1.6 Section 10 of the current Code causes difficulty in practice for two reasons:
  - Firstly, the terminology is extremely confusing. “Non-disclosable pecuniary interests or non-pecuniary interests” must in fact be declared under the Code, which makes the term “non-disclosable” inappropriate. The Code does not provide any different treatment for pecuniary interests compared to non-pecuniary interests, so it is unclear why such terms are used.
  - Secondly, the Code requires only the declaration of these “other interests”, and has no provision requiring a Member to withdraw from decision-making even where the “other interest” is a financial one and would clearly be perceived by a member of the public as one likely to affect the Member’s judgment of the public interest, or one such as to give the appearance of



bias so that a decision may be liable to successful challenge if the Member does participate in decision-making. The Code has no provisions preventing decision-making in any circumstances other than those where a Member has a pecuniary interest as statutorily defined.

- 1.7 Examples of a situation not catered for by the current Code can be provided. Any interest in land or property in Barnet owned by a Member or his/her spouse or partner is a pecuniary interest as defined by the Act. It would therefore be an offence for such a Member to participate in decision-making with respect to (for example) a planning application relating to such a property.
- 1.8 However, the statutory definition of a pecuniary interest would not include land or property owned by someone living next door to the the Member. Unless the Code contains provisions dealing with the matter, therefore, it is open to a Member with such an interest to participate in decision-making in respect of their neighbour's property. Under the current Code, a Member would be required to declare an interest, but would not be required to absent him or herself from the meeting to determine the neighbour's planning application. If this were to actually occur it is likely to affront the public's sense of fairness and justice.

### **Proposed Amendments**

- 1.9 In order to address these issues, it is proposed that the Code should be revised so as to include personal interests defined as interests which would affect the wellbeing or financial interests of a Member in the list of pecuniary interests.
- 1.11 Other changes have been made to ensure consistency of language and style throughout the Code.
- 1.12 The recommended changes are set out in the version of the Code contained at Appendix B.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The Constitution, Ethics and Probity Committee is responsible for promoting and maintaining high standards of member conduct. This report puts forward proposals for amending the Members Code of Conduct to assist in fulfilling that duty.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The reasons for the proposals are set out in Section 2 above.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 If the Committee agrees the recommendation, it will be reported to Full Council for approval.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

5.1.1 The Council has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by members and co-opted members of the Council.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 None.

### **5.3 Legal and Constitutional References**

5.3.1 As set out in Section 2 above.

5.3.2 Council's Constitution, Responsibilities for Functions, Annex A – the Constitution, Ethics and Probity Committee terms of reference includes responsibility to “proactively to review and keep under review all aspects of the Council's Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council”.

### **5.4 Risk Management**

5.4.1 The proposals set out in this report are designed to reduce the risk of reputational damage to the Council and to individual members arising from any perception that the Council's arrangements for dealing with complaints about member conduct are not fair or not effective.

### **5.5 Equalities and Diversity**

5.5.1 The decision making processes of the Council, as enshrined within the Constitution, need to be transparent and accessible to all sectors of the community.

### **5.6 Consultation and Engagement**

5.6.1 None.

## **6. BACKGROUND PAPERS**

6.1 None.

# Annex B – Current Member Code of Conduct

## BARNET COUNCIL

### MEMBERS CODE OF CONDUCT

#### PART 1

#### GENERAL PROVISIONS

##### Introduction and interpretation

1. (1) This Code applies to **you** as a Member of London Borough of Barnet.  
  
(2) You should read this Code together with the general principles prescribed by the Secretary of State.  
  
(3) It is your responsibility to comply with the provisions of this Code.  
  
(4) In this Code:  
  
    "meeting" means any meeting of:-  
  
    (a) the Council;  
  
    (b) any of the Council's committees, sub-committees, joint committees, joint sub-committees, or area committees;  
  
    "Member" includes a Co-opted member and an Appointed Member.  
  
(5) As a Member or Co-opted Member of London Borough of Barnet you have a responsibility to represent the community and work constructively with the Council's staff and partner organisations to secure better social, economic and environmental outcomes for all.  
  
(6) In accordance with the provisions of the Localism Act 2011, when acting in this capacity you must be committed to behaving in a manner that is consistent with the following principles to achieve best value for the borough's residents and maintain public confidence in this authority:-

**SELFLESSNESS:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**INTEGRITY:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**OBJECTIVITY:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**ACCOUNTABILITY:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**OPENNESS:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**HONESTY:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**LEADERSHIP:** Holders of public office should promote and support these principles by leadership and example.

### **Scope**

2. (1) You must comply with this Code whenever you are acting in your capacity as a Member of the council.

