



**Committee:** STANDARDS COMMITTEE  
**Date:** THURSDAY, 11 JANUARY 2024  
**Venue:** LANCASTER TOWN HALL  
**Time:** 6.10 P.M.

## A G E N D A

1. **Apologies for Absence**

2. **Minutes**

Minutes of meeting held on 6 July 2023 (previously circulated).

3. **Items of Urgent Business authorised by the Chair**

4. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. **Councillors' Code of Conduct - Councillors Gifts and Hospitality (Pages 3 - 6)**

Report of the Monitoring Officer

6. **Exclusion of the Press and Public**

Whilst the report is public it contains an exempt appendix, and the Committee is recommended to pass the following recommendation in relation to the following item:-

"That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business if the Committee are minded to refer to the exempt appendix, on the grounds that it could involve the possible disclosure of exempt information, as defined in paragraph 1 of Schedule 12A of that Act."

Members are reminded that, whilst the following item includes an exempt appendix, it is for Committee itself to decide whether or not to consider it in private or in public. In making the decision, Members should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering their discretion Members should also be mindful of the advice of Council Officers.

**7. Summary of Complaints under the Code of Conduct (Pages 7 - 9)**

Report of the Monitoring Officer

**ADMINISTRATIVE ARRANGEMENTS**

**(i) Membership**

Councillors Hamish Mills (Chair) Prof Chris Harris (Vice-Chair), Joanne Ainscough, Ruth Colbridge, Paul Newton, Sarah Punshon and Sam Riches

**(ii) Substitute Membership**

Councillors Shelagh McGregor (Substitute) and Abi Mills (Substitute)

**(iii) Queries regarding this Agenda**

Please contact Liz Bateson, Democratic Support - email [ebateson@lancaster.gov.uk](mailto:ebateson@lancaster.gov.uk).

**(iv) Changes to Membership, substitutions or apologies**

Please contact Democratic Support, telephone 582000, or alternatively email [democracy@lancaster.gov.uk](mailto:democracy@lancaster.gov.uk).

MARK DAVIES,  
CHIEF EXECUTIVE,  
TOWN HALL,  
DALTON SQUARE,  
LANCASTER, LA1 1PJ

Published on WEDNESDAY 3 JANUARY, 2024.

**STANDARDS COMMITTEE****Councillors' Code of Conduct – Councillors Gifts and Hospitality****11 January 2024****Report of the Monitoring Officer****PURPOSE OF REPORT**

To consider recommending to Council, or Council Business Committee (CBC), that wording be added to the Code of Conduct for Councillors. The wording provides 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 is also included with the report for recommendation to Council/CBC.

**This report is public.**

**RECOMMENDATIONS**

- (1) That the Committee considers the wording in paragraph 2.2 regarding gifts and hospitality and the revised declaration form (appended to this report).
- (2) That:
  - a) The Committee recommends to Council or Council Business Committee that the wording in paragraph 2.2 be approved for addition to the Councillors' Code of Conduct and;
  - b) The declaration form appended to the report be adopted and linked to the Code online.

**1.0 Introduction**

- 1.1 This Committee is 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.
- 1.2 Currently the Code of Conduct, in Part 4, Section 2 of the Constitution, makes brief reference to Gifts and Hospitality. The wording is that Councillors must notify the MO is 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.*

- 1.3 In late 2022, the Council's Internal Audit carried out an audit of interests 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.

## 2.0 Proposal

- 2.1 To bring the information and requirements of the Code up to date with current guidance it is proposed to amend and expand the information in the Code with additional text in a new paragraph 13 titled "Offers of Gifts and Hospitality" as follows:

*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.*

- 2.2 The current declaration form does not ask for information about gifts or hospitality which has been declined; only those which have been accepted. Appendix 1 shows a revised form to capture information about gifts/hospitality which have either been declined or accepted. If approved, this form will be linked to the Constitution and available on request from Democratic Support.

