



21 September 2018

MEDIA RELEASE

COUNCILLOR SANCTIONED AFTER FAILING TO DECLARE INTEREST

A Local councillor who failed to declare an interest in a planning matter has been sanctioned by Scotland's ethics watchdog at a public hearing.

At a meeting of Inverclyde Council's Planning Board on 6 December 2017, Cllr Luciano Rebecchi, who has been a member of Inverclyde Council for 30 years, failed to declare an interest in respect of a planning application for the creation of a roof timber enclosure at the rear of a factory in Gourrock. This was despite him being friends with the family who owned the premises seeking the planning consent.

The Hearing Panel heard that that Cllr Rebecchi attended the factory premises in May 2017, in a personal capacity at the invitation of a third-party contractor who was seeking his advice on some technical issues relating to noise reduction. This was before the planning application was submitted.

The Hearing Panel further heard that Cllr Rebecchi accepted that he had not declared any interest in the planning application at the meeting on 6 December 2017 despite having a close and long-standing friendship with the family who owned the premises seeking the planning consent and despite having recognised that he might have a declarable interest, which had led him to seek the advice of a fellow elected member before the meeting.

The Standards Commission for Scotland (SCS) decided to formally censure Cllr Rebecchi at a public Hearing held in Greenock on 21 September 2018.

In reaching its decision, the Hearing Panel recognised that there was no personal gain to Cllr Rebecchi and that he accepted he had breached the Councillors' Code of Conduct and had apologised unreservedly for doing so. The Panel further recognised the contribution Cllr Rebecchi had made to public life in his 30 years as an elected member.

The Panel reiterated, however, that the requirement to declare interests is an integral part of the Councillors' Code of Conduct as it provides the opportunity for openness and transparency in a councillor's role and affords members of the public the opportunity to consider whether a councillor's interests may influence their discussion and decision-making.

Mrs Lindsey Gallanders, Chair of the Hearing Panel, said: "It is the personal responsibility of councillors to be aware of, and comply with, the provisions in the Code. The Code contains an objective test, which should be used by councillors to determine whether or not they should declare interests and take part in the discussions and decision-making. The objective test states that councillors must consider whether a member of the public, with knowledge of the relevant facts,

would reasonably regard an interest as so significant that it was likely to prejudice the councillor's discussion or decision-making."

"The requirement to declare interests means that the public can have the highest confidence that those elected to local government are making decisions in the public interest and not the interests of themselves or their friends and families."

"While Cllr Rebecchi was negligent in this regard on this occasion, the Panel was pleased to note that he had subsequently recognised his failing and had demonstrated awareness of the importance of compliance with the Code."

A full written decision in respect of the Hearing will be issued and published on the Standards Commission's website within 14 days.

The Councillors' Code of Conduct is based on nine key principles, which include integrity, honesty and transparency.

The SCS works independently of Government and political parties. It promotes and enforces Codes of Conduct for councillors, as well as individuals appointed to a wide range of national and regional public bodies across Scotland such as the Accounts Commission, the Scottish Qualification Authority, Sport Scotland, Scottish Water and the Scottish Police Authority and many other organisations, including NHS Boards and further education colleges.

Further information on the work of the SCS can be found at <http://www.standardcommissionscotland.org.uk/>

ENDS

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