

## Agenda Item:7

**Report to:** Standards Committee

**Date:** 27 April 2004

**Report from:** Borough Solicitor

**Title of report:** **STANDARDS BOARD ADVICE ON PREJUDICIAL INTERESTS**

**Purpose of report:** To advise Committee of advice received from the Standards Board on the application of paragraph 10 (20)(c) of the Code of Conduct.

**Recommendations:** To consider the advice given and the guidance which should be given to members and others bound by the Code of Conduct.

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## 1.0 Introduction

- 1.1.1 At a recent Council meeting three members with an apparently identical interest all declared a personal interest but one only declared a prejudicial interest and left the Chamber during discussion of the item.
- 1.1.2 Members were naturally concerned that members were able to take this different view of their interest under the Code of Conduct.

## 2.0 The Code of Conduct

- 2.1 A prejudicial interest is defined by the Code as follows:-

“one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member’s judgement of the public interest.”

- 2.2 The particular paragraph of the Code which was called into question was Paragraph 10(2)(c)

“a member may regard himself or herself as not having a prejudicial interest in a matter if that matter relates to –

(c) a body to which he or she has been appointed or nominated by the authority as its representative.”.

- 2.3.1 My request for advice and the opinion received from the Standards Board legal advisor are set out in Appendix A.

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