

| Report of | Meeting | Date |
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| Corporate Director of Governance | Standards Committee | 30 November 2007 |

MAYORAL HOSPITALITY

PURPOSE OF REPORT

- To provide guidance on how the Mayor and Deputy Mayor should treat gifts and hospitality for the purposes of the register of interests.

RECOMMENDATION(S)

- The guidance be noted.

CORPORATE PRIORITIES

- This report does not relate to the Strategic Objectives.

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| Put Chorley at the heart of regional economic development in the central Lancashire sub region | | Improved access to public services | |
| Improving equality of opportunity and life chance | | Develop the character and feel of Chorley as a good place to live | |
| Involving People in their Communities | | Ensure Chorley is a performing Organisation | |

BACKGROUND

- The new Code of Conduct says that Members have a personal interest in any business of the authority which relates to: "the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25". There is a requirement to register that interest. The wording of that requirement is poor but the Standards Board Guidance confirms the commonsense interpretation that it is the fact of the gift which is to be registered together with details of the donor. There is also a requirement to declare an interest if a matter under consideration is likely to affect a person who gave a gift or provided hospitality. That requirement continues for three years after the interest has been registered.
- The Standards Board original guidance on the new Code pointed out that it is only gifts or hospitality given to a member in his or her capacity as a councillor that needed to be registered. Members were advised to ask themselves the question: "Would I have been given this if I was not on the Council?"
- The Standards Committee saw some issues with this provision as it affected the Mayor. The Committee pointed out that the Mayor traditionally receives substantial hospitality and the occasional gift during his or her term of office. It was fairly clear that a gift provided to the Mayor which was intended to be retained within the Town Hall ought not to be treated as a gift which needed to be registered. There was though particular uncertainty as to

what the proper approach would be with regards to hospitality. The Committee therefore decided to add this matter to its workplan for the coming year with a view to ensuring that Mayors had proper guidance.

7. In the meantime the Standards Board has issued its annual Case Review which addresses this issue directly. The relevant extract reads:

"Q80: Do members have to declare hospitality extended to them in the course of their authority's business, such as official dinners or business lunches?"

The focus of the Code of Conduct is on the source of the hospitality and its nature. The Standards Board for England does not consider that hospitality should be registered where it is provided by the authority or where it is clearly ancillary to the business being conducted, such as an overnight stay for an away-day. Therefore, hospitality at a civic reception or mayor's ball would not need to be registered. However, the hospitality should be registered if it is provided by a person or body other than the authority, and is over and above what could reasonably be viewed as ancillary to the business conducted. Members might meet dignitaries or business contacts in council offices. However, if such meetings take place in other venues, such as at cultural or sporting events, this should be registered as hospitality.

Q81: What is the Code of Conduct's position on the mayor or chair of an authority?

There are no special rules for those who serve as mayor or chair of an authority. Gifts that are clearly made to the authority, for example a commemorative goblet which is kept on display in the authority's offices, do not need to be registered in the member's register of gifts and hospitality. However, such gifts ought to be recorded by the authority for audit purposes. Although the mayor or chair may attend many social functions, they are not exempt from the requirement to register hospitality. However, where the hospitality is extended to the office holder for the time being rather than the individual, the Standards Board takes the view that there is no requirement under the Code to register the hospitality. The question a member needs to ask themselves is, "Would I have received this hospitality even if I were not the mayor/chair?" If the answer is yes, then it must be registered."

8. This is helpful guidance which has been shared with the current Mayor and Deputy Mayor and with the Civics team. It is also available on the Council's intranet system, the Loop.

IMPLICATIONS OF REPORT

9. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

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| Finance | | Customer Services | |
| Human Resources | | Equality and Diversity | |
| Legal | √ | No significant implications in this area | |

ANDY DOCHERTY
CORPORATE DIRECTOR GOVERNANCE

There are no background papers to this report.

| Report Author | Ext | Date | Doc ID |
|---------------|------|--------------------------------|--------|
| A.Docherty | 5102 | 16 th November 2007 | *** |