

**STANDARDS COMMITTEE**

**31<sup>ST</sup> AUGUST 2005**

**STANDARDS BOARD FOR ENGLAND – CODE OF CONDUCT INVESTIGATION**

**RICHARD LONG, DIRECTOR OF LEGAL & DEMOCRATIC SERVICES**

**PURPOSE OF THE REPORT**

1. To seek a decision in respect of a complaint made against Councillor Heath.

**DECISION REQUIRED**

2. Members must reach one of the following two decisions:-
  - (a) to accept the finding made by the investigating officer in the attached report, or
  - (b) to require the complaint to be referred to the Standards Panel Hearings Sub Committee for a full hearing.

**BACKGROUND**

3. The Standards Board for England received a joint complaint from Mr Quinn and Mr Honeyman relating to the conduct of Councillor Heath at a meeting of the Hemlington Community Council held on 1<sup>st</sup> February 2005. The Standards Board subsequently referred the matter to myself for local investigation.
4. In accordance with the Regulations I appointed Mr C Davies, Members' Office Manager, to carry out that investigation on my behalf. A copy of the final report prepared by Mr Davies is appended to this report. A copy of the final report has been sent to the Standards Board, Councillor Heath, Mr Quinn and Mr Honeyman.

5. The purpose of this meeting is simply to consider Mr Davies' report. There is no remit for the meeting to either question or hear representations from either Councillor Heath or the complainants. The role is to decide whether, based on the facts set out in Mr Davies' report, the Committee agrees with Mr Davies' finding or alternatively you believe that Councillor Heath does have a case to answer.
6. If the Committee agrees that the Code of Conduct has not been breached then the Council should arranged for a notice to be published to that effect. Councillor Heath, however, can request that such notice be not published in the local newspaper.
7. If the Committee decides not to concur with the finding of Mr Davies, then the matter will be referred to the Sub Committee for a full hearing. If the Committee conclude that on the face of Mr Davies' report, there does appear to have been a breach of the code then the matter must be referred to the Sub Committee.

**BAKCGROUND PAPERS:**

File G/04/0072

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