### **General obligations**

3. (1) You must:-
  - (a) treat others in a manner which is consistent with the obligations set out in paragraphs 1 (5) and 1 (6) above.
  - (b) treat others with respect.
- (2) You must not:-
  - (a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006);
  - (b) bully any person;
  - (c) intimidate or attempt to intimidate any person who is or is likely to be:-
    - (i) a complainant,
    - (ii) a witness, or
    - (iii) involved in the administration of any investigation or proceedings,in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
  - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.
4. You must not:-
  - (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:—
    - (i) you have the consent of a person authorised to give it;
    - (ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is:-

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the authority; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

5. You:-

(a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

(b) must, when using or authorising the use by others of the resources of your authority—

(i) act in accordance with your authority's reasonable requirements;

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

6. (1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

(a) the Council's Chief Finance Officer; or

(b) the Council's Monitoring Officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

7. When reaching decisions you should:-

(a) not act or cause the Council to act unlawfully, in such a manner as would give rise to a finding of maladministration, in breach of any undertaking to the Court, or for the advantage of any particular person or interest rather than in the public interest; and

(b) take into account all material information of which you are aware and then take the decision on its merits and in the public interest

## **PART 2**

### **INTERESTS**

## **Disclosable Pecuniary Interests**

- 8.1 A pecuniary interest is a “Disclosable Pecuniary Interest” if it is of a description specified in Appendix 1 and either:
- (a) it is the interest of you as a Member or
  - (b) it is an interest of:
    - (i) the Member’s spouse or civil partner
    - (ii) a person with whom the Member is living as husband and wife, or
    - (iii) a person with whom the Member is living as if they were civil partners,
- and the Member is aware that the other person has that interest.
- 8.2 If you are in any doubt as to whether you should continue to participate in any matter, you should take advice from the Monitoring Officer at an early stage as to whether your circumstances permit continued participation.
- 8.3 You, or some firm or body with which you are personally connected may have professional, business or other personal interests within the area for which the Council is responsible. Such interests may be substantial and closely related to the work of one or more of the Council’s committees.
- 8.4 You should not seek, or accept, membership of any committee, if that would involve you in disclosing an interest so often that you could be of little value to the committee, or if it would be likely to weaken public confidence in the duty of the committee to work solely in the general public interest.

## **Effect of disclosable pecuniary interests on participation**

- 9.1 Where you are present at a meeting of the Council and you are aware that you have a disclosable pecuniary interest in any matter to be considered, or being considered, then:
- (a) if the interest is not entered on the Council’s register of interests you must (subject to the provision relating to sensitive interests) disclose the interest to the meeting, and
  - (b) if the interest is not entered on the Council’s register of interests and is not the subject of a pending notification you must notify the Monitoring Officer of that interest before the end of 28 days beginning with the date of disclosure and
  - (c) (i) (subject to any current dispensation) may not participate (or participate further) in any discussion of the matter at the meeting or
    - (ii) participate in any vote (or vote further) taken on the matter at the meeting
    - (iii) and must leave the room in which the meeting is being held

## **Other Interests**

- 10.1 In addition to the above requirements, if you attend a meeting at which an item of business is to be considered and you are aware that you have a “non disclosable pecuniary interest or non-pecuniary interest” in that item, you must make verbal

declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent.

10.2 You have a “non-disclosable pecuniary interest or non-pecuniary interest” in an item of business of your authority where –

(a) a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority’s administrative area, or

(b) it relates to or is likely to affect any of the interests listed in the Table in Appendix 1 of this Code, but in respect of a member of your family (other than a “relevant person”) or a person with whom you have a close association and

that interest is not a disclosable pecuniary interest.

10.3 You must declare any personal interests, both pecuniary and non-pecuniary, including your membership of any Trade Union that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming to the procedures set out in section 12 below.

### **Gifts and Hospitality**

11.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality offered with a value in excess of £25 which you have accepted or declined as a member from any person or body other than the Council.

11.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.

11.3 This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Council for this purpose.

## **PART 3**

### **REGISTRATION OF MEMBERS' INTERESTS**

12.1 You must, within 28 days of taking office as a member or co-opted member, notify the Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse’s or civil partner’s, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

12.2 In addition, you must, within 28 days of taking office as a member or co-opted member, notify the Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the

register or which you consider should be included if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life. These non-pecuniary interests will necessarily include your membership of any Trade Union.

- 12.3 If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.
- 12.4 Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.
- 12.5 Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. You should leave the room.
- 12.6 In cases where a member has a disclosable pecuniary interest, they may still be able to participate and vote at a meeting if they have obtained a dispensation from the Monitoring Officer in accordance with the provisions set out below:

There are 5 circumstances in respect of which a dispensation may be granted, namely:

- (a) That so many members of the decision-making body have disclosable pecuniary interests in a matter that it would 'impede the transaction of the business;
  - (b) That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
  - (c) That the authority considers that the dispensation is in the interests of persons living in the authority's area; or
  - (e) That the authority considers that it is otherwise appropriate to grant a dispensation
- 12.7 Each Member will be required to apply for a dispensation from the Monitoring Officer in writing. The Monitoring Officer will be required to report to each Committee the dispensations granted where it is relevant to that Committee.

