

STANDARDS COMMITTEE

6.10 P.M.

11TH JANUARY 2024

PRESENT:- Councillors Hamish Mills (Chair), Prof Chris Harris (Vice-Chair), Joanne Ainscough, Paul Newton, Sam Riches, Abi Mills(substitute for Councillor Sarah Punshon) and Jason Wood (substitute for Councillor Ruth Colbridge)

Apologies for Absence

Councillors Ruth Colbridge and Sarah Punshon

Officers in attendance:-

Luke Gorst
Liz Bateson

Chief Officer - Governance and Monitoring Officer
Principal Democratic Support Officer

7 MINUTES

The Minutes of the meeting held on 6 July 2023 were agreed as a correct record.

8 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

9 DECLARATIONS OF INTEREST

There were no declarations of interest.

10 COUNCILLORS' CODE OF CONDUCT - COUNCILLORS GIFTS AND HOSPITALITY

The Monitoring Officer presented a report for the Committee to consider recommending to Council, or Council Business Committee (CBC), that wording be added to the Code of Conduct for Councillors. The wording provided further information for Members on acceptance and refusal of offers of gifts and hospitality and the requirements to declare such offers, whether accepted or not. A revised declaration form was also included with the report for recommendation to Council/CBC.

The Standards Committee was responsible for considering any revisions to the Code of Conduct for Councillors and making recommendations to Council or Council Business Committee for approval of such revisions. Currently the Code of Conduct, in Part 4, Section 2 of the Constitution, made brief reference to Gifts and Hospitality. The Council's Internal Audit carried out an audit of interests in late 2022, and among the actions agreed in January 2023 were that "The Councillors' Code of Conduct should be updated to ensure that it comprehensively sets out the information requirements to be recorded when declaring a gift or hospitality" and that Democratic Support would review the Member Declaration Forms for gifts and hospitality.

The proposed revision to the Constitution and revised declaration form to address the issues raised during the audit was presented to the Committee for their endorsement and referral to Council or CBC for approval. After some discussion the Committee

agreed that the Council Business Committee would be the most suitable Committee to approve the change but that on this occasion it would be appropriate to recommend that CBC refer the proposed revision once approved, to full Council to ensure that all councillors were aware of and able to adhere to the revision.

It was proposed by Councillor Wood, seconded by Councillor Riches and agreed unanimously when put to the vote:

“that the Standards Committee recommend to the Council Business Committee that the revisions as set out in the report be approved and that the Council Business Committee be requested to report the revisions, once agreed, to full Council for noting.”

Resolved unanimously:

- (1) That the Standards Committee recommend that the Council Business Committee approve the following revision to the Constitution with a new paragraph 13 titled “Offers of Gifts and Hospitality”:

“Councillors should not normally accept gifts or hospitality. While gifts or hospitality can be offered for benign reasons it is important for your reputation, the reputation of the City Council and for the reassurance of the public that decision-making is not being improperly influenced, that you do not routinely accept gifts or hospitality offered to you as a Councillor.

You must notify the Monitoring Officer in writing of details of any gift or hospitality with an estimated value of at least £50 that you have received in connection with your role as a Councillor, and details of the donor. Forms are on the Intranet [HERE](#) (a link to the form will be provided) for Councillors. However, simply accepting gifts or hospitality and then registering it does not mean that it may be seen as reasonable. Accepting an expensive meal from somebody who is negotiating for a contract with the council, for example, is not ‘made right’ by being recorded on a public register.

There will be times when turning down hospitality or gifts could be seen as causing unnecessary offence. For example, if you have been invited as a ward councillor to a local festival or faith celebration along with other members of the community then it may be entirely appropriate to accept the hospitality. However, you should always exercise particular caution if the organisers are involved in ongoing negotiations with the City Council on a particular matter.

Where you are offered a gift or hospitality but decline it you should nevertheless notify the Monitoring Officer. That helps Monitoring Officer to identify if there are any patterns which indicate that some person or organisation might be seeking to influence Councillors.

Even for gifts or hospitality under £50 you should always notify the Monitoring Officer if the gift/hospitality could be perceived as something given to you because of your position. This is especially relevant where the gift or hospitality is from somebody who you know has put in an application, or is about to put in an application, to the City Council, even where that hospitality falls below £50. While that would not be a matter for the public register it again allows the Monitoring Officer to be aware of any patterns.

Any accumulation of small gifts you receive over two to three months from the same person or organisation that add up to £50 or over should also be registered, in the interests of transparency.”

- (2) That the Standards Committee recommend that the revised declaration form appended to the report be adopted and linked to the Code online.
- (3) That having approved the revisions to the Code of Conduct the Council Business Committee be recommended to report the decision to full Council for noting to ensure that all Councillors are aware of the revisions.

11 EXCLUSION OF THE PRESS AND PUBLIC

That, in accordance with Section 110A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it could involve the possible disclosure of exempt information as defined in Paragraph 1 of Schedule 12 A of that Act.

12 SUMMARY OF COMPLAINTS UNDER THE CODE OF CONDUCT

The Monitoring Officer presented a report, which advised the Committee about the progress of current complaints and any other code of conduct complaints received since the last report on 6 July 2023. During the discussions concern was raised at the complaints relating to parish councillors and suggestions were made as to what the City Council could do to address this by way of guidance and training. It was agreed that the Chair would write to parish clerks and would share the draft letter with the Committee for their endorsement prior to sending out to the parishes.

Resolved:

- (1) That the report be noted.
- (2) That the Chair write to parish clerks outlining the suggestions made by the Committee to reduce the number of complaints relating to parish councillors.

Chair

(The meeting ended at 6.50 p.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Support - email ebateson@lancaster.gov.uk**

