**STANDARDS COMMITTEE**
**Friday, 19 May 2017**

Minutes of the meeting of the Standards Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Friday, 19 May 2017 at 11.30 am

**Present**

**Members:**
Chris Boden
Deputy Kevin Everett
Mark Greenburgh
Ann Holmes
Deputy Jamie Ingham Clark
Oliver Lodge
Deputy Edward Lord

**In Attendance:**
Neil Asten – Independent Person
Nigel Challis – former Common Councilman and Member of the Standards Committee
Emma Edhem – Common Councilman and Chairman of the City of London Corporation's Standards Regime Review Working Party

**Officers:**

| | | |
|---|---|---|
| Gemma Stokley | - | Town Clerk's Department |
| Edward Wood | - | Comptroller and City Solicitor's Department |

1. **APOLOGIES**
Apologies for absence were received from Judith Barnes, Alderman David Graves, Christopher Hayward, Dan Large, Anju Sanehi (Independent Person) and Chris Taylor (Independent Person).

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
Ann Holmes declared a non-pecuniary interest in relation to agenda Item 10 stating that she was currently the serving Chairman of the Barbican Residential Committee.

Oliver Lodge declared a non-pecuniary interest in relation to agenda Item 6 (Minutes of the Previous Meeting), stating that he was currently a member of Guildhall Lodge.

Deputy Ingham Clark and Deputy Kevin Everett also declared non-pecuniary interests in relation to agenda Item 3 (Minutes of the Previous Meeting), stating that they were also members of the Guildhall Lodge.

Deputy Edward Lord declared a non-pecuniary interest in relation to agenda Item 3 stating that he was a member of the City of London Lodge of Installed Masters.

Mark Greenburgh declared a non-pecuniary interest in relation to the same agenda item, stating that he was a Freemason.

3. **ORDER OF THE COURT OF COMMON COUNCIL**

The Order of the Court of Common Council of 27th April 2017, appointing the Committee and approving its terms of reference, was received.

**RECEIVED.**

4. **ELECTION OF CHAIRMAN**

The Committee proceeded to elect a Chairman in accordance with Standing Order No.29.

The Town Clerk read a list of Members eligible to stand and Oliver Lodge, being the only Member expressing his willingness to serve, was duly elected as Chairman of the Committee for the ensuing year.

Mr Lodge thanked the Committee for their continued support and went on to welcome the newly appointed Members of the Committee – Alderman David Graves, Chris Boden, Deputy Kevin Everett and Ann Holmes.

Mr Lodge went on to thank, on behalf of the Committee, Alderman Yarrow, Tom Sleigh and Virginia Rounding who had now stepped down from the Committee.

5. **ELECTION OF DEPUTY CHAIRMAN**

The Committee proceeded to elect a Deputy Chairman in accordance with Standing Order No.30.

The Town Clerk read a list of Members eligible to stand and Christopher Hayward, being the only Member expressing his willingness to serve (by way of a statement previously circulated to all Members of the Committee via email) was duly elected as Deputy Chairman of the Committee for the ensuing year.

6. **MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 3 February 2017 were considered and approved as a correct record.

**MATTERS ARISING**

**Freemasonry (page 4) –** A Member**,** who had also been present at the Hospitality Working Meeting at which this matter was discussed, reported that there had been detailed discussion around this with over half of the Members present declaring a non-pecuniary interest by virtue of the fact that they were Freemasons. These Members were invited by the Chief Commoner to contribute to the discussions and provide any background information but refrained from voting on any outcomes.

Members were informed that the Hospitality Working Party had concluded that both the Guildhall Lodge and Londinium Lodge should continue to have free use of the Guildhall on the same basis as any other Member/staff club was. It was felt that it was no longer appropriate for the City of London Lodge of Installed Masters (who were currently charged the Members' private hire rate of 10% of the commercial rate) to be entitled to this level of discount and that, going forward, they should now be charged a higher, 'City Connection' rate which was currently offered to all Livery Companies, Ward Clubs etc.

In response to a question regarding entitlement to free use of Guildhall as opposed to a 90% discount, a Member explained that free use was granted solely to 'internal users' for clubs/societies that were for the benefit of elected Members or members of staff. Individual Members were also entitled to a 90% discount for personal occasions/celebrations.

