

Corporate Resources
Town Hall, Upper Street, London N1 2UD

Report of : Director of Corporate Resources
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Meeting of	Date	Agenda Item	Ward(s)
Standards Sub-Committee (A)	31 st January 2008		

Delete appropriate	as	Exempt	Non-exempt
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Subject: Councillor Davies

1. Synopsis

This report refers to the Standards Sub-Committee (A) an allegation received by the Monitoring Officer that Councillor Davies has failed to comply with the Members Code of Conduct. The committee is asked to decide whether the allegation should be investigated.

2. Recommendation

2.1 That members consider the papers concerning this allegation and decide:

- (i) to refer the allegation to the Monitoring Officer for investigation;
- (ii) to refer the allegation to the Standards Board for England; or
- (ii) that no action should be taken in respect of the allegation.

3. Background Details

3.1 The Monitoring Officer received the allegation attached as the appendix to this report on 14th March 2008. Under section 57A of the Local Government Act 2000 the Monitoring Officer is required to refer any such allegation to the Standards Committee or one of its sub-committees to determine whether it should be investigated. According to guidance a decision should be reached as to how an allegation will be dealt with within 20 days of the allegation being received.

3.2 The committee should consider the information contained in the appendix to this report and the provisions of the Code of Conduct. In the view of the

Monitoring Officer the provisions of the Code which the Committee will particularly want to consider are sections 3(1) (treating others with respect) sections 3(2) (bullying) and section 5 (bringing the councillor's office or the authority into disrepute).

- 3.3 If the committee considers that the facts stated in the appendix would, if true, amount to a breach of the Code, they may either:
- (i) refer the allegation to the Monitoring Officer for investigation;

or (if they consider that the breach if proved would merit a sanction higher than that which the committee is able to impose)
 - (ii) refer the allegation to the Standards Board for England.
- 3.4 In the event that the allegation is referred to the Monitoring officer for investigation this will be undertaken in accordance with the council's procedure for local investigation and a hearing before the Standards Committee will take place within 30 days of the date of the decision to investigate.
- 3.5 In the event that the Committee decides to take no action concerning the allegation, written notice of that decision and the reasons for it must be given to the councillor and to the person who made the allegation. The person who made the allegation will be entitled to request within 30 days of the date of the notice, that the Committee's decision be reviewed.

4. Implications

4.1 Legal Implications

These are contained in the body of the report

4.2 Financial Implications

There are no financial implications arising directly from this report.

4.3 Equality Implications

The process described in this report is a statutory requirement.

Background papers:

None.

Final Report Clearance

Signed by Date
Director of Corporate Resources

Received by Date
Head of Scrutiny and Democratic Services

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