



Councillor Code of Conduct Amendment

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

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Phone number

Address

--

Postcode

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Email

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The Scottish Government would like your permission to publish your consultation response.
Please indicate your publishing preference:

- Publish response with name
 Publish response only (anonymous) – Individuals only
 Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes

No

Councillor Code of Conduct Amendment

Consultation questions

1. Do you agree or disagree that the Councillors' Code of Conduct be amended so that councillors who have been nominated or appointed by their councils to membership of a Regional Transport Partnership can take part in discussion of decision-taking on matters of a quasi-judicial or regulatory nature in which that body has an interest?

X Agree

Disagree

2. If you agree – How should the amendment be worded?

We consider a specific exclusion similar to the specific exclusion currently in the Councillor's Code of Conduct for councillor members of the Cairngorms National Park Authority should be applied i.e. the specific exclusion will only apply where the councillor has not participated in the decision of the regional transport partnership and has not attended any regional transport partnership meeting at which the matter was discussed. It is possible if all councillor members (of a particular Council) of the regional transport partnership were to absent themselves the relevant meeting(s) of the regional transport partnership could be inquorate so the quorum requirements of the regional transport partnership may require to be addressed to resolve such an issue. An alternative option would be for the regional transport partnership to delegate the making of the comments, representations or objections to officers of the regional transport partnership.

3. If you disagree please explain why you do so.

4. If you agree - should that amendment apply to all public bodies, not just RTPs?

X Yes

No

5. If you have answered no please explain why.

n/a

We would also ask if respondents have any other comments or suggestions about the provisions of the Code on declarations of interest as regards councillors who are also members of other bodies.

We consider a specific exclusion for members of other public bodies should only apply where the councillor has not participated in the decision of the body on the matter under consideration or attended any meeting of the body at which the matter was discussed. It is possible if all councillor members of a body were to absent themselves the relevant meeting of the body could be inquorate so the quorum requirements of the body may require to be addressed to resolve such an issue. An alternative option would be for the body to delegate the making of any comments, representations or objections to officers of the body so that although the role of members of the body was diminished a separation between the members and the comments, representations or objections would be provided.