The Chairman requested that a formal minute/resolution of the Hospitality Working Party on this matter be circulated to the Standards Committee ahead of their next meeting.

7. **STANDARDS REGIME REVIEW WORKING PARTY**

The Chairman introduced Emma Edhem, the Chairman of the Standards Regime Review Working Party and thanked her for her attendance. The Chairman explained that Ms Edhem had been invited to today's meeting to brief the Standards Committee on the work of the Working Party in general. He added that the Committee's general views on Mr Bourne's recommendations were well documented in the minutes of the last meeting.

Ms Edhem provided the Committee with an overview of the Working Party's constitution and work to date as well as their work-plan going forward. She explained that, as well as the formal meetings of the Working Party, a lot of work and research was being carried out between meetings. Ms Edhem's presentation went on to cover the following points:

- The Working Party had already come across some recommendations within the report that they were not in agreement with;
- The Working Party had begun by scrutinising all 36 of the recommendations within Mr Bourne's report and identifying those that were obvious/'quick wins' in terms of implementation;
- The Working Party had then identified six clear 'blocks' that would require further clarification/investigation and these were - Assessment of Complaints, Investigation of Complaints, Complaints Hearings, Sanctions, Appeals against Complaints and the Role of the Independent Person. These would be covered over five meetings, two of which had already taken place to date;
- The Standards Committee's three Independent Persons had been invited to address the Working Party informally earlier this month ahead of their formal consideration of those recommendations relating to the role of the Independent Person going forward;
- It was hoped that the Working Party would be in a position to present their full recommendations to the Standards Committee by October as

opposed to a piecemeal approach. The Working Party were very keen to engage the Standards Committee as it was recognised that this was the body who would be tasked with ultimately implementing the various recommendations put forward.

A Co-opted Member encouraged the Chairman of the Working Party to remember an external perspective on this and the City of London's Standards Culture as a whole. He added that Mr Bourne's report was very much from a legal perspective and that Co-opted Members of the Standards Committee tended to have wider experience of Local Authority in general and were therefore more able to challenge the existing culture.

The Chairman of the Working Party reiterated that they were very aware of this. She added that it was also, however, important to maintain the independence of the Standards Committee's Independent Persons who played a very different role to its Co-opted Members – something that needed to be very clearly defined going forward.

The Chairman of the Working Party concluded that it was the expectation that the group would be in a position to inform the Standards Committee of their full, draft recommendations by mid-October 2017. She undertook to notify the Standards Committee of any 'slip' in this proposed timetable. The Chairman of the Standards Committee underlined that his Committee were very keen to expedite the process and went on to question whether the Working Party had also considered wider consultation such as with the Chairman of the Policy and Resources Committee. The Chairman of the Working Party underlined that she was very keen not to rush this important process. She questioned the merit in consulting the Chairman of the Policy and Resources Committee specifically and reported that this was not currently considered necessary.

The Chairman of the Standards Committee referred to an Informal Members Meeting at which Mr Bourne had presented his initial findings to all ahead of the submission of his formal Court report. He questioned whether the Working Party might consider a similar informal meeting of Members allowing them to comment and express any strong views ahead of presenting their final report to the Court of Common Council. The Chairman of the Working Party welcomed this suggestion and stated that she saw no reason why the group could not consult more widely once they had a final draft of their recommendations in place.

A Member commented that he was delighted to hear that the Working Party had sought the views of the Independent Persons in this process. He went on to suggest that they might also do similar with the Standards Committee's Co-opted Members who would also be a very useful resource in terms of providing an external perspective.

Finally, a Member suggested that it might be useful for the Committee to receive the minutes of the Working Party in order to follow the work that was being undertaken. The Chairman of the Working Party stated that the only caveat she would add here was that certain 'decisions' made at each meeting

might well be revisited as the process progressed. The Town Clerk undertook to ascertain eligibility in terms of access to the minutes of the Working Party going forward.

8. **CODE OF CONDUCT/PROTOCOL TRAINING**

The Committee received a report of the Comptroller and City Solicitor summarising the attendance of members at recent training sessions offered on the Code of Conduct.

The Comptroller and City Solicitor reminded the Committee that they had requested this report at their last meeting. He reported that, since writing this report, one further training session had taken place and that this had been attended by two elected Members. He commented that attendance amongst newly elected Common Councilmen at these sessions was fairly disappointing.

