

STANDARDS COMMITTEE
Friday, 1 May 2020

Minutes of the meeting of the Standards Committee held at Virtual Public Meeting
(Accessible Remotely) <https://youtu.be/HioyhPkEpyQ> on Friday, 1 May 2020 at
11.00 am

Present

Members:

Ann Holmes (Chair)
Caroline Addy (Deputy Chairman)
Randall Anderson
Judith Barnes
Henry Colthurst
Nick Cooke
Mary Durcan
Deputy Jamie Ingham Clark
The Very Revd. Dr. David Ison
Alderman Susan Langley
Vivienne Littlechild
Deputy Edward Lord
Barbara Newman
Jeremy Simons
Elizabeth Walters

Officers:

Gemma Stokley	- Town Clerk's Department
Antoinette Duhaney	- Town Clerk's Department
John Cater	- Town Clerk's Department
Gregory Moore	- Town Clerk's Department
Kristina Drake	- Media Officer
Michael Cogher	- Comptroller and City Solicitor
Edward Wood	- Comptroller and City Solicitor's Department
Kristina Drake	- Media Officer
Danielle Maalouf	- Senior Technology Support Partner

Introduction and Welcomes

The Town Clerk opened the meeting by introducing herself and stating that the Committee were quorate. A roll call of Members present was undertaken by the Town Clerk who also reminded those participating to alert her to any technical issues they might experience as the meeting progressed.

The Chair took the opportunity to formally welcome the new Chief Commoner, Deputy Brian Mooney to the meeting.

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1. **APOLOGIES**

Apologies for absence were received from Dan Large (Co-opted Member) and Alderman and Sheriff Professor Michael Mainelli.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were no declarations.

3. **MINUTES OF THE PREVIOUS MEETING**

The public minutes of the meeting held on 24 January 2020 were considered.

MATTERS ARISING

Further Review of Dispensations Policy and Leading Counsel's Opinion (Pages 2-8) – The Chair referred to an email of 29 April sent by an elected Member to all members of the Standards Committee, asking that the draft minutes of the meeting on 24 January be amended to remove a phrase within an elected Members reported remarks that, in his opinion, retained a defamatory innuendo about him. The Chair reported that she had taken legal advice on this matter and that the City Corporation's position is that the remarks in question are not defamatory. This matter was also, she highlighted, the subject of a separate complaint. However, she went on to propose that, subject to agreement from the Committee, the amendments as set out within the email of 29 April be accepted and reflected in the final, agreed and published version of the minutes of 24 January 2020.

The Committee concurred that the minutes be amended as suggested.

The Member who had made the remarks in question at the 24 January meeting requested the permission of the Chair to make a brief statement to the meeting to address the matter. They stated that it was now clear, having reviewed the matter, that they had misspoken at that meeting. They added that they accepted entirely that the Member they had referred to does remain on the solicitors' roll as a non-practising solicitor, and that he had not held himself out as practising. They therefore wished to apologise for that error.

A Co-opted Member spoke to provide additional clarity to her remarks reflected at page 6, paragraph 2 and asked that these be amended to read that she was "in agreement with the current law on dispensations as it related to the applications for dispensations that were being discussed as it offered protection for the public at large".

The Town Clerk undertook to make the necessary amendments.

Review of Local Government Ethical Standards by the Committee on Standards in Public Life – CSPL Recommendation 3 – page 10 – In response to a question, the Town Clerk clarified that the City Corporation's guidelines on acceptable Social Media Use had been circulated to all as requested. She undertook to re-circulate this for the avoidance of any doubt.

RESOLVED – That, subject to the amendments agreed and detailed above, the public minutes of the meeting of 24 January 2020 be approved as a correct record.

4. DRAFT ANNUAL COURT REPORT 2019-20

The Committee considered a report of the Town Clerk asking that Members approve the contents of the Annual Report prior to its submission to the Court of Common Council for information in July 2020, in accordance with their terms of reference.

