



Memo

From: Chris Davies

Ext. 729704

Your Ref:

Date: 1 October, 2004

Our Ref:

To: ALL COUNCILLORS

NEW COURT OF APPEAL RULING - PREJUDICIAL INTERESTS

Following a recent Court of Appeal Ruling, the law relating to Prejudicial Interests has changed significantly. This could affect you directly.

As a result of the Court of Appeal decision, a Councillor can no longer remain in any meeting of the Council or any of its Committees if an issue in which the Councillor has a prejudicial interest is being debated. The Councillor cannot remain in the meeting as an observer, a Ward Councillor, or a private citizen. Please note that this applies even if you are not a member of that Committee – for example, you should not attend a meeting of the Planning Committee for any item in respect of which you have a prejudicial interest even if you are not a member of the Planning Committee. The Court has ruled that you cannot attend even as the Ward Councillor or as a private citizen.

I attach for your information a briefing note which I have prepared for Members and for Officers. If you require any further advice please contact myself, Richard Long or Maureen Braithwaite.