

7. ETHICS SUBCOMMITTEE - APPOINTMENT OF CONVENER AND DELEGATION OF AUTHORITY

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PURPOSE OF REPORT

1. This purpose of this report is to seek the appointment of the convener of the Ethics Subcommittee and to confirm the delegated powers and quorum of the Subcommittee.

EXECUTIVE SUMMARY

2. At its meeting on 22 April 2004 the Council, as required by the Local Government Act 2002, adopted a Code of Conduct.
3. The code requires the Council to establish an Ethnicity Subcommittee, comprising between three and five Councillors and an independent convener, with the Mayor a member ex-officio.
4. At its meeting on 9 December 2004 the Council re-established the Subcommittee and appointed the Mayor, Councillors Broughton, Condon, Cox and Sheriff as its members. A convener was not, however, appointed. The previous Council appointed the former City Manager Mr John Gray as convener of the initial Subcommittee. Mr Gray has confirmed that he is available to serve in this capacity during the 2004-07 term.
5. In appointing the Councillor members of the Subcommittee the Council also approved the following terms of reference and delegated powers:

"Terms of Reference

1. *To consider, report on and make recommendations to the Council on any alleged breaches of the Code of Conduct referred to it.*
2. *To consider and report to the Council on any matters referred to it by the Convener.*

Delegation

3. *The Subcommittee be delegated authority to regulate its own procedure regarding the conduct of its inquiry into such a matter."*
6. The previous Council also delegated to the Subcommittee the powers conferred on it in section 3 of the Council's Code of Conduct. A copy of this section of the code is attached. It is suggested that these powers be formally delegated to the new Subcommittee. The code provides for the quorum for meetings of the Subcommittee to be three.

STAFF RECOMMENDATIONS

It is recommended that the Council:

- (a) Appoint Mr John Gray as convener of the Ethnicity Subcommittee.
- (b) Authorise the Ethics Subcommittee to exercise the powers conferred on it in section 3 of the Council's Code of Conduct.
- (c) Agree that the quorum of the Subcommittee be three and that for the hearing of any matters referred to the Subcommittee the members shall comprise such members as may be determined by the convener following discussions with the relevant party or parties to the complaint.