

## ETHICS COMMITTEE

Meeting held on Monday 8 February 2016 at 6:36pm in Room F9, Town Hall,  
Katharine Street, Croydon, CR0 1NX

### MINUTES - PART A

**Present:** Councillor Oliver Lewis (Chair)  
Councillors: Maggie Mansell (Vice Chair), Jan Buttinger,  
Maddie Henson, Dudley Mead and Joy Prince.

Mr. Ashok Kumar, Independent Person (Non -voting) and  
Mrs. Anne Smith, Independent Person (non-voting).

**Absent:** Councillor Pat Ryan

**Also in Attendance:** Gabriel MacGregor, Acting Director of Legal and Democratic  
Services and  
Howard Passman, Information Management Co-ordinator.

#### **A01/16 Apologies for Absence**

Apologies were received from Councillor Ryan, Councillor Prince  
attended the meeting as a substitute Member of the Committee.

#### **A02/16 Minutes of the last meeting**

The Committee **RESOLVED** that the Part A minutes of the meeting  
held on Wednesday 10 November 2015 be signed as a correct  
record.

#### **A03/16 Disclosure of Interest**

There were no disclosures of a pecuniary interest at this meeting, not  
already registered.

#### **A04/16 Urgent Business (if any)**

It was noted that there were no items of business to be considered  
as a matter of urgency.

**A05/16 Exempt Items**

The Committee **RESOLVED** that the allocation of business between Part A and Part B of the Agenda be confirmed.

**A06/16 REGULATION OF INVESTIGATORY POWERS ACT 2000**

The Information Management Co-ordinator introduced the item. The Committee were informed that the Act regulates the use of covert means for gathering information and the acquisition of communications data. The Council uses these powers sparingly and only where an investigation requires their use. These powers are only used in accordance to a strict policy, and their use can only be agreed by the Courts.

In response to questions from the Committee it was stated that the decision to apply to use the powers available to support prosecutions rests with the investigating officer and thus is an operational decision, taken in consultation with Legal Services.

The Acting Director of Legal and Democratic Services stated that the powers are now limited to offences which attract a minimum six months' custodial sentence on conviction.

The Committee **RESOLVED** to note the report.

**A07/16 UPDATE ON PROGRESS TO UPDATE MEMBERS' ONLINE REGISTER OF INTERESTS**

The Acting Director of Legal and Democratic Services introduced the item by reporting that since publication of the report only 18 updated Members' interest returns were now outstanding. Committee Members requested that the outstanding names be sent to the relevant party whips.

The Committee **RESOLVED** to note the contents of the report and a list of the outstanding returns for the groups be sent to the relevant party whips.

**A08/16 RECENT CASE LAW INVOLVING MEMBER APPARENT BIAS AND ITS IMPACT ON COUNCIL DECISIONS**

The Acting Director for Legal and Democratic Services introduced the item by reporting that the implications of the case in the report were relevant to ethics but also Member conduct more generally. The case in question was successful on the grounds of "apparent bias" and the perception that there could have been a conflict of interest, regardless of whether there in fact was.

Responding to questions from the Committee it was reported that the outcome in that case was a quashing of the Planning Committee decision and for the application to be re-considered by the Council in question.

The Committee **RESOLVED** to note the contents of the report and for the report to be circulated to all Members.

**A09/16          DISPENSATION APPLICATIONS FOR MEMBERS**

The Committee were informed that no dispensation applications had been received.

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**Part B – None**

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The meeting ended at 6:51pm