### **Sensitive information**

13. Where you have a personal or declarable pecuniary interest and you and the Monitoring Officer consider that it is of such a nature that disclosure of the details of the interest could lead to you or a person connected to you being subject to violence or intimidation then:
  - (a) if the interest is entered on the Council's Register, copies that are made available for inspection and any published version of the Register must not include details of the interest but may state that you have an interest details of which are withheld under this provision.
  - (b) if by virtue of this Code you are required to disclose an interest at a meeting then that requirement shall be amended to only require disclosure that such an



interest exists in respect of the matter concerned, but not the terms of that interest.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify the Council's Monitoring Officer asking that the information be included in the Council's register of members' interests.

(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

## DISCLOSABLE PECUNIARY INTERESTS

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner. The duties to register, disclose and not to participate in respect of any matter in which a Member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

<i>Interest</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a Member in carrying out duties as a member, or towards the election expenses of a Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992). The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests following your election or re-election, or when you became aware you had a disclosable pecuniary interest relating to a matter on which you were acting alone.
Contracts	Any contract which is made between you, or your spouse or civil partner (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which you, or your spouse or civil partner has within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) which you, or your spouse or civil partner, holds to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to a Member's knowledge) - (a) the landlord is the relevant authority; and (b) the tenant is a body in which you, or your spouse or civil partner has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to a Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

## Arrangements for dealing with allegations that a member or co-opted member of Barnet Council has failed to comply with the Members' Code of Conduct

### 1. Introduction

- 1.1 These arrangements set out how an allegation may be made that an elected member or a co-opted member of Barnet Council has failed to comply with the Members' Code of Conduct and how the Council will deal with such allegations.
- 1.2 Under Section 28 of the Localism Act 2011 the Council must have arrangements in place whereby allegations can be investigated and decisions upon them can be made. In addition the arrangements must provide for the Council to appoint at least one Independent Person whose views must be sought and taken into account by the Council before it makes a decision and who may be consulted by the Council at other stages in the process or by the member or co-opted member against whom an allegation has been made. These arrangements fulfil the Council's statutory obligations.
- 1.3 In these Arrangements a number of terms are used which have the following meanings:

Member	An elected Councillor
Co-opted Member	A person who is not an elected member of the Council but has been appointed to a committee or sub-committee of the Council.
Monitoring Officer	A officer of the Council designated under section 5 of the Local Government and Housing Act 1989 to undertake the statutory duties prescribed which include ensuring that the Council and its members and officers act lawfully at all times. Under Section 29 of the Localism Act 2011 the Monitoring Officer must establish and maintain a register of interests of members and co-opted members.
Investigating Officer	An appropriate person appointed by the Monitoring Officer to conduct an investigation into an allegation.

Independent Person	A person appointed by the Council pursuant to Section 28 of the Localism Act 2011, whose views are sought and taken into account before decisions upon allegations against members are taken and who may be consulted by a member who is the subject of allegations or the Council, generally.
Standards Committee	A committee of members responsible for considering reports of the Monitoring Officer upon allegations that a Member or Co-opted Member has breached the Council's Code of Conduct.

## **2. The Members' Code of Conduct**

- 2.1 The Council has adopted a Members' Code of Conduct which is available for inspection on the Council's website and on request from the Monitoring Officer.

## **3. The Independent Person**

- 3.1 Pursuant to Section 28 of the Localism Act 2011, the Council shall appoint an Independent Person or Persons. The person(s) appointed shall have responded to a public advertisement for the vacancy and submitted an application for the post. The appointment of the successful applicant shall be approved by a majority of the members of the Council.
- 3.2 The views of the Independent Person must be sought by the Monitoring Officer before any allegation is investigated or reported to the Standards Committee
- 3.2 The views of the Independent Person may be sought:
- (i) by the Standards Committee or by the Monitoring Officer/Investigating Officer in relation to an allegation in circumstances not within paragraph 3.2, above.
  - (ii) by a Member or Co-opted Member of the Council if that person's behaviour is the subject of an allegation.

## **4. Making an allegation**

- 4.1 An allegation that a Member or a Co-opted Member of Barnet Council has failed to comply with the Members' Code of Conduct should be made in writing, wherever possible, using the Complaint Form on the Council's website to:

Davina Fiore  
Monitoring Officer  
Barnet Council  
North London Business Park

Oakleigh Road South  
London  
N11 1NP

Tel: 0208 8359 6373

or email:

Davina.Fiore@barnet.gov.uk

- 4.2 It is important that a person making an allegation provides his/her name and a contact address or email address, so that the Council can acknowledge receipt of the allegation and keep the person informed of its progress. The person must indicate if he/she wants to keep his/her name and address confidential and the Monitoring Officer will consider any such requests.
- 4.3 The Council does not normally investigate anonymous allegations unless there is a clear public interest in doing so.
- 4.4 The Monitoring Officer will acknowledge receipt of an allegation within five clear working days of receiving it and will keep the person making the allegation informed of progress.
- 4.5 The Monitoring Officer will inform the councillor against whom an allegation has been made and will give the details of the complaint and remedy sought to them. In exceptional circumstances the Monitoring Officer has the discretion not to inform the Councillor if, in her opinion, to do so would risk an investigation being frustrated or prejudiced in some other way.

