

At a Hearing of the Standards Commission for Scotland, held in Glenrothes on 14 July 2015, the Hearing Panel concluded that Councillor Brian Thomson had breached the Councillors' Code of Conduct and as a consequence was suspended from attending meetings of Fife Council during July and August 2015 where planning matters were being considered.

The Hearing Panel considered the documents and presentations made during the Hearing by the Commissioner for Ethical Standards in Public Life in Scotland (CESPLS) and on behalf of Respondent, Councillor Thomson.

A number of complaints had been received by the CESPLS relating to the alleged conduct of Councillor Thomson during the course of an education authority public consultation process, planning pre-determination hearing and subsequent planning decision concerning Madras College, St Andrews. Following an investigation, the CESPLS dismissed some of the complaints and referred a number to the Standards Commission for Scotland. The Hearing Panel only considered those matters that had been referred to the Standards Commission.

Essentially the complaints related to the fact that Councillor Thomson failed to declare his non-financial interests in respect of a lobbying group which involved members of his family. The Panel decided that he should have declared these interests and, as a consequence, should have withdrawn and taken no further part in the planning process after it had formally commenced. His actions were found to be contrary to the Councillors' Code which is issued by Scottish Ministers in the promotion of ethical standards in public life.

Councillor Thomson accepted that he should have acted in accordance with the Councillors' Code and declared his non-financial interest, the non-financial interest of his family and taken no part in the proceedings. He offered an apology for his failure to do so.

The Chair of the Hearing Panel said that it was important for elected members to work under the direction of the Councillors' Code and to remember that it is their personal responsibility to do so at all times.

15 September 2015

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(es) of the Councillors' Code. It is for the Standards Commission for Scotland to determine if there has been a breach(es) and if so proven, to issue an appropriate sanction.