

## **CONSTITUTION & STANDARDS COMMITTEE**

Minutes of a meeting of the Constitution and Standards Committee held in the Luttrell Room, County Hall, Taunton on Friday 17 November 2017 at 14.00.

**Present:** Cllr N Taylor (Chair), Cllr S Coles, Cllr H Davies, Cllr M Dimery and Cllr D Loveridge.

**Co-opted Members:** Mrs V Chapman, Mr R Horton, Dr T Ward, and Mr W Wooding.

**17 APOLOGIES FOR ABSENCE** - agenda item 1

Mrs J Middleton.

**18 DECLARATIONS OF INTEREST** – agenda items 2

Cllr S Coles, Cllr H Davies, Cllr D Loveridge and Cllr N Taylor all declared a personal interest as a District and/or City/Town, Parish Councillor.

**19 PUBLIC QUESTION TIME** - agenda item 3

None.

**20 NEW RULES TO STRENGTHEN STANDARDS FOR COUNCILLORS** – agenda item 4

20.0 The Committee considered a report that set out plans announced by the Government to strengthen rules to prevent anyone found guilty of serious crimes from serving on local councils. The Government had issued a consultation paper and was inviting comments by Friday 8 December 2017. Regarding the request for explanations of some of the terminology used, the County Solicitor had highlighted information contained in the Consultation paper (attached to the covering report) at paragraphs 11 to 15 and 17.

20.1 The County Solicitor referred to a statement received from Mrs Middleton who could not attend the meeting which outlined her views on the consultation document and the questions that the Council had been asked to respond to.

20.2 The Chair suggested and it was agreed to consider each of the 6 questions in turn and the Committee considered and discussed each thoroughly. It was further agreed that the Council's response would take the form of a number of statements confirming the Council's views on each of the questions asked in the consultation. The Council's responses, it should be noted, related specifically to candidates for County Council elections.

20.3 In response to Q1 it was agreed that the Council's view is 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 county council.

- 20.4 In response to Q2 it was agreed that an individual who is subject to a Sexual Risk Order should be prohibited from standing for election, or holding office, as a member of a county council.
- 20.5 In response to Q3 it was agreed 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 county council until such time as they are no longer subject to the Injunction or Order.
- 20.6 In response to Q4 it was agreed that any individual who is subject to an Anti-social Behavioural related Criminal Order should be prohibited from standing for election, or holding office, as a member of a county council until such time as they are no longer subject to the Order.
- 20.7 In response to Q5 it was agreed that the Council considers that it is for the Government to judge any effect that these proposals will have on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010. However, the Council wishes to make a general point that it supports the intention behind the proposals to ensure that the highest standards of conduct in public life are upheld and can be seen to be upheld.
- 20.8 In response to Q6 that asked for any further views about the proposals set out in this consultation paper, it was agreed to further submit that the Council considers that the requirements set out above should also apply to anyone convicted of a relevant offence outside of the UK.
- 21 ANY OTHER BUSINESS OF URGENCY – agenda item 5**
- 21.0 The Chairman ascertained there were no other urgent items of business, he thanked all those present for attending the meeting and reminded everyone that the next meeting would be on 9 February 2017.

**The meeting ended at 15.45**

**Cllr Nigel Taylor  
Chair  
Constitution and Standards Committee**