



<b>Subject:</b>	<b>Code of Conduct for Councillors: Response from Northern Ireland Local Government Commissioner for Standards</b>
<b>Date:</b>	23rd August, 2019
<b>Reporting Officer:</b>	John Walsh, City Solicitor / Director of Legal and Civic Services
<b>Contact Officer:</b>	John Walsh, City Solicitor / Director of Legal and Civic Services

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of Main Issues</b>
1.1	The purpose of this report is to update Members on correspondence received from the Northern Ireland Local Government Commissioner for Standards.
<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is asked to note the contents of the report.
<b>3.0</b>	<b>Main Report</b>
	<u>Key Issues</u>
3.1	Following an adjudication by the NI Local Government Commissioner for Standards and the consideration by Strategic Policy and Resources Committee of a notice of motion requesting the need for clarity and clear guidance on the <a href="#">Code of Conduct for Councillors</a> on 25th January 2019, I wrote to the Commissioner to seek clarity specifically in relation to her

	interpretation of paragraph 6.9 of the Code and to invite her to attend Committee on a future date to discuss the motion and the issues relevant to it.
3.2	The issue I raised related to her interpretation of paragraph 6.9 which deals with a dispensation permitting Councillors to vote on issues when the appointment has been made by the Council or otherwise permitting them to remain and speak on an issue when they have an association with an organisation which has been formed for a public purpose. The Commissioner appeared to have misstated the correct legal position in the adjudication report referred to.
3.3	The Commissioner's response accepts that the position I had adopted in respect of this particular portion of the Code is correct. Accordingly, my advice to Members about dispensations and significant non-pecuniary interests is that if your relationship with a public body or organisation formed for a public purpose arises, that you may participate and vote on decisions affecting that organisation, other than in those cases in which you are a member of the management committee and the decision to be taken relates to finance or property.
3.4	In response to the invitation to attend Committee, the Commissioner felt it would not be appropriate to attend.
	<b><u>Financial and Resource Implications</u></b>
3.6	None
	<b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b>
3.7	None
<b>4.0</b>	<b>Documents Attached</b>
	None