

5. Background Information

5.1 On 28th March 2011 the Standards (Assessment) Sub-Committee referred to the Council's Monitoring Officer for investigation a complaint that Councillor Sohal had failed to comply with the Local Code of Conduct. In accordance with the arrangement agreed by the Standards Committee, the Monitoring Officer delegated the conduct of the investigation to Kuldip Channa, Principal Litigation Solicitor i.e. the Investigating Officer.

5.2 The complaint has been made by former Councillor Maclsaac. The general summary of the complaint is that on 1st June 2010, following a Licensing training session Councillor Sohal "*waved a laminated card and shoved it in his face* (DM, the complainant's)" with words to the effect that, "*people who call others traitor are ubiquitous half wit bastards*".

5.3 To assist the hearing process the Subject Member was asked to complete and return the following pre-hearing forms and the completed forms are attached as **Appendix B**:

Form A – Identification of any disputes of fact

Form B – Other evidence to be taken into account at the hearing

Form D – Arrangements for the Standards (Determination) Sub-Committee Hearing

Form E – Details of any witnesses to be called

5.4 Enclosed for your attention and/or information are the following documents:

Appendix

Document

Appendix A

Investigating Officer's Report

Appendix B

Completed Pre-hearing forms and other documents submitted by Councillor Sohal

Appendix B (1)

Mr Maclsaac's response to Investigating Officer's Final Report

Appendix C

Procedure for the hearing

Appendix D

Standards Board advice on admission of press and public

Appendix E

Categories of "exempt information"

Appendix F

Sanctions available to the Sub-Committee

5.5 The procedure for the hearing will be as set out in **Appendix C** and any guidance and/or advice the Sub-Committee may require will be provided by the Monitoring Officer, Kevin Gordon, Assistant Director, Professional Services.

6. Conclusion

The Sub-Committee is asked to consider the evidence presented and come to a decision as to what action, if any, should be taken in respect of this matter.