



STANDARDS COMMITTEE

URGENT MEETING

Wednesday, 27th January, 2016

at 6.00 pm

Room 103, Hackney Town Hall, Mare Street,
London E8 1EA

Committee Membership:

Councillor Ben Hayhurst, Councillor Sophie Linden (Chair),
Councillor Sally Mulready, Councillor Clare Potter and
Councillor Jessica Webb (Vice-Chair)

Co-optees:

Julia Bennett, George Gross, Adedoja Labinjo and Onagete
Louison

Gifty Edila
Corporate Director
Legal, HR and Regulatory Services

Contact:
Robert Walker
Governance Services
Tel: 020 8356 3578
Email: Robert.Walker@Hackney.gov.uk

The press and public are welcome to attend this meeting

AGENDA

Wednesday, 27th January, 2016

ORDER OF BUSINESS

Item No	Title	Page No
1	Apologies for absence	
2	Declarations of Interests	
3	Report of Corporate Director of Legal, HR and Regulatory Services: Request for Dispensation for all Members of Full Council	1 - 4
4	Any other business	

Access and Information

Location

Hackney Town Hall is on Mare Street, bordered by Wilton Way and Reading Lane, almost directly opposite The Ocean.

Trains – Hackney Central Station (London Overground) – Turn right on leaving the station, turn right again at the traffic lights into Mare Street, walk 200 metres and look for the Hackney Town Hall, almost next to The Empire immediately after Wilton Way.

Buses 30, 48, 55, 106, 236, 254, 277, 394, D6 and W15.

Facilities

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in the Assembly Halls, rooms 101, 102 & 103 and the Council Chamber. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

Copies of the Agenda

The Hackney website contains a full database of meeting agendas, reports and minutes. Log on at: www.hackney.gov.uk

Paper copies are also available from the Governance Services Officers whose contact details are shown on page 1 of the agenda.

Council & Democracy- www.hackney.gov.uk

The Council & Democracy section of the Hackney Council website contains details about the democratic process at Hackney, including:

- [Mayor of Hackney](#)
- [Your Councillors](#)
- [Cabinet](#)
- [Speaker](#)
- [MPs, MEPs and GLA](#)
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RIGHTS OF PRESS AND PUBLIC TO REPORT ON MEETINGS

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting. Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting room. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to all Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- The Corporate Director of Legal, HR and Regulatory Services;
- The Legal Adviser to the committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

1. Do you have a disclosable pecuniary interest in any matter on the agenda or which is being considered at the meeting?

You will have a disclosable pecuniary interest in a matter if it:

- relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

2. If you have a disclosable pecuniary interest in an item on the agenda you must:

- Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- You must leave the room when the item in which you have an interest is being discussed. You cannot stay in the meeting room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the room and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

3. Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

4. If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the room, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the room unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the room. Once you have finished making your representation, you must leave the room whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the room. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

Further Information

Advice can be obtained from Gifty Edila, Corporate Director of Legal, HR and Regulatory Services, on 020 8356 3265 or email Gifty.Edila@hackney.gov.uk



FS 566728

REQUEST FOR DISPENSATION FOR ALL MEMBERS OF FULL COUNCIL	
STANDARDS COMMITTEE 27 JANUARY 2016	Classification Open
Ward(s) affected All Wards	
CORPORATE DIRECTOR Gifty Edila, Corporate Director of Legal, HR and Regulatory Services	

1 SUMMARY

- 1.1 The Government has introduced the Housing and Planning Bill 2015 into Parliament and it is currently going through the Parliamentary stages for passing legislation.
- 1.2 The Bill, if passed, will have ramifications for housing in the country which could affect a large number of people.
- 1.3 Some of the key proposals in the Bill are:
 - Extending the right to buy their property to Housing Association tenants
 - Sale of Council homes
 - Building of starter homes by Councils
 - Planning policy reforms to increase private house building
 - Introduction of rules to facilitate easier compulsory purchase of properties for house building
 - Tenants in Council housing earning over £40k in London will experience gradual increase in their rents to private sector rent levels
 - Aim is to improve the condition of private sector properties by taking actions such as imposing fines on landlords if they leave properties in poor conditions
 - Assisting landlords to repossess 'abandoned' properties quickly
 - Create a database of landlords
 - Strengthen rent repayments for tenants such as clawing back rents when enduring poor conditions in their rented property.

1.4 There is a motion on the Council meeting Agenda for 27 January 2016 on the Bill.

2. RECOMMENDATIONS

2.1 Standards Committee is asked to consider whether in view of the wide ranging proposals in the Bill, Members of the Council should be granted a dispensation to speak on the motion, under one of the two grounds in paragraph 5.2 of the report.

3. REASONS OFR THE DECISION

3.1 There is a Motion proposed to be debated at the Council meeting on 27 January 2016 on the Housing and Planning Bill.

3.2 A number of Members have already declared on their declaration of interests form that they are Council tenants or leaseholders.

3.3 There are Members who are also Housing Association tenants, private sector tenants or landlords. They will all be affected by this Bill if it is passed.

3.4 The Relevant Authorities (Disclosure Pecuniary Interests) Regulations 2012 requires all Members to complete a declaration of interests form on their election to office. It is therefore a statutory requirement to declare any 'trade' being carried on by a Member for profit. This therefore means landlords are caught by this. The regulations also require Members to declare 'any land where the landlord is the Authority and the Member or an organisation in which they have a beneficial interest' is the tenant. This therefore applies to Members who are Council tenants or leaseholders.

3.5 The above rules also applies to Members' partners and spouses.

3.6 Once a Member has declared any of the interests above, they cannot participate in the discussions on the matter. The Council's Constitution further provides that Members must leave the meeting room when that item is discussed.

3.7 The consequences of Members failing to adhere to the Regulation can be severe. The regulations however allows dispensations to be granted.

3.8 As at this stage it is simply a Bill that is being considered by Parliament, Standards Committee may consider it appropriate to grant a dispensation to allow Members to express a view as they are not the ultimate decision makers on passing of the legislation.

3.9 The Bill also has relevance to Housing Association and private sector tenants.

4. COMMENTS OF THE CORPORATE DIRECTOR OF FINANCE AND RESOURCES

4.1 There are no financial implications arising from the recommendations in this report.

5. COMMENTS OF THE CORPORATE DIRECTOR OF LEGAL, HR AND REGULATORY SERVICES

5.1 The relevant statutory provisions concerning this report have been addressed in paragraph 3 above. There are no further comments to make.

5.2 Standards Committee may grant a dispensation on one of two grounds:

- that granting dispensation is in the interests of residents

- that it is otherwise appropriate to grant a dispensation for some other reason.

5.3 If the second reason is given for granting dispensation Members would need to clarify what those reasons are.

Gifty Edila

Corporate Director of Legal, HR and Regulatory Services

Report Originator:	Gifty Edila	Tel: 020 8356 3265
Legal Comments:	Gifty Edila	Tel: 020 8356 3265
Finance Comments:	Jackie Moylan	Tel: 020 8356 3032

Background Papers:

The Members' Code of Conduct

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