## **5. Assessment of an allegation**

- 5.1 The Monitoring Officer will review every allegation received and will consult the Independent Person before taking a decision that an allegation merits reference to the Standards Committee.
- 5.2 If the Monitoring Officer requires additional information in order to reach a decision, she may revert to the person making the allegation for such information and may request information from the member against whom the complaint is directed. If the person making the allegation fails to provide the additional information requested the allegation may be dismissed by the Monitoring Officer pursuant to paragraph 5.3 (c), below.
- 5.3 The Monitoring Officer will use a number of criteria for assessing complaints, and may consult with the Independent Person and if necessary the appropriate party group Whips and party Leaders. The decision whether to investigate a complaint will be a proportionate response to the issues raised and likely outcomes. The Monitoring Officer may determine that an allegation does not merit any further action, where:
  - (a) The allegation does not demonstrate a breach of the Members' Code of Conduct; for example it relates to a member's private life to which the Code does not apply or it is about dissatisfaction with a Council decision or service, or

- (b) It is about someone who is no longer a Member or a Co-opted Member of the Council, or
  - (c) There is insufficient evidence upon which to investigate and/or the person making the allegation has failed to co-operate with the Monitoring Officer to specify the allegation sufficiently, or
  - (d) The same or a similar allegation has been investigated and determined, or
  - (e) It is an anonymous allegation which does not include sufficient documentary evidence to indicate a significant breach of the Member's Code of Conduct, or
  - (f) The Monitoring Officer facilitates an informal resolution without the need for a formal investigation. This may involve the member accepting that his/her conduct was unacceptable and offering an apology or other remedial action by the Council. If the Monitoring Officer considers an offer of informal resolution is reasonable but the person making the allegation is not willing to accept it, the allegation will be referred to the Standards Committee for determination, or
  - (g) the complainant is considered to be vexatious.
- 5.4 If the complaint is dealt with under 5.3 above, the Monitoring Officer will promptly notify the complainant and the Member of the outcome, giving reasons for the decision.
- 5.6 The Monitoring Officer may also determine that an allegation merits no further investigation having regard to the following additional criteria:
- (a) The allegation is not considered sufficiently serious to warrant investigation, or
  - (b) The allegation appears to be motivated by malice or is 'tit-for-tat', or
  - (c) The allegation appears to be politically motivated, or
  - (d) The matter about which the allegation is made took place more than three months prior to receipt of the allegation unless there are exceptional circumstances or it is otherwise appropriate to investigate.
- 5.7 Where the Monitoring Officer considers that an allegation merits further investigation, the Monitoring Officer shall undertake such investigation in accordance with Section 6 below.
- 5.8 The decision as to whether or not an allegation should be investigated will normally be taken within thirty clear working days from receipt of the allegation. The Monitoring Officer will inform the person making the allegation of that decision and if the allegation is to be investigated, an indication of the timescale for the investigation. The Monitoring Officer will keep the person informed if the initial timetable changes substantially.

## **6. The Investigation**

- 6.1 The Monitoring Officer may conduct the investigation personally or may appoint an Investigating Officer, who may be another senior officer of the Council, an officer of another authority or an external investigator.
- 6.2 The Monitoring Officer/Investigating Officer will decide if he/she needs to meet or speak to the person making the allegation to understand the nature of the allegation and so that the person can explain his/her understanding of events and identify what documents he/she considers the Monitoring Officer/Investigating Officer needs to see and who he/she considers the Monitoring Officer/Investigating Officer needs to interview.
- 6.3 The Monitoring Officer/Investigating Officer will normally write to the Member against whom the complaint is made and provide him/her with a copy of the complaint and ask the member to provide his/her explanation of events and to identify what documents he/she considers the Monitoring Officer/Investigating Officer needs to see and who he/she considers the Monitoring Officer/Investigating Officer needs to interview. Where it is appropriate to keep confidential the identity of the person making the allegation the Monitoring Officer/Investigating Officer will delete the person's name and address from the papers given to the Member. Where disclosure of details of the allegation to the Member might prejudice the investigation, the Monitoring Officer/Investigating Officer may delay notifying the Member until the investigation has progressed sufficiently.
- 6.4 The Monitoring Officer/Investigating Officer has absolute discretion about which are the appropriate witnesses to interview and documents to consider but will follow best practice in conducting investigations. Having considered all relevant documentation identified and having interviewed all relevant witnesses, at the end of the investigation the Monitoring Officer/Investigating Officer will produce a draft report and may where appropriate send copies of that draft report, in confidence, to the person making the allegation and to the member concerned, to give them an opportunity to identify any matter in that report with which there is disagreement or which is considered to require more consideration.
- 6.5 Where an Investigating Officer has been appointed, having received and taken account of any comments which the person making the allegation and/or the member have made on the draft report, the Investigating Officer will send his/her final report (the Investigation Report) to the Monitoring Officer for the latter's consideration prior to onward transmission to the Standards Committee where appropriate. If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he/she may ask the Investigating Officer to reconsider the report or may appoint a new Investigating Officer.
- 6.6 Where the Monitoring Officer has undertaken the investigation personally, having received and taken account of any comments which the person making the allegation and/or the member have made on the draft report, and, where appropriate, having sought to achieve an informal resolution pursuant to paragraph 8.1 below, the Monitoring Officer shall submit the Investigation Report to the Standards Committee and the Independent Person.
7. **Where the Monitoring Officer/Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct.**
- 7.1 In these circumstances the Monitoring Officer may decide (a) to take no further action or (b) to refer the matter to the Standards Committee.