**3.0 Conclusion**

- 3.1 The Committee is asked to recommend to Council or CBC that the Code of Conduct for Councillors and declaration form for gifts/hospitality be revised, as set out in this report, to reflect accepted standards of conduct.

<b>CONCLUSION OF IMPACT ASSESSMENT</b> (Including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)  None identified.	
<b>FINANCIAL IMPLICATIONS</b>  None identified.	
<b>LEGAL IMPLICATIONS</b>  None identified.	
<b>SECTION 151 OFFICER'S COMMENTS</b>  The Section 151 Officer has been consulted and has no comments.	
<b>MONITORING OFFICER'S COMMENTS</b> The Monitoring Officer has contributed to the drafting of this report in his name.	
<b>BACKGROUND PAPERS</b>  None	<b>Contact Officer:</b> Debbie Chambers <b>Telephone:</b> 01524 582057 <b>E-mail:</b> dchambers@lancaster.gov.uk <b>Ref:</b>

## **COUNCILLORS REGISTRATION OF GIFTS AND HOSPITALITY**

NAME OF COUNCILLOR OFFERED THE GIFT/HOSPITALITY		
DATE GIFT/HOSPITALITY OFFERED		
WAS THE GIFT HOSPITALITY ACCEPTED OR DECLINED? (PLEASE TICK THE RELEVANT BOX)	<b>ACCEPTED</b>	<b>DECLINED</b>
WHO OFFERED THE GIFT/HOSPITALITY?		
WHAT WAS THE NATURE OF THE GIFT/HOSPITALITY?  PLEASE GIVE DETAILS INCLUDING APPROXIMATE VALUE		
5. COUNCILLOR SIGNATURE		
7. DATE		

**PLEASE RETURN THE COMPLETED FORM TO:  
DEMOCRATIC SUPPORT, TOWN HALL, LANCASTER.**

**Standards Committee****Summary of Complaints under the Code of Conduct****11 January 2024****Report of the Monitoring Officer****PURPOSE OF REPORT**

This report advises the committee about the progress of current complaints and any others received since the last report in July 2023.

**This Report is public however Appendix 1 is exempt from publication by virtue of paragraph 1 of, of Schedule 12a of the Local Government Act 1972.**

**RECOMMENDATION**

**(1) That the Committee notes the report.**

**1.0 Introduction**

**1.1** The Monitoring Officer provides a regular report to the Committee summarising the progress on current complaints under the code of conduct.

**1.2** In October 2012, the Committee resolved that reports to this Committee about complaints should be exempt from publication but should identify the subject members of the complaints, for the Committee's information.

**1.3** However, Council has resolved that all members of the Council should have access to all exempt reports, background papers and minutes, save where the report, background paper or minutes relates to an individual officer (other than an Chief Executive or Chief officers), an individual member of the Council or and individual third party, or where the member seeking to attend has a disclosable pecuniary interest or other interest within paragraph 12 (1) of section 2 of part b of the code of conduct, in the item of business.

**1.4** Although not specifically articulated above, Appendix 1 of this report remains exempt by virtue of the restriction relating to individual members of the Council and third party information clause as set out above.

**2.0 Proposal Details**

2.1 A summary of complaints is attached

**3.0 Details of Consultation**

3.1 None

<b>RELATIONSHIP TO POLICY FRAMEWORK</b> None	
<b>CONCLUSION OF IMPACT ASSESSMENT</b> (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing): None	
<b>LEGAL IMPLICATIONS</b> None, although consideration must always be given to proportionality and the lawful interference with the right to private and family life.	
<b>FINANCIAL IMPLICATIONS</b> None	
<b>OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:</b> None	
<b>SECTION 151 OFFICER'S COMMENTS</b> None	
<b>MONITORING OFFICER'S COMMENTS</b> This report has been compiled by the Monitoring Officer.	
<b>BACKGROUND PAPERS</b>	<b>Contact Officer:</b> Debbie Chambers <b>Telephone:</b> 01524 582057 <b>E-mail:</b> dchambers@lancaster.gov.uk



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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