A Member, who also currently sat on the City's Member Development Steering Group, commented that the attendance at the July and September Code of Conduct Sessions was actually comparatively high compared with many other sessions that had been offered. She did, however agree that the new Member level of attendance at these sessions was disappointing. She suggested that, if any training could be made mandatory, it should be this given its increasing importance to those who were publically elected.

The Town Clerk confirmed that all 26 newly elected Members had completed and submitted their Register of Interest and Non-Pecuniary Interest forms within the statutory deadline and that all details had been published on the public facing website.

The Committee suggested that the Chairman write to all newly elected members who were yet to attend a Code of Conduct training session underlining its importance and centrality to their role. It was suggested that he should also ask Ward Deputies to encourage new Member attendance at future sessions.

**RECEIVED.**

9. **DRAFT ANNUAL REPORT OF THE STANDARDS COMMITTEE**

The Committee considered a report of the Town Clerk setting out its Draft Annual Report for submission to the Court of Common Council.

It was suggested that paragraph 16 referring to the recent recruitment campaign for a Co-opted Member be amended to read that 'it had not been possible to make an appointment at this stage'.

It was also suggested that reference to the Committee's Independent Persons and their attendance/contributions at Standards Committee meetings throughout the year should be reflected at paragraph 13.

Some further, minor amendments were suggested to paragraphs 5, 10, 16 and 17.

**RESOLVED –** That:

(a) Subject to the proposed amendments made at the meeting, the annual report be approved; and
(b) In accordance with the Committee's terms of reference, the annual report be referred to the Court of Common Council for information.

10. **REQUESTS FOR DISPENSATION**

The Committee considered a total of twelve written requests for dispensations from the following Members:

- Randall Anderson (Common Councilman for the Ward of Aldersgate);
- Deputy David Bradshaw (Common Councilman for the Ward of Cripplegate);
- Mary Durcan(Common Councilman for the Ward of Cripplegate);
- Gregory Lawrence (Common Councilman for the Ward of Farringdon Without) ;
- Deputy Edward Lord (Common Councilman for the Ward of Farringdon Without) (TABLED);
- Deputy Joyce Nash (Common Councilman for the Ward of Aldersgate);
- Barbara Newman (Common Councilman for the Ward of Aldersgate);
- Susan Pearson (Common Councilman for the Ward of Cripplegate);
- William Pimlott (Common Councilman for the Ward of Cripplegate) ;
- Stephen Quilter (Common Councilman for the Ward of Cripplegate) (TABLED);
- Oliver Sells QC (Common Councilman for the Ward of Farringdon Without);
- Deputy John Tomlinson (Common Councilman for the Ward of Cripplegate)

It was noted that the majority of the requests were in relation to forthcoming discussions relating to the charging policy for car parking and stores at the Barbican Residential Committee. The Chairman therefore suggested that these requests be dealt with first.

The Comptroller and City Solicitor reiterated the relevant criteria against which dispensations might be granted. He added that the composition of the Barbican Residential Committee (BRC) requires representation from resident Members. He reported that, under the previous Standards Regime, this was specifically excluded from being a prejudicial interest and so, in the past, dispensations had been approved.

A Member reported that the quorum for these Committee meetings was defined as any four non-resident Members and that this was a deliberate attempt to anticipate these types of issues. The Comptroller and City Solicitor agreed that this meant that the criteria for granting a dispensation which stated that 'without

the dispensation the proportion of Members and Co-opted Members prohibited from participating in any particular business would be so great as to impede the transaction of the business' would not be met in this case.

Members commented that this kind of context was extremely useful when considering these requests and suggested that, in future, covering reports from the Comptroller and City Solicitor setting out the relevant criteria and context on a case by case basis would be useful. The Comptroller and City Solicitor agreed to provide such covering reports going forward.

Members were generally of the view that there should be a clear distinction in terms of speaking and voting on matters where Members had clear, disclosable pecuniary interests as might be the case with car parking.

In response to questions regarding car parking spaces for Barbican Residents, a Member (also the serving Chairman of the BRC) reported that, whilst all tenants and leaseholders may rent or purchase a lease on car parking spaces, there is no entitlement to car parking in leases to flats. There were now proposals to convert underused spaces to storage.

Members were of the view that each request should be viewed on its individual merit and that the Committee should also be very aware of public perception and pay due regard to the Principles of Public Life.

