
Report Stage: Wednesday 12 January 2022

Local Government (Disqualification) Bill (Amendment Paper)

This document lists all amendments tabled to the Local Government (Disqualification) Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

★ New Amendments.

New Amendments: 1 to 4 and NC3

Sir Christopher Chope

NC1

To move the following Clause—

“Members of local authorities: disqualification relating to drink and drug driving offences (England)

In the Local Government Act 1972, after section 81 insert—

“81A Disqualification relating to drink and drug driving offences etc (England)

- (1) A person is disqualified for being elected or being a member of a local authority in England if the person is subject to—
 - (a) a conviction for driving or being in charge with alcohol concentration above prescribed limit contrary to section 5 of the Road Traffic Act 1988;
 - (b) a conviction for driving or being in charge with concentration of specified controlled drug above specified limit contrary to section 5A of the Road Traffic Act 1988.
- (2) For the purposes of subsection (1) a person shall not be regarded as having a conviction until—
 - (a) the expiry of the ordinary period allowed for making an appeal against the conviction, or
 - (b) if such an appeal is made, the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.””

Sir Christopher Chope

NC2

To move the following Clause—

“Members of local authorities: disqualification relating to controlled drugs offences (England)

In the Local Government Act 1972, after section 81 insert—

“81A Disqualification relating to controlled drugs offences etc (England)

- (1) A person is disqualified for being elected or being a member of a local authority in England if the person is subject to a conviction relating to controlled drugs contrary to the Misuse of Drugs Act 1971.
- (2) For the purposes of subsection (1) a person shall not be regarded as having a conviction until—
 - (a) the expiry of the ordinary period allowed for making an appeal against the conviction, or
 - (b) if such an appeal is made, the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.””

Sir Christopher Chope

NC3

★ To move the following Clause—

“Members of local authorities: disqualification relating to anti-social behaviour sanctions issued by the Court (England)

In the Local Government Act 1972, after section 81 insert—

“81A Disqualification relating to anti-social behaviour sanctions

- (1) A person is disqualified for being elected or being a member of a local authority in England if the person is subject to a civil injunction made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014.
- (2) For the purposes of subsection (1) a person shall not be regarded as being disqualified until—
 - (a) the expiry of the ordinary period allowed for making an appeal against the civil injunction, or
 - (b) if such an appeal is made the date on which it is finally disposed of or abandoned or fails because it is not prosecuted.””

Member’s explanatory statement

This new clause would disqualify persons subject to an anti-social behaviour injunction from serving in local government in England, as consulted on by the Government in 2017.

Sir Christopher Chope

1

★ Clause 1, page 1, line 6, after “authority” insert “(except a parish council)”

Member’s explanatory statement

This amendment excludes parish councils from the provisions of Clause 1.

Sir Christopher Chope

2

★ Clause 1, page 2, leave out line 2

Member's explanatory statement

This amendment (and Amendment 3) remove being subject to a sexual risk order from the list of reasons for disqualification from serving in local government in England, as consulted on by the Government in 2017.

Sir Christopher Chope

3

★ Clause 1, page 2, leave out lines 7 and 8

Member's explanatory statement

See explanatory statement for Amendment 2.

Sir Christopher Chope

4

★ Clause 1, page 2, leave out lines 42 to 48

Member's explanatory statement

This amendment is consequential on Amendment 1.
