

## **Appendix 4**

### **Monmouthshire County Council – Objectivity and propriety Case reference 201503259 – Report issued in March 2016**

The Ombudsman investigated a complaint that a member (“the Councillor”) of Monmouthshire County Council (“the Council”) had breached their Code of Conduct. Mr X had asked the Councillor to support his opposition to a planning application and she attended a meeting with him. At the later Planning Committee, the Councillor declared a personal interest in the application and left the meeting. Mr X complained that the Councillor had not explained her personal interest to him and he had been left unrepresented.

Evidence was obtained from the Council and the Councillor was interviewed. The Councillor accepted she should not have attended the meeting with Mr X, because of her personal and prejudicial interest; but stated that she had followed advice from the Monitoring Officer.

The Ombudsman found that the Councillor had not foreseen she would be later required to represent Mr X and she acted upon advice to attend the meeting. She had not misused her position to deprive Mr X of representation. The Ombudsman concluded that the Councillor’s personal interest arose before her meeting with Mr X, and she should not have attended.

The Ombudsman found that the Councillor may have been in breach of the Code but determined it was not in the public interest to take further action against her.