

For immediate release

Former West Lothian Councillor censured for breach of the Councillors' Code of Conduct

The Standards Commission for Scotland, at a hearing held in Livingston on 24 May 2017, censured Ms Angela Moohan, a former elected member of West Lothian Council, for a breach of the Councillors' Code of Conduct.

The Hearing Panel found that when a councillor, Ms Moohan failed to take steps to register her remunerated employment as Manager of The Larder, a private company limited by guarantee, within the one month time limit for doing so.

The Hearing Panel further found that Ms Moohan failed to declare an interest at a meeting of the Council Executive on 18 March 2014 where it was decided to divert £50,000 to the Social Enterprise Network, despite The Larder being a member of the Network and, as such, an organisation that could potentially benefit from the additional funding. In addition, The Hearing Panel found that Ms Moohan had not declared any interest at meetings of the Council's Voluntary Organisations Policy Development and Scrutiny Panel during which reports were presented about voluntary organisations, including The Larder, moving to a new accredited system of quality standards. The Hearing Panel noted that The Larder was specifically mentioned in reports considered by the Panel at the meetings in question.

The Hearing Panel considered that Ms Moohan should have applied the objective test. Had she have done so, she would have considered that a member of the public, with knowledge of her position and the matters under discussion at the meetings, would reasonably regard her interest as so significant as being likely to prejudice her discussion and / or decision-making. As such, the Hearing Panel considered Ms Moohan should have declared her interest in The Larder and taken no further part in the discussions and decision-making at the meetings in question.

The Panel Chair, Mrs Lindsey Gallanders, in delivering the Hearing Panel's decision said:

"The Hearing Panel considered that the requirement to register and declare interests is a fundamental requirements of the Code. A failure to register and declare interests appropriately removes the opportunity for openness and transparency in a councillor's role. This could deny a member of the public the opportunity to consider whether a councillor's interests may or may not influence their discussion and decision-making."

For further information contact the Standards Commission on 0131 348 6666 or by email to enquiries@standardscommission.org.uk

25 May 2017

Note for editors:

(1) 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.

(2) The Hearing Panel concluded that the Respondent had breached paragraphs 4.2, 5.7 and 5.10 of the Councillors' Code of Conduct.