

TRAFFORD COUNCIL

Report to: Council
Date: 29 November 2017
Report for: Decision
Report of: Corporate Director for Transformation and Resources

Report Title

Consultation – Disqualification Criteria for Councillors and Mayors

Summary

The Council has received a consultation document circulated by the DCLG on proposed new rules for the disqualification of certain individuals from standing for or holding office as a member of a council or as a mayor.

Trafford Council's Standards Committee has considered the consultation document and has made recommendations that their responses are accepted as responses from the Council as a whole.

Recommendation(s)

That the responses recommended by Standards Committee on 26 October 2017 are adopted by the Council and submitted to the DCLG by the Monitoring Officer.

Contact person for access to background papers and further information:

Name: Janet Kealey
Extension: 1924

For non-confidential reports add the following:

Appendix A: DCLG Consultation document September 2017

Background Information

Implications:

Relationship to Corporate Priorities	Safe place to live – fighting crime
Financial	There are no financial implications arising from this report.
Legal Implications	None directly as a result of this report. Any new regulations which are issued following this consultation

	exercise will be implemented by Trafford Council in due course.
Equality/Diversity Implications	<i>None</i>
Sustainability Implications	<i>None</i>
Staffing/E-Government/Asset Management Implications	<i>None</i>
Risk Management Implications	<i>None</i>
Health and Safety Implications	<i>None</i>

1.0 Background

1. The Council has received a consultation document circulated by the DCLG on proposed new rules for the disqualification of certain individuals from standing for or holding office as a member of a council.
2. On 26 October the Standards Committee considered the attached consultation document (Appendix A) published by the DCLG concerning proposed new rules covering the disqualification of individuals from standing for or remaining a member of a council or as a mayor.
3. Standards Committee resolved to recommend to Council that Trafford Council's responses to the following six questions set out on page 16 of the consultation document should be endorsed and adopted 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?

Proposed response: **Yes**

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?

Proposed response: **Yes**

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?

Proposed response: **Yes**

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?

Proposed response: **Yes**

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?

Proposed response: **No**

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

Proposed response: **None**

4. Council is requested to consider those responses and resolve to submit its response to the DCLG accordingly