

CITY AND COUNTY OF CARDIFF DINAS A SIR CAERDYDD

STANDARDS AND ETHICS COMMITTEE: 17 JULY 2007

REPORT OF THE MONITORING OFFICER AGENDA ITEM:

REGISTRATION OF GIFTS AND HOSPITALITY

Reason for this Report

1. To provide the Committee with further information in connection with its review of the threshold for the registration of gifts and hospitality by Members and Officers, to enable the Committee to make an appropriate recommendation to the Council in this regard.

Background

2. Under the Members' and Officers' Codes of Conduct, Members and Officers are required to register any gifts, hospitality or other benefits where the value of the item or benefits exceeds an amount determined by the Council from time to time (Members' Code of Conduct Part III paragraph 22; and Employees' Code of Conduct paragraph 8).
3. The current financial thresholds for the registration of gifts, hospitality and other benefits received by Members and Officers within Cardiff Council are specified within the Guidance issued by the Council under the Code of Conduct for Members and Employees on Hospitality, Gifts and Other Benefits (paragraph 15) as follows:
 - 'Gifts – estimated value of £125 or greater;
 - Hospitality and other benefits – estimated value of £190 or greater for each relevant occasion or payment.'

Definitions of 'Gifts', 'Hospitality' and 'Other benefits' are set out in the Guidance (paragraph 2). The Guidance further states that the thresholds are to be reviewed by the Council as necessary, in consultation with the Standards Committee.

4. At its meeting on 5 June 2007 the Committee considered a report of the Monitoring Officer (dated 22/05/07) on the registration of gifts and hospitality. At that meeting the Committee indicated that it was minded to recommend that the Council's threshold for the registration of gifts and hospitality should be reduced to £25, in line with the threshold set

for all local authorities in England by the Standards Board for England. However, the Monitoring Officer informed the Committee that the Leader of the Council, Councillor Rodney Berman, had indicated his view that the Committee should consider further logistical information before making its recommendation, and that he would welcome the opportunity to address the Committee in this regard. The Committee accordingly resolved to defer its decision to the July Committee meeting, when it would receive further information on this issue.

5. This report presents further information which has been gathered on behalf of the Monitoring Officer.

Issues

6. Enquiries have been made of local authorities in 3 other major cities - Birmingham City Council, Manchester City Council and the Greater London Authority. Contact was made with senior officers / managers wherever possible in those authorities' democratic services or equivalent. In each case the following questions were asked:

(i) Can you confirm your threshold for the registration of gifts and hospitality?

(ii) Are your registers published?

(iii) Approximately how many registrations were made over the last 12 months?

(iv) Is your Lord Mayor (and Deputy) required to register gifts and hospitality in the same way as other elected members?

(v) Is the threshold thought to present any hardship or bureaucratic difficulties?

(vi) Do you have any other comments?

7. Responses were as follows:

	Birmingham	Manchester	Greater London Authority
(i) Threshold value?	£25	£25	£25
(ii) Registers published?	Published online	Available for public inspection; and submitted to Standards Committee at each meeting	Included in a quarterly report to the Standards Committee which is then made available for public inspection
(iii) Number of registrations over last 12 months?	258	28	To be confirmed
(iv) Lord Mayor and Deputy Lord Mayor required to register?	Yes	Yes	Yes
(v) Hardship or bureaucratic difficulties?	None reported	The Head of Committee Services has taken the view that registrations will indicate a 'prejudicial interest' (under the Code of Conduct which applies in England) for 3 years from the initial declaration. On this basis he expects this to become troublesome – see below.	Councillors have made representations to increase the threshold as they consider it too low.
(vi) Any other comments?	No	There may be particular problems for the Lord Major in view of the number of occasions that hospitality over £25 is received during his or her time in office. This may require the Lord Major to leave Council meetings for items in respect of which he/she has a prejudicial interest based on registered hospitality, as above.	No

8. Enquiries were also made of the Council's Leader, Deputy Leader, Lord Mayor and Deputy Lord Mayor regarding the levels of gifts and hospitality offered in Cardiff, in recognition of the significant number of offers of gifts and hospitality made to holders of these positions.
9. The Council's Protocol Office provided the following information on hospitality offered to the Mayoralty during the 6 month period from 01 January 2007 to 30 June 2007:

	Total number of Hospitality offers received	Number of Hospitality offers accepted	Number of hospitality offers accepted with a value of £25 or over
January	15	10	4
February	20	13	10
March	40	19	14
April	20	7	4
May	33	11	8
June	40	25	13
TOTAL	168	85	53

10. It is understood that the Leader, Councillor Rodney Berman, intends to address the Committee meeting in person.
11. The Committee is invited to review Cardiff Council's current thresholds for the registration of gifts and hospitality in light of the information presented at both its previous meeting (on 05/06/07) and this meeting, and to make any consequent recommendations to Council.

ADVICE

This report has been prepared by the Monitoring and Chief Legal & Democratic Services Officer. It contains all the information necessary to allow Members to arrive at a reasonable view, taking into account the advice contained in this section.

Legal Implications

The relevant legal provisions and the implications of these are contained within the body of this report.

Financial Implications

There are no financial implications arising from this report.

RECOMMENDATION

That the Committee reviews the current thresholds set for the registration of gifts and hospitality within Cardiff Council, and makes any consequent recommendations to the Council.

Kate Berry

Monitoring Officer and Chief Legal & Democratic Services Officer

11 July 2007

Background papers

Monitoring Officer's Reports to Standards & Ethics Committee 'Registration of Gifts and Hospitality' dated 22 May 2007 (considered at the Committee meeting on 05/06/07) and 5 October 2006; and minutes of Committee's decision on 5 October 2006

Cardiff Council Members' Code of Conduct

Cardiff Council Employees' Code of Conduct

Cardiff Council Guidance Issued under the Code of Conduct for Members and Employees 'Hospitality, Gifts and Other Benefits' (January 2007)