- 7.2 Where the Monitoring Officer decides to take no further action, the Monitoring Officer will inform the person making the allegation and the Member who is the subject of the complaint of her decision and of the reasons for it.
- 7.3 When the Standards Committee receives an Investigation report which recommends that there is no evidence of failure to comply with the Members' Code of Conduct, the Committee may:
- (a) accept the recommendation resolve that no further action is required and dismiss the allegation, or
  - (b) remit the report to the Monitoring Officer for further consideration, or
  - (b) conduct a hearing for the consideration of the allegation and the Investigation Report and determine the allegation.
- 7.4 Prior to making a determination under Paragraph 7.1 above, the Standards Committee shall seek and shall take into account the views of the Independent Person.

**8. Where the Monitoring Officer/Investigating Officer concludes that there is evidence of failure to comply with the Code of Conduct.**

- 8.1 Where an Investigation Report concludes that there is evidence of failure to comply with the Code of Conduct the Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, he/she will consult the Independent Person and the person making the allegation and seek to agree what the person considers to be a fair resolution which also helps to ensure higher standards of conduct for the future. Such resolution may include the member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the Council. If the member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee which will note the outcome but take no further action.
- 8.2 If the Monitoring Officer considers that an informal resolution is not appropriate, or the member concerned is not prepared to undertake any proposed remedial action, such as giving an apology, then the Monitoring Officer will submit the Investigation Report to the Standards-Committee to conduct a hearing for the consideration of the allegation and the Investigation Report and to determine the allegation.

**9. The Pre Hearing Process and Hearing**

- 9.1 A Member or Co-opted Member who is the subject of a complaint which proceeds to a hearing has the right to be legally represented or accompanied at the hearing.
- 9.2 In advance of the Hearing the Monitoring Officer (and/or her nominees) will:
- (a) agree a date for the hearing with all the relevant parties;
  - (b) provide a timetable for the Member to provide details about whether they wish to give evidence (and whether orally or in writing) at the hearing and any witnesses they intend to call, and additional papers they may wish to provide in time for inclusion in the committee papers;



- (c) establish whether the member will be represented or accompanied at the hearing;
  - (d) establish whether the member wishes any part of the Investigation Report to be kept confidential or the Hearing itself to be held in private, and the reasons for this;
  - (e) provide information about the procedure to be used at the hearing;
  - (f) establish whether the member disagrees with any of the findings of fact in the Investigation Report;
  - (g) establish whether the Investigating Officer intends to call any witnesses.
- 9.2 Wherever possible hearings conducted by the Standards Committee Sub-Committee shall take place within three calendar months of the completion of the Investigation Report.
- 9.3 At the hearing, the Monitoring Officer/Investigating Officer will present the Investigation Report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the member has failed to comply with the Code of Conduct. For this purpose, the Monitoring Officer/Investigating Officer may request the person making the allegation to attend and give evidence to the Standards Committee.
- 9.4 The member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the Standards Committee as to why he/she considers that he/she did not fail to comply with the Members' Code of Conduct.
- 9.5 If a Member fails to attend the hearing, the Standards Committee may decide to proceed in the Member's absence and make a determination, or to adjourn the hearing to a later date
- 9.6 Full details of the process to be undertaken at the hearing are contained in the Hearing Procedure note comprising Appendix A to these arrangements.
- 9.7 The Standards Committee, having sought and taken into account the views of the Independent Person may conclude:
- (a) that the member did not fail to comply with the Members' Code of Conduct, and dismiss the complaint, or
  - (b) that the member did fail to comply with the Members' Code of Conduct.
- 9.8 In the event of a finding under Paragraph 9.7 (b) above, the Chair will inform the member of this finding and the Standards Committee will then consider what action, if any, it should take as a result of the member's failure to comply with the Members' Code of Conduct. In doing this, the Standards Committee will give the member an opportunity to make representations to the Committee as to whether any action should be taken and what form any action should take and will seek and take into account the views of the Independent Person. It will then decide what action, if any, to take in respect of the matter.
- 9.9 In the event that votes are tied on a finding on a complaint the Committee will determine that the Member has not breached the Code of Conduct and the allegation will be dismissed.

