

**STANDARDS COMMITTEE**  
**26<sup>th</sup> October 2017**

**PRESENT** – Councillors *Fazal (Chair), Gunn, Lee and Tassadaq Hussain.*

**Also Present** – David Fairclough, Stewart Wright and Phil Llewellyn.

**RESOLUTIONS**

**6. Welcome and apologies**

The Chair welcomed everyone to the meeting. Apologies were received from Councillors Pat McFall, Stephanie Brookfield, Zamir Khan and Vicky McGurk, and from Alan Eastwood and Paul Fletcher.

**7. Minutes of the meeting held on the 6<sup>th</sup> July 2017**

**RESOLVED** – That the Minutes of the meeting held on the 6<sup>th</sup> July 2017 be agreed as a correct record.

**8. Declarations of Interest in items on this Agenda**

There were no Declarations of Interest received.

**9. Register of Members Interests**

The Monitoring Officer verbally reported that all Register of Interest forms from Councillors had been received and were available for inspection on the Council's website.

**RESOLVED** – That the update be noted.

**10. Disqualification Criteria for Councillors and Mayors**

A report was submitted, which invited the Committee to review consultation documents on revised disqualification criteria for Councillors and Mayors.

In September 2017 the Government published a consultation on updating the Disqualification criteria for Councillors and Mayors.

The consultation paper (attached as Appendix to the report), set out the Government's proposals for updating the criteria disqualifying individuals from standing for, or holding office, as a local authority Member, directly-elected Mayor or Member of the London Assembly.

The Monitoring Officer, David Fairclough, requested the views of the Committee, ahead of their submission of feedback by the 16<sup>th</sup> November 2017 consultation deadline.

The Committee discussed the current disqualification criteria, and the following areas the Government were consulting on: Sexual Offences, Anti-Social Behaviour and Retrospection.

Following discussion, the Committee addressed the six questions that were contained in the consultation document, with responses and comments as follows:

**Q1. Do you agree that an individual who is subject to the notification requirements set out in the Sexual Offences Act 2003 (i.e. 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? - Agree**

**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 the London Mayor? - Agree**

**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? - Not agreed.**

*Concern regarding definition of behaviour which led to the Injunction or Order. Issue may arise where the order/injunction relates to protest/demonstrations. Suggest concern could be alleviated by an Independent Panel to clarify 'yob/loutish' behaviour from protests/demonstrations. The former would attract support of the proposal the latter would require a considered approach.*

**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? - Not Agreed (see 3 above)**

**Q5. Do you consider that the proposals set out in this consultation paper will have an effect on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010? - No**

**Q6. Do you have any further views about the proposals set out in this consultation paper?**

*There is some concern under paragraph 12 that a young adult (over 18) who commits an offence may be prohibited from standing for office, longer than an older child (just under 18). This seems anomalous and should be reviewed so there is consistency. The current criteria as set out on page 9 continues to include reference to `sentence of imprisonment (suspended or not) for a period of not less than 3 months...` It is suggested this criteria should also have been subject to consultation with a view to assessing whether in 2017 the `3 months` remains valid and should be reviewed reflecting standards of behaviour expected in public life.*

David Fairclough agreed to produce a draft of the responses and request any further comments by 16<sup>th</sup> November 2017.

**RESOLVED** – That the views and comments from the Committee be submitted to the Government by the 16<sup>th</sup> November deadline.

**11. Complaints Update to the Standards Committee**

Members received an update on complaints received regarding Members conduct under the Arrangements for dealing with complaints about the Code of Conduct for Members.

At the meeting in July 2017 the Monitoring Officer reported there was one complaint ongoing subject to the Complaints process.

This case was considered at a Hearing on 6<sup>th</sup> July 2017 and was reported to Full Council on 27<sup>th</sup> July 2017

Since July there have been three further complaints received.

These complaints were all received in September and initial assessment was therefore ongoing. The total numbers of complaints in due process at this time (3 October 2017) was therefore three. The Committee would be updated at its next meeting as matters progressed.

**RESOLVED** – That the report and update be noted.

**11. Work Programme**

The Committee discussed items that could be considered at the forthcoming meetings.

During discussion, Councillor Julie Gunn advised that she would be contacting

all Members about training, in particular preferences for daytime or evening start times.

**RESOLVED** – That in addition to the usual agenda items, an item be placed on the January agenda in relation to Member/Officer relations and the associated Protocol, and that an update on Mandatory Training be placed on the agenda for the March 2018 meeting.

Signed.....

Chair of the meeting at which the Minutes were signed

Date.....