

Title: Standards Board Complaint : Consideration of Investigating Officer's report

Reporting Officer: Tim Darsley, Monitoring Officer

1 Purpose

To consider the report of the local investigation into an allegation concerning William Braid, formerly of Westbury Town Council.

2 Background

A complaint made to the Standards Board for England about the conduct of William Braid was referred to the Monitoring Officer for local investigation in January 2007. The complaint has been investigated and a report of the investigation issued. The report has been sent to the subject member, the complainant, the Standards Board for England and members of the Council's Standards Committee.

3 Procedure

The Committee's role at this stage is to decide, based on the facts set out in the report, whether it agrees that there has been no breach of the code or that it believes there is a case to answer.

The Committee should simply consider the report. It should not interview witnesses or take representations from the parties.

If the Committee agrees that the Code of Conduct has not been breached, arrangements will be made for a notice to be published. The notice will state the Committee's findings and give the reasons for it. The Councillor involved is entitled to ask that the notice is not published.

If the Committee decides that there is a case to answer, it will be necessary to hold a hearing to make the final determination on whether the code of conduct was breached.

4 Risk Management

None identified.

5 Financial Implications

None.

6 Legal and Human Rights Implications

The procedure to be followed is as set out in the Local Authorities (Code of Conduct) (Local Determinations) Regulations.

7 Recommendation

It is recommended that:

The Committee considers the report of the investigation and decides whether:

(a) It agrees that there has been no breach of the code;

or

(b) It believes that there is a case to answer and that a hearing should be held and a sub-committee appointed.

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