

# Subject: Declarations of Interests

<b>Report to:</b>	<b>Health Committee</b>
<b>Report of:</b>	<b>Executive Director of Assembly Secretariat</b>
<b>Date:</b>	<b>2 March 2022</b>
<b>Public Access:</b>	<b>This report will be considered in public</b>

## 1. Summary

- 1.1 This report sets out details of offices held by Assembly Members for noting as disclosable pecuniary interests and requires additional relevant declarations relating to disclosable pecuniary interests, and gifts and hospitality to be made.

## 2. Recommendations

- 2.1 **That the list of offices held by Assembly Members, as set out in the table below, be noted as disclosable pecuniary interests;**
- 2.2 **That the declaration by any Member(s) of any disclosable pecuniary interests in specific items listed on the agenda and the necessary action taken by the Member(s) regarding withdrawal following such declaration(s) be noted; and**
- 2.3 **That the declaration by any Member(s) of any other interests deemed to be relevant (including any interests arising from gifts and hospitality received which are not at the time of the meeting reflected on the Authority's register of gifts and hospitality, and noting also the advice from the GLA's Monitoring Officer set out at below) and any necessary action taken by the Member(s) following such declaration(s) be noted.**

## 3. Issues for Consideration

- 3.1 The Monitoring Officer advises that: Paragraph 10 of the Code of Conduct will only preclude a Member from participating in any matter to be considered or being considered at, for example, a meeting of the Assembly, where the Member has a direct Disclosable Pecuniary Interest in that particular matter. The effect of this is that the 'matter to be considered, or being considered' must be about the Member's interest. So, by way of example, if an Assembly Member is also a councillor of London Borough X, that Assembly Member will be precluded from participating in an Assembly

meeting where the Assembly is to consider a matter about the Member's role / employment as a councillor of London Borough X; the Member will not be precluded from participating in a meeting where the Assembly is to consider a matter about an activity or decision of London Borough X.

3.2 Relevant offices held by Assembly Members are listed in the table below:

### Assembly Member Interests

<b>Member</b>	<b>Interest</b>
Marina Ahmad AM	
Shaun Bailey AM	
Elly Baker AM	
Siân Berry AM	Member, London Borough of Camden
Emma Best AM	Member, London Borough of Waltham Forest
Andrew Boff AM	Congress of Local and Regional Authorities (Council of Europe)
Hina Bokhari AM	Member, London Borough of Merton
Anne Clarke AM	Member, London Borough of Barnet
Léonie Cooper AM	Member, London Borough of Wandsworth
Unmesh Desai AM	
Tony Devenish AM	Member, City of Westminster
Len Duvall AM	
Peter Fortune AM	Member, London Borough of Bromley
Neil Garratt AM	Member, London Borough of Sutton
Susan Hall AM	Member, London Borough of Harrow
Krupesh Hirani AM	Member, London Borough of Brent
Joanne McCartney AM	Deputy Mayor
Sem Moema AM	Member, London Borough of Hackney
Caroline Pidgeon MBE AM	
Zack Polanski AM	
Keith Prince AM	
Nicholas Rogers AM	
Caroline Russell AM	Member, London Borough of Islington
Dr Onkar Sahota AM	
Sakina Sheikh AM	Member, London Borough of Lewisham

3.4 Paragraph 10 of the GLA's Code of Conduct, which reflects the relevant provisions of the Localism Act 2011, provides that:

- where an Assembly Member has a Disclosable Pecuniary Interest in any matter to be considered or being considered or at
  - (i) a meeting of the Assembly and any of its committees or sub-committees; or
  - (ii) any formal meeting held by the Mayor in connection with the exercise of the Authority's functions
- they must disclose that interest to the meeting (or, if it is a sensitive interest, disclose the fact that they have a sensitive interest to the meeting); and
- must not (i) participate, or participate any further, in any discussion of the matter at the meeting; or (ii) participate in any vote, or further vote, taken on the matter at the meeting

UNLESS

- they have obtained a dispensation from the GLA's Monitoring Officer (in accordance with section 2 of the Procedure for registration and declarations of interests, gifts and hospitality – Appendix 5 to the Code).

3.5 Failure to comply with the above requirements, without reasonable excuse, is a criminal offence; as is knowingly or recklessly providing information about your interests that is false or misleading.

3.6 In addition, the Monitoring Officer has advised Assembly Members to continue to apply the test that was previously applied to help determine whether a pecuniary / prejudicial interest was arising - namely, that Members rely on a reasonable estimation of whether a member of the public, with knowledge of the relevant facts, could, with justification, regard the matter as so significant that it would be likely to prejudice the Member's judgement of the public interest.

3.7 Members should then exercise their judgement as to whether or not, in view of their interests and the interests of others close to them, they should participate in any given discussions and/or decisions business of within and by the GLA. It remains the responsibility of individual Members to make further declarations about their actual or apparent interests at formal meetings noting also that a Member's failure to disclose relevant interest(s) has become a potential criminal offence.

3.8 Members are also required, where considering a matter which relates to or is likely to affect a person from whom they have received a gift or hospitality with an estimated value of at least £50 within the previous three years or from the date of election to the London Assembly, whichever is the later, to disclose the existence and nature of that interest at any meeting of the Authority which they attend at which that business is considered.

3.9 The obligation to declare any gift or hospitality at a meeting is discharged, subject to the proviso set out below, by registering gifts and hospitality received on the Authority's on-line database. The [gifts and hospitality database](#) may be viewed online.

- 3.10 If any gift or hospitality received by a Member is not set out on the online database at the time of the meeting, and under consideration is a matter which relates to or is likely to affect a person from whom a Member has received a gift or hospitality with an estimated value of at least £50, Members are asked to disclose these at the meeting, either at the declarations of interest agenda item or when the interest becomes apparent.
- 3.11 It is for Members to decide, in light of the particular circumstances, whether their receipt of a gift or hospitality, could, on a reasonable estimation of a member of the public with knowledge of the relevant facts, with justification, be regarded as so significant that it would be likely to prejudice the Member's judgement of the public interest. Where receipt of a gift or hospitality could be so regarded, the Member must exercise their judgement as to whether or not, they should participate in any given discussions and/or decisions business of within and by the GLA.

#### **4. Legal Implications**

- 4.1 The legal implications are as set out in the body of this report.

#### **5. Financial Implications**

- 5.1 There are no financial implications arising directly from this report.

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#### **List of appendices to this report:**

None

#### **Local Government (Access to Information) Act 1985**

List of Background Papers: None

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