**10. Action which may be taken where a member has failed to comply with the Code of Conduct**

10.1 Having determined that a member has failed to comply with the Members' Code of Conduct, the Committee may:

- (a) Publish its findings in respect of the Member's conduct;
- (b) Report its findings to Council for information;
- (c) Issue the Member with a formal censure or reprimand, a report of which may be submitted to Council
- (d) Recommend to the Member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
- (e) Instruct the Monitoring Officer to arrange training for the member;
- (f) Recommend to Council that the member be removed from outside appointments to which he/she has been appointed or nominated by the Council
- (g) Withdraw facilities provided to the member by the Council, such as a computer, website and/or email and internet access; or
- (h) Exclude the member from the Council's Offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.
- (i) Take no further action
- (j) Any other appropriate sanction which may be available to the Committee.

10.2 The Standards Committee has no power to suspend or disqualify the Member or to withdraw members' or special responsibility allowances.

10.3 At the end of the hearing, the Chairman shall state the decision of the Standards Committee as to whether the Member failed to comply with the Code of Conduct and as to any action which the Committee has resolved to take.

10.4 As soon as reasonably practicable thereafter, the Monitoring Officer shall prepare a formal decision notice after consultation with the Chairman of the Committee, and send a copy to the person making the allegation; to the member concerned; make that decision notice available for public inspection and report the decision to the next convenient meeting of the Council.

## **11. Appeals**

11.1 There is no right of appeal for either the person making the allegation or for the Member against whom the allegation is made, against a decision of the Monitoring Officer or of the Standards Committee

11.2 If a person making the allegation considers that the Council has failed to deal with an allegation properly, he/she may make a complaint to the Local Government Ombudsman.

## **12. Reports**

12.1 The Monitoring Officer will submit a report to the Constitution, Ethics and Probity Committee at six monthly intervals to inform the Constitution, Ethics and Probity Committee about complaints which have been received and not investigated under paragraphs 5.3 or 5.6 of this Protocol, and complaints which have been investigated but not reported to the Standards Committee under paragraph 7.1

## Appendix A

### Hearing Procedure

The model procedure which follows comprises good and equitable practice and should be followed closely wherever possible. There may be occasions when circumstances require variations and subject to the maintenance of the principles of natural justice these may be effected at the discretion of the Standards Committee and advised to the parties

1. The Chairman shall facilitate introductions and explain the procedure for the hearing.
2. The Monitoring Officer/Investigating Officer shall be invited to present his/her Investigation Report including any documentary evidence or other material and to call witnesses as required. This report and documentary and witness evidence must be based on the allegation made to the Council; no new or additional matters will be allowed.
3. The Member against whom the allegation has been made or his/her representative may question the Monitoring Officer/Investigating Officer upon the content of the Investigation Report and any witnesses called by the Monitoring Officer/Investigating Officer. This is the Member's opportunity to ask questions arising from the Investigation Report and the direct evidence and not to make a statement.
5. Members of the Sub-Committee may question the Monitoring Officer/Investigating Officer upon the content of the Investigation Report and any witnesses called by the Monitoring Officer/Investigating Officer
6. The Member against whom the allegation has been made or his/her representative may present his/her case and call witnesses as required.
7. The Monitoring Officer/Investigating Officer may question the Member and any witnesses
8. Members of the Committee may question the Member and any witnesses.
9. The Monitoring Officer/Investigating Officer may sum up the investigation into the allegation and make a closing speech.
10. The Member or his/her representative may sum up his/her case and make a closing speech.
11. The Chair shall invite the parties to withdraw to enable the Committee to deliberate upon the allegation. Prior to reaching a determination the Committee shall seek and take into account the views of the Independent Person.
12. The parties shall be invited to return and the Chairman shall announce the Committee's decision in the following terms:-
  - (a) The Committee has determined that the Member has failed to comply with the Code of Conduct, or

- (b) The Committee has determined that the Member has not failed to comply with the Code of Conduct and the allegation is dismissed.

The Committee will give reasons for its decision.

13. If the Committee has determined that the Member has failed to comply with the Code of Conduct it shall consider any representations from the Member as to whether any action should be taken and what form any action should take.
14. The Chairman shall invite the parties to withdraw to enable the Committee to deliberate upon what action if any should be taken. Prior to reaching a determination the Committee shall seek and take into account the views of the Independent Person.
15. In addition to any action upon the current matter, the Committee shall consider whether in consequence it should make recommendations to the Council with a view to promoting high standards of conduct amongst Members.
16. The parties shall be invited to return and the Chairman shall announce the Committee's decision
17. A full written decision shall be issued to the Complainant and the Member within ten clear working days following the hearing and shall be published.