In response to further questions, the Comptroller and City Solicitor clarified that dispensations were entirely permissive in nature and did not impose any restrictions on speaking or voting where no such restrictions otherwise exist. The Committee should therefore assume for present purposes that the dispensations being sought were required in order to participate.

Members requested that the Comptroller and City Solicitor produce a report for their next meeting on the need for dispensations in relation to the setting of council tax.

The Committee were of the view that Delegated Authority should be granted to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Standards Committee, to take decisions on any subsequent applications for dispensations received ahead of the next Standards Committee meeting.

**RESOLVED:** That the following decisions be communicated to Members:

- **Randall Anderson – Partially Granted -** A dispensation be granted until the ward Elections in 2021 to speak at meetings where the charging policy for Car Parking and Stores in the Barbican were under consideration but the request for a dispensation to vote on such matters, should he have a disclosable pecuniary interest, be refused;

- **Deputy David Bradshaw – Rejected –** The Committee felt that further information was required and that the application was too wide reaching

by requesting to speak and/or vote on any matter impacting on either Barbican or Golden Lane residents;

- **Deputy Joyce Nash – Partially Granted -** A dispensation be granted until the ward Elections in 2021 to speak at meetings where the charging policy for Car Parking and Stores in the Barbican were under consideration but the request for a dispensation to vote on such matters, should she have a disclosable pecuniary interest be refused;

- **Mary Durcan – Partially Granted -** A dispensation be granted for a specific meeting of the Barbican Residential Committee on 5th June 2017 only to speak on the charging policy for Barbican car parking and storage spaces charging but the request for a dispensation to vote on such matters be refused (N.B. The limited duration of the dispensation reflects the application);

- **Barbara Newman – Partially Granted -** A dispensation be granted from 16/5/17 to 1/8/17 to speak at meetings where Car Parking charges were under consideration but the request for a dispensation to vote on such matters, should she have a disclosable pecuniary interest, be refused(N.B. The limited duration of the dispensation reflects the application) ;

- **William Pimlott – Partially Granted -** A dispensation be granted until the ward Elections in 2021 to speak at meetings where Parking for Barbican Residents was under consideration but the request for a dispensation to vote on such matters, be refused;

- **John Tomlinson - Rejected -** The Committee felt that further information was required and that the application was too wide reaching by requesting to speak and/or vote on any matter at the Barbican Residential Committee and the Community & Children's Services Committee;

- **Stephen Quilter (tabled) – Partially Granted -** A dispensation be granted until the ward Elections in 2021 to speak on Car Parking and Baggage Stores in the Barbican at meetings of the Barbican Residential but the request for a dispensation to vote on such matters be refused;

- **Susan Pearson – Rejected -** The Committee felt that further information was required (particularly in terms of which criteria the Member considered had been meant where no explanation was provided) and that the application was too wide reaching by requesting to speak and/or vote on any housing and other matters to do with Golden Lane Estate;

- **Gregory Lawrence – Partially Granted -** A dispensation be granted until the ward Elections in 2021 to speak on all matters concerning the London Central Markets, other than those in which he has a disclosable pecuniary interest as a shareholder or director of any company which holds a tenancy in the market, and which would affect only him

personally or his business interests as opposed to the generality of the tenants within the market. The request for a dispensation to vote on such matters be refused;

- **Oliver Sells QC – Rejected -** The Committee felt that further information was required and that the application was too wide reaching by requesting to speak and/or vote on any matter relating to his residency in the City of London and membership of the Inner Temple;

- **Deputy Edward Lord – APPLICATION WITHDRAWN BY DEPUTY EDWARD LORD.**

11. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions.

12. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
There were no additional, urgent items of business for consideration.

13. **EXCLUSION OF THE PUBLIC**
**RESOLVED** - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business 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). |
|---|---|
| 14 | 2 & 3 |

14. **NON PUBLIC MINUTES**
The non-public minutes of the previous meeting held on 3 February 2017 were considered and approved as a correct record.

15. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions raised in the non-public session.

16. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE BOARD AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There were no additional, urgent items of business for consideration in the non-public session.

**The meeting ended at 1.32 pm**

---

Chairman

**Contact Officer: Gemma Stokley**
**tel.no.: 020 7332 1407**
**gemma.stokley@cityoflondon.gov.uk**