

At a Hearing of the Standards Commission for Scotland, held in Forfar on 15 March 2016, the Hearing Panel suspended Councillor Colin Brown for a period of two months from meetings of Angus Council.

Councillor Brown had breached the Councillors' Code of Conduct. The sanction was imposed as a result of a failure by Councillor Brown to declare the financial interests of a close relative when he took part in council meetings when the disposal of former Council offices in Forfar, to a pub and hotel chain, was being considered.

In reaching its decision, the Hearing Panel:

1. Noted Councillor Brown's apology and admission of his failure.
2. Whilst the Panel heard from Councillor Brown that this failure stemmed from his misunderstanding of the Councillors' Code and not from any deliberate attempt to conceal information, it was nevertheless Councillor Brown's personal responsibility to comply with the Councillors' Code of Conduct. He had failed to do so.

The Convener, Ian Gordon, in delivering the Hearing Panel's decision said:  
"The Panel emphasises to every Councillor the importance of declaring all relevant interests, financial or non-financial. The declaration of interests (including financial interests of a close relative) is a fundamental requirement of the Code. The failure to declare such interests removes the opportunity for openness and transparency in a councillor's role and denies any member of the public the opportunity to consider whether a councillor's interests may or may not influence the decision-making process.

Whenever a Councillor is considering potential declarations of interest, account must be taken of the 'Objective Test', which is set out at 5.3 of the Councillor's Code of Conduct.

15 March 2016

***Note for editors:***

*It should be noted that complaints in terms of the Councillors' Code are made to the Commissioner for Ethical Standards in Public Life in Scotland (CESPLS). It is for the CESPLS to investigate and determine if any matter should be referred to the Standards Commission for Scotland as alleged breach of the Councillors' Code. It is for the Standards Commission for Scotland to determine if there has been a breach and if so proven, to issue an appropriate sanction.*

*The Hearing Panel concluded that the Respondent had breached paragraphs 5.2, 5.3 and 5.10 of the Councillors' Code of Conduct.*