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# Annex C – Revised Member Code of Conduct

## ***LONDON BOROUGH OF BARNET***

### ***Code of Conduct for Members & General Guidance***

#### **Introduction and interpretation**

1. (1) This Code applies to Councillors (Members) of the London Borough of Barnet and also to co-opted committee members.
- (2) It is the responsibility of Councillors and co-opted Members to comply with the provisions of this Code.

#### **Scope**

2. (1) You must comply with this Code whenever you:
  - (a) conduct the business of Barnet Council; or
  - (b) act, claim to act or give the impression you are acting as a representative of Barnet Council; or
  - (c) act as a representative of Barnet Council.and references to your official capacity are construed accordingly.
- (2) In addition to having effect in relation to conduct in your official capacity, this Code has effect, at any other time, where conduct constitutes a criminal offence for which you have been convicted or received a Police Caution.

#### **General obligations**

3. (1) Councillors (Members) and Co-Optees are committed to behaving in a manner that is consistent with the following principles of Public Life:

**Selflessness** — Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

**Honesty and integrity** — Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

**Objectivity** — Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

**Accountability** — Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should cooperate fully and honestly with any scrutiny appropriate to their particular office.

**Openness** — Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

**Personal judgement** — Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

**Respect for others** — Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

**Duty to uphold the law** — Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

**Stewardship** — Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

**Leadership** — Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

(2) Do:

- (a) Follow the Code of Conduct when you are representing your authority.
- (b) Be aware of what pecuniary and non-pecuniary interests are – refer to the Monitoring Officer if you are unsure.
- (c) Keep your register of interests up-to-date.
- (d) Treat others with respect.
- (e) Register gifts and hospitality, received in your role as a Member, worth more than £25.
- (f) Report a safeguarding issue to the appropriate authority



(3) Don't:

- (a) Bring your authority or office into disrepute.
- (b) Use the Council's resources which includes the Council's address and email address for any personal, party political or non-Council purposes.
- (c) Compromise the impartiality of people who work for your authority.
- (d) Discriminate against people on the grounds of race, gender, disability, religion or belief, sexual orientation and age.
- (e) Bully, intimidate or attempt to intimidate others.
- (f) Use your position improperly for personal gain or to advantage your friends or close associates.
- (g) Participate in meetings or be involved in decision-making where you have a pecuniary interest – except when speaking when the general public are also allowed to do so.
- (h) Disclose confidential information, other than in exceptional circumstances – refer to the Monitoring Officer if you are unsure.
- (i) Prevent anyone getting information they are entitled to.

#### **Disclosure of Pecuniary and Non-Pecuniary Interests**

4. (1) Subject to the paragraph 5 below (Sensitive Interests), you must within 28 days of this Code being adopted or election or appointment to office, and within 28 days of becoming aware of any new pecuniary or non-pecuniary interest or of any change to your registered interests, notify the Monitoring Officer on the form provided – or if only a 'change' in your interests then notification by email will suffice.
- (2) If a pecuniary or non-pecuniary interest arises from any business to be discussed at any committee or joint committee meeting of the Council then you must declare this interest either at the start of the meeting or immediately before the item is discussed.
  - (3) An interest to be disclosed at a meeting is either your interest or that of your husband, wife or civil partner or that of a person with whom you are living as husband or wife or as civil partners.
  - (4) If you declare a pecuniary interest then you must not take part in any discussion of the matter at the meeting, and you must not vote on the matter. You need not withdraw from the meeting but any participation by yourself at the meeting in respect of the matter in which you have a pecuniary interest is

a criminal offence for which you may be prosecuted as well as referred to the Standards Committee.

- (5) If you declare a non-pecuniary interest then you may remain in the meeting, you may take part in the discussion and you may vote on the matter.

### **Sensitive Interests**

5. Where you consider that disclosure of the details of an interest could lead to you or a person connected to you being subject to violence, discrimination or intimidation, and the Monitoring Officer agrees, then the Register of Interest will disclose the interest but not the details which may accordingly be withheld from publication.

### **Exemptions**

6. (1) Where you have a pecuniary interest in any business of the Council you must declare that interest but you may only speak at that meeting for the purpose of making representations, answering questions, or giving evidence relating to the business providing that the public are also allowed to attend the meeting for the same purpose.
- (2) Dispensations are available by application to the Monitoring Officer in the limited circumstances that apply by law. If required please write to the Monitoring Officer with reasons for the application.

### **Additional voluntary provisions**

7. No Councillor shall provide or offer to provide a formal reference for any candidate for employment or promotion with the Council as to do so may be perceived as bringing an unacceptable pressure to bear on the appointing officer and any officer appointed as a result of such reference.

