

## STANDARDS COMMITTEE

21 November 2017

Present: Councillors Bashir, Dhindsa (from minute number 3), Martins, Scudder and Williams

Officers: Head of Democracy and Governance  
Democratic Services Manager

### 1 **Apologies for Absence / Committee Membership**

Councillor Williams replaced Councillor Crout and Councillor Scudder replaced Councillor Bolton.

In the absence of the Chair and Vice Chair the Committee were asked to elect a chair.

RESOLVED:

Councillor Scudder was elected as chair.

### 2 **Disclosure of interest**

There were no disclosures of interest.

### 3 **Consultation on updating the disqualification criteria for local authority members**

The Head of Democracy and Governance presented the report and explained that there was a consultation from the Department for Communities and Local Government. This consultation suggested that the disqualification criteria for elected members and elected mayors should include people who were on the sex offenders register and also those who had been issued with a Civil Injunction or a Criminal Behaviour Order.

With regards to those individuals who were subject to a Sexual Risk Order, the Head of Democracy and Governance clarified for the committee that this meant that the person had not been convicted but may be suspected by the police. However, in the absence of a conviction this would not bar them from standing

for office. It would also be the case that if a person was charged but not convicted they could still stand for office as it was up to the courts to make the final decision. However, if the person was subsequently convicted they would be disqualified from office.

The Head of Democracy and Governance explained that with regards to antisocial behaviour related reasons for disqualification, the council was suggesting that this should include a community protection notice which was something that the council would serve.

In response to a question regarding what would happen if a serving councillor was convicted of any of the offences listed in the consultation, the Head of Democracy and Governance explained that the offences listed would result in a prison sentence of over three months. Therefore the person would be disqualified and there would be a by-election.

With regards to antisocial behaviour injunctions, the Head of Democracy and Governance clarified that this would usually prevent a person from going somewhere e.g., the town centre; it was not a prison sentence. A person could not stand for election if they had an anti-social behaviour injunction. However, it was rare for the injunctions to be permanent so once the time limit ended a person would be eligible to stand for election.

## RESOLVED

That the Council replies to the consultation as set out below:

Q1. Do you agree that an individual who is subject to the notification requirements set out in the Sexual Offences Act 2003 (i.e. who is on the sex offenders register) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Answer: Yes the Council supports the intention behind the proposed addition to the list of disqualifications as they would have been convicted by a court of an offence warranting being placed on the register.

Q2. Do you agree that an individual who is subject to a Sexual Risk Order should not be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Answer: The Council agrees with the proposal as the individual will not have been before the courts.

Q3. Do you agree that an individual who has been issued with a Civil Injunction (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Answer:

The Council agrees with the proposal.

Q4. Do you agree that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only anti-social behaviour-related reasons why an individual should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Answer:

The Council would suggest that someone who is subject to a Community Protection Notice should also be disqualified.

4

### **Compulsory Training**

The Democratic Services Manager introduced the report and explained that the committee were asked to consider recommending to council that annual training would be compulsory for Development Management and Licensing Committees rather than every four years as was the current practice. Following the annual scrutiny survey it had also been suggested that scrutiny training be compulsory. The Member Development Group had considered this and suggested every two years.

The Head of Democracy and Governance commented that particularly with regards to Development Management there were regular changes in the law along with new guidance and policies. The senior managers in this area considered that annual training would be more beneficial to members in order to keep knowledge current.

The committee discussed the report and felt that the training should include updates on what had been happening in the town both for development management and licensing over the previous year. Officers reassured the committee that if the proposals were agreed at Council then the dates for the training would be set well in advance to give members plenty of notice. The Committee felt that scrutiny was an important part of the council's work and that regular training would be beneficial.

RESOLVED:

1. To recommend to council annual compulsory training for those councillors sitting or substituting on the Development Management and Licensing Committees.
2. To recommend to council compulsory training for those councillors sitting or substituting on scrutiny committees which should be renewed every two years.

Chair

The Meeting started at 6.30 pm  
and finished at 6.50 pm