The Chair explained that the Standards Committee were not scheduled to meet again until October 2020 and that the primary purpose of today's meeting was therefore to formally approve the Annual Report in the expectation that the Court of Common Council would convene again in the coming months. She invited Members comments on the document.

A Co-opted Member referred to paragraph 14 of the draft report and questioned whether the sentence suggesting that Members were able to request general dispensations to speak on all general housing matters for their entire term of office might be misleading. The Comptroller and City Solicitor highlighted that the general housing matters covered by this were clearly defined within the Dispensations Policy and suggested that reference to this or a footnote to detail those matters might usefully be added here for further clarity. The Co-opted Member welcomed this suggestion.

The Chair requested that any other comments that Members might subsequently have on the document be sent to her and the Town Clerk in writing prior to its submission to the Court of Common Council in July and that the Town Clerk be granted delegated authority to finalise the wording of the document accordingly in consultation with the Chair and Deputy Chair.

RESOLVED – That:

- Delegated Authority be granted to the Town Clerk in consultation with the Chair and Deputy Chairman of the Standards Committee to finalise the wording of the document ahead of its referral to the Court of Common Council for information.

5. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

Section 618

A Member questioned what progress had been made since the last meeting around repealing section 618 of the Housing Act 1985. The Comptroller and City Solicitor reported that the Remembrancer had been tasked with progressing this on behalf of the City Corporation given that it was a parliamentary matter.

The Policy and Resources Committee had received a report on the matter and were also supportive of the repeal of section 618.

The Chair added that she felt it was highly unlikely, in the current climate, that this matter would be given parliamentary attention any time soon but asked that

Officers seek to update Members on progress if there were any between now and the next meeting of this Committee.

Member v. Member Complaints

The Chief Commoner remarked that the number of Members involved in some way in internal complaints would appear to be a fairly significant proportion of the Court based on the summary table within the draft Annual Court Report. He asked whether any comparative data was available from other similar legislative bodies as he would be interested to know if this was an anomaly.

The Chair reported that this information could be provided to all outside of the meeting but added that it would always be difficult to compare the City Corporation with other organisations for a number of reasons. She also highlighted that some Members were involved in more than one complaint detailed within the Annual Report.

The Comptroller and City Solicitor undertook to gather the relevant information from colleagues working in other boroughs. He underlined that, in his experience both at the City Corporation and elsewhere, the majority of complaints tended to be Member v. Member.

Another Member added that direct comparison would be difficult, not least because the City Corporation had no party political system and therefore matters that might be dealt with a party level elsewhere were emerging as formal complaints here.

6. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
Action to agree a protocol to ensure that any matter referred to either the Chief Commoner or Chairman of GP Aldermen informally be acknowledged and responded to in a reasonable period

The Chair referred to an email sent by an elected Member to all Members of the Standards Committee questioning what progress had been made on agreeing a protocol to ensure that any matter referred to either the Chief Commoner or Chairman of GP Alderman informally be acknowledged and responded to in a reasonable period, as recommended by an Assessment Sub-Committee on 3 December 2019 by way of other action. She went on to report that, as far as the Protocol is concerned, it had been agreed at a meeting attended by her, the Chief Commoner, Chairman of GP Aldermen and a Co-optee and was already in operation. She clarified that the approach agreed did not need formal approval but that she had, nevertheless asked for it to be circulated to Committee.

Members were informed that this was going to be the subject of a formal report, but uncertainty about whether this meeting was to take place and Officers prioritising Covid-19 response work meant there was not time sufficient time to prepare such a report.

7. **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 items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

Item No(s).	Paragraph No(s)
8	2 & 3
9 – 10	-

8. **NON-PUBLIC MINUTES OF THE PREVIOUS MEETING**

The Committee considered and approved the non-public minutes of the meeting held on 24 January 2020.

9. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions in the non-public session.

10. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

A Co-opted Member raised a question on the non-public minutes of Assessment Sub Committee meetings provided to the Standards Committee.

The meeting ended at 11.28 am

Chairman

Contact Officer: Gemma Stokley
tel.no.: 020 7332 3414
gemma.stokley@cityoflondon.gov.uk