



30 September 2026

MEDIA RELEASE

ANGUS COUNCILLORS CENSURED FOR BREACH OF CODE OF CONDUCT

At a Hearing held in Forfar on 30 September 2026, the Standards Commission censured Councillors Iain Gall and Tommy Stewart, of Angus Council. This was after they were found to have breached the provisions of the Councillors' Code of Conduct regarding quasi-judicial and regulatory decision-making. A third elected member, Councillor David Cheape, was found not to have breached the Code.

The complaint concerned an email sent by Councillor Cheape, on 21 August 2024, to members of a Development Management Review Committee, the day before the Committee was due to consider an appeal against a planning decision. In the email, Councillor Cheape asked committee members whether they were "inclining towards upholding the appeal or rejecting it". Councillors Gall and Stewart replied by email the same day indicating that they were in favour of upholding the appeal.

Dr Lezley Stewart, Standards Commission Member and Chair of the Hearing Panel, said:

"While the Panel accepted that neither Councillor Gall nor Councillor Stewart pre-judged the appeal, both expressed clearly and unequivocally their voting intentions before the meeting, in breach of the Code."

The Panel noted that both Councillors Gall and Stewart used wording, in their responses that appeared, on its face, to be definitive. The Panel noted, nevertheless, that they did so in response to a question from the Committee Chair, Councillor Cheape, as to how they were 'inclining' in respect of the decision to be made on the appeal. While it was satisfied both Councillors Gall and Stewart responded with a clear and unequivocal statement of their voting intentions, it nevertheless accepted, as credible, their position that they had not pre-judged the matter and would have been willing to take account of any further relevant and material information at the meeting, had any been presented.

The Panel found that Councillor Cheape's conduct did not amount to a breach of the Code. While the Panel considered his actions in sending the email may have been inadvisable, it was not satisfied that he himself had pre-judged the appeal or failed to avoid any perception he had done so.

In determining the sanction to be imposed, the Panel noted that the requirement for councillors to refrain from expressing their views or voting intentions on any quasi-judicial or regulatory matter before the meeting where the matter is to be determined is a key aspect of the Councillors' Code. A failure to comply could have an adverse effect on the public's confidence in any decision made and also on how a council makes such decisions. This is because the public have a right to be confident that decisions on such matters will only be made when all relevant and material evidence, submissions, advice and views have been discussed and considered at the meeting.

While the Panel noted that a failure to comply with the Code's provisions in this regard could result in challenges to council decisions, with associated cost and reputational implications, it accepted it had no such impact in this case.

The Panel further agreed that while it was Councillors Gall and Stewart's personal responsibility to comply with the Code, it was satisfied they only expressed their voting intentions as a result of having been invited to do so by Councillor Cheape. The Panel accepted, as credible, the position of both Councillors Gall and Stewart that they had not closed their minds and could have changed their views at the meeting, had any significant new matter arisen. The Panel further accepted that both had sought to act with integrity and in good faith throughout the process.

The Panel further noted, in mitigation, that both Councillors Gall and Stewart had not been the subject of any previous finding of a contravention of the Code and had complied fully with the investigation and Hearing processes. In the circumstances, the Panel concluded, on balance that censures, being the least severe form of sanction, were appropriate.

Dr Stewart stated: *"The Code is designed to give the public confidence that councillors will approach regulatory and quasi-judicial decisions, such as those made on planning applications and appeals, with an open mind and will consider all relevant information before reaching a conclusion. They also help ensure that committee members reach their own independent view on the merits of each matter. An important aspect of this, is for councillors not to express their voting inclinations in advance of any meeting, in which a quasi-judicial decision is to be made."*

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

ENDS

NOTES FOR EDITORS

1. Complaints about councillors are made to the Ethical Standards Commissioner (ESC). The Standards Commission and ESC are separate and independent, each with distinct functions. The ESC is responsible for investigating complaints. Following investigation, the ESC will refer its report to the Standards Commission for Scotland for adjudication. Email: info@ethicalstandards.org.uk, <https://www.ethicalstandards.org.uk/>
Tel: 0300 011 0550
2. The [Standards Commission for Scotland](#) is an independent public body, responsible for encouraging high standards of behaviour by councillors and those appointed to boards of devolved public bodies including in education, environment, health, culture, transport, and justice. The role of the Standards Commission is to encourage high ethical standards in public life; promote and enforce the Codes of Conduct; issue guidance to councils and devolved public bodies and adjudicate on alleged breaches of the Codes of Conduct, applying sanctions where a breach is found.
3. The Codes of Conduct outline the standards of conduct expected of councillors and members of devolved public bodies. In local authorities, there is one [Code of Conduct](#), approved by Scottish Parliament, which applies to all 1227 councillors elected to Scotland's 32 Local Authorities.