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<b>REPORT TO:</b>	<b>STANDARDS SUB-COMMITTEE</b>	<b>AGENDA ITEM: 4</b>
<b>DATE OF MEETING:</b>	<b>26<sup>TH</sup> MARCH 2015</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>MONITORING OFFICER</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>ARDIP KAUR EXTENSION 5715 ardip.kaur@south-derbys.gov.uk</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>REPORT OF THE MONITORING OFFICER</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	

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## **1.0 Recommendations**

- 1.1 That Members consider the Independent Investigators report at **Appendix 1**.
- 1.2 That Members consider the conclusion of the Independent Investigator at paragraph 183.1 of his report in relation to paragraphs 3(1), 3(2)(b), and 5 of the Council's Member Code of Conduct, and determine whether Councillor Ford has breached the Council's Member Code of Conduct.
- 1.3 If Members determine Councillor Ford has breached the Council's Member Code of Conduct what, if any sanction(s), should be imposed.

## **2.0 Purpose of Report**

- 2.1 To consider the Independent Investigators report in relation to the allegations that Councillor Ford breached the Council's Member Code of Conduct. The report was commissioned by the Monitoring Officer on 1<sup>st</sup> October 2014 in accordance with the Council's procedure for considering Member Code of Conduct complaints (**Appendix 2**).

## **3.0 Legal Implications**

- 3.1 The Localism Act 2011 sets out legal requirements in relation to the Members Code of Conduct and breaches of that Code. Section 28(6) provides that the Council must have in place arrangements under which allegations can be investigated and arrangements under which decisions on allegations which can be made. In accordance with section 28(7) the Council has appointed two Independent Persons who can attend hearings. They do not vote but their views must be sought and taken into account prior to any decision being made.

#### **4.0 Financial Implications**

4.1 The financial implications associated with the complaint, including the appointment of the Independent Investigator, have been delivered within existing resources.

#### **5.0 Corporate Implications**

5.1 If the Independent Investigator's report finds there has been a breach of the Members Code of Conduct, the Monitoring Officer must refer the matter to the Standards Sub-Committee.

#### **6.0 Community Implications**

6.1 The Council's Standards Committee plays a vital role in promoting and maintaining the highest standards of conduct by Councillors of South Derbyshire District Council.

#### **7.0 Background Papers**

7.1 None.