

**CASE ALERT NOS. 2 AND 3**  
**(Report by the Director of Central Services and Monitoring Officer)**

**1. INTRODUCTION**

- 1.1 Members may recall their wish to receive the editions of "Case Alert" published by the Standards Board for England (Minute No. 8 of their meeting held on 24th July 2006 refers). This initiative was launched by the Board as a way to develop their role as strategic regulator and adviser.
- 1.2 It was the intention that the "Case Alert" would provide regular indepth analysis of significant cases and best practice guidance drawing upon decisions by Standards Committees, the Adjudication Panel for England and the High Court. The "Case Alert" focuses on those cases which set important legal precedents and which help to interpret the Code of Conduct and existing case law.

**2. THE CASE ALERTS**

- 2.1 The first "Case Alert" was submitted to the Committee in July 2006. Reproduced as Appendices to this report are Case Alert Nos. 2 and 3 published in December 2006 and January 2007. The first case helps to clarify the distinction between legitimate criticism of Council Officers and inappropriate conduct. More significant is the second case (Case Alert No. 3). The judgement in this case suggests that a more restrictive view should be taken of that part of the Code of Conduct relating to the actions of a Member in his/her private life.
- 2.2 In receiving these two cases, the Committee may wish to consider whether the issues they highlight should be drawn to the attention of the town and parish councils.

**3. CONCLUSION**

- 3.1 The Committee is requested to note the content of Case Alert Nos. 2 and 3.

**BACKGROUND PAPERS**

Standards Board for England – Case Alert Nos. 2 and 3.

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