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## REGISTER OF COUNCILLORS' INTERESTS

I, .....  
(name)

an Elected / Co-opted Member of the London Borough of Barnet do hereby give notice that I have set out below my interests which I am required to declare under the Code of Conduct for Members.

within 28 days of election to office, an Elected or Co-opted Member must register his/her pecuniary and non-pecuniary interests in a public register by providing written notification to the Monitoring Officer; you must declare your own interests on the form below and also those of your husband/wife/civil partner, which includes any person with whom you are living as husband/wife/civil partner. You do not need to name your husband/wife/civil partner.

### ***Pecuniary Interests***

#### **1. Employment, office, trade, profession or vocation:**

Your employment, office, trade, profession or vocation carried on for profit or gain, and that of your husband/wife/civil partner.

Note: "Office" includes position held as representative of the council on the management of an external organisation if an Allowance is paid which exceeds reasonable expenses.

#### **2. Sponsorship**

Any payment or provision of any other financial benefit in respect of any expenses incurred in carrying out duties or towards election expenses; this includes any payment or financial benefit from a trade union.

## Pecuniary Interests (continued)

### **3. Contracts**

Any contract which is made between you or your husband/wife/civil partner (or a body in which you or your husband/wife/civil partner has a beneficial interest) and the Council under which goods or services are to be provided or works are to be executed and which has not been fully discharged.

### **4. Land**

Any beneficial interest in land held by you or your husband/wife/civil partner which is within the area of the Council

.

### **5. Licences**

Any licence (alone or jointly with others) to you or your husband/wife/civil partner to occupy land in Barnet for a month or longer.

### **6. Corporate tenancies**

Any tenancy where the landlord is the Council and the tenant is a body in which you or your husband/wife/civil partner has a beneficial interest.

### **7. Securities**

Any beneficial interest in which you or your husband/wife/civil partner has in securities of a body where:

(see over)

- (a) that body has a place of business or land in the area of the Council; and
- (b) either:
- (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
  - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or a relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

## **8. Personal Wellbeing**

You may also have a pecuniary interest where you attend a meeting of the Council where the business concerns your personal wellbeing or financial position or that of your husband/wife/partner – to a greater extent than the majority of residents in your Ward affected by the decision.

*You will only know this when you attend a meeting of the Council and an item on the agenda affects your wellbeing or that of your husband/wife/partner, to the extent described. You must then declare a pecuniary interest at the beginning of the meeting or before the relevant item is discussed and not take part in the meeting when that agenda item is discussed.*

*If you are unsure about any matter relating to the declaration of interests please consult with the Monitoring Officer.*

**Non-Pecuniary Interests**

any organisation of which you are a member or in a position of general control or management and to which you are appointed by Barnet Council.

Note: If you receive an Allowance from the organisation which exceeds your reasonable expenses then you should declare your interest under Pecuniary Interest Number 1 above.

If there is insufficient space in any of the boxes provided, please use a supplementary sheet.

This is a public document to which members of the public will have free access to during normal office hours and copies will also be published on the City Council's Website.

**Declaration**

I recognise that I will be in breach of the Council's Code of Conduct for Members if I:

- (a) omit information that ought to be given in this notice; or
- (b) provide information that is materially false or misleading; or
- (c) fail to give further notices within 28 days of any change to the information set out above in order to bring up to date the information given in this notice.

Signed .....

Dated .....

please return the signed Declaration to the Monitoring Officer

**STATUTORY REGISTER OF GIFTS OR HOSPITALITY**

**An Elected or Co-opted Member must, within 28 days of receiving any gift or hospitality, in their capacity as a Councillor or Co-opted Member, and over the value of £25, provide written notification to the Council’s Monitoring Officer of the existence and nature of that gift or hospitality.**

I,  
.....  
.....

**being an Elected / Co-opted Member of Barnet Council do hereby give notice that I have received the gift or hospitality detailed below.**

**Signed .....**  
**Dated .....**

**Please return the signed Notice to the Monitoring Officer**

**STATUTORY REGISTER OF GIFTS OR HOSPITALITY**

**Date upon which  
the Gift or Hospitality  
was received**

**Person / Organisation  
offering or providing  
the Gift or Hospitality**

**Brief details of Gift  
or Hospitality received**

**Estimated or actual  
value of the Gift/Hospitality**



## **DISPENSATIONS AVAILABLE**

**Circumstances in which dispensations may be granted:**

**The Monitoring Officer may grant a dispensation to a Member in the following circumstances:**

- that so many Members of the decision making body have disclosable pecuniary interests in the matter that the meeting would be inquorate; or**
- that the representation of different political groups on the decision making body would be so upset as to alter the likely vote on the matter; or**
- that it is in the interests of persons living within Barnet; or**
- that it is otherwise considered appropriate to grant a dispensation.**

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