

Councillors Richard Trail and Roderick McCuish of Argyll and Bute Council

Decision on Case References: LA/AB/1967, 1969, 1972, 1979 & 1986

The Standards Commission for Scotland, at a meeting on 25 September 2017, considered a report submitted by the Commissioner for Ethical Standards in Public Life in Scotland (the CESPLS) in accordance with section 14 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the Act). The Standards Commission has a duty under section 16 of the Act to consider such reports and to determine whether to:

- (a) direct the Commissioner to carry out further investigation;
- (b) hold a Hearing; or
- (c) do neither.

The Standards Commission reviewed the report from the CESPLS along with its Section 16 Policy, a copy of which can be found on the cases page of the website at www.standardscommissionscotland.org.uk/cases. The Standards Commission agreed that, on the face of it, there was evidence of a breach of the Councillors' Code of Conduct in respect of the registration of a non-financial interest by both Councillors. The Standards Commission noted, however, that this apparent breach was not the subject of any of the complaints referred to the CESPLS and instead had been identified during the course of his investigation. The Standards Commission noted that it was apparent from the terms of the complaint that there was good awareness of the councillors' interests amongst members of the public and, as such, there was no evidence or suggestion that there has been any practical consequence or impact of the apparent breach. The Standards Commission concluded that in the particular circumstances of this case it would not be in the public interest or proportionate to hold a Hearing.

As such, no further action will be taken and the Standards Commission has closed its file on the matter.