

ASSESSMENT SUB (STANDARDS) COMMITTEE

Thursday, 22 March 2018

Minutes of the meeting of the Assessment Sub (Standards) Committee held at the Guildhall EC2 at 3.45 pm

Present

Members:

Alderman David Graves
Ann Holmes

Deputy Jamie Ingham Clark
Dan Large (Co-opted Member)

In Attendance:

Chris Taylor (Independent Person)

Officers:

Michael Cogher	-	Comptroller and City Solicitor
Edward Wood	-	Comptroller and City Solicitor's Department
Martin Newton	-	Town Clerk's Department

1. ELECTION OF A CHAIRMAN

It was proposed by Deputy Jamie Ingham Clark, seconded by Ann Holmes and agreed that Alderman David Graves should take 'the chair' for the meeting.

RESOLVED – That Alderman David Graves be elected Chairman for the duration of the meeting.

2. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE ASSESSMENTS SUB (STANDARDS) COMMITTEE

There were no questions on matters relating to the work of the Sub Committee.

3. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was no other urgent business.

4. EXCLUSION OF THE PUBLIC

RESOLVED - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following item on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act.

5. ALLEGED BREACH OF THE MEMBERS' CODE OF CONDUCT

The Sub Committee considered a report and associated papers of the Comptroller and City Solicitor on an alleged breach by Gregory Lawrence, a Member of the Court of Common Council and the Markets Committee, of paragraph 13 of the Members' Code of Conduct in relation to a meeting of the Markets Committee on 24 January 2018. The Comptroller and City Solicitor provided a brief introduction to his report and reminded Members of the need to ascertain whether they were satisfied that if the allegation was proven it would

constitute a breach of the Code of Conduct, along with the current Corporation Assessment Criteria.

The Sub Committee then proceeded to discuss the contents of the report and associated documents and noted that Mr Lawrence had voted on a matter in respect of which he had a registered Disclosable Pecuniary Interest, namely the Strategic Review of the Wholesale Markets which involved, inter-alia, a proposal relating to Smithfield Market where Mr Lawrence carries out his business, without a dispensation entitling him to vote upon such a matter. Mr Lawrence had a dispensation from the Standards Committee granted on 19 May 2017 which permitted him to speak but not vote in relation to matters affecting the Central Markets.

The Sub Committee were informed that, as Smithfield is held by the Corporation in its City's Cash capacity and not as a local authority, any criminal sanctions under the Localism Act 2011 for voting on the matter at the Markets Committee meeting would not apply in this case. The matter was therefore solely a Code of Conduct matter. The Sub Committee also noted the contents of correspondence between Mr Lawrence and the Comptroller which confirmed that Mr Lawrence admitted the facts, which he said were due to his misunderstanding of his dispensation, and had offered an apology for this error and a commitment to attend relevant Code of Conduct training.

The Sub Committee fully considered and discussed the Comptroller's report along with all related submissions, during which Members commented on the recent review of the Standards framework. As a matter arising from the discussion, the Sub Committee requested that a report be taken back to the Standards Committee to consider the current policy on the granting of dispensations and to consider the scope for reviewing and clarifying the current arrangements. The Sub Committee also requested that the Comptroller draft a further report for the Standards Committee suggesting appropriate guidance for Committee Chairmen in relation to the conduct of Committee meetings where voting and Member Declarations are relevant in decision-making.

At the conclusion of its deliberations the Sub Committee was of the unanimous opinion that Mr Lawrence's actions amounted to a breach of paragraph 13 of the Code of Conduct, that the Sub Committee should formally notify the Markets Committee that it had considered the breach of the Code and Mr Lawrence's letter of apology and offer to attend future training which it considered acceptable by way of resolution of the matter. The Sub Committee considered that notification of its decision and of Mr Lawrence's letter of apology should be brought before the Markets Committee in the public agenda pack for that Committee's next meeting so that the outcome of the matter was known to all.

The Independent Person was consulted and agreed with the Sub Committee's view set out above.

RESOLVED – That

- (a) Mr Lawrence's actions amounted to a breach of paragraph 13 of the Code of Conduct;
- (b) the Sub Committee formally notify the Markets Committee that it had considered the breach of the Code and Mr Lawrence's letter of apology and offer to attend future training which it considered acceptable, and that this decision and Mr Lawrence's letter should be brought before the Markets Committee in the public agenda pack for that Committee's next meeting so that the outcome of the matter was known to all;
- (c) the Comptroller and City Solicitor be instructed to write to Mr Lawrence to advise him of this decision and that the Comptroller's report and associated papers before the Sub Committee and the decision on the matter be made public; and
- (d) Mr Lawrence attends the required Code of Conduct training with the Comptroller within 28 days of the date of the decision letter to him.

The meeting closed at 4.20 pm

Chairman

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