

Public Document Pack

NORTH HERTFORDSHIRE DISTRICT COUNCIL

COUNCIL

THURSDAY, 25TH MAY, 2023

SUPPLEMENTARY DOCUMENT

Please find attached supplementary papers relating to the above meeting, as follows:

Agenda No	Item
-----------	------

14.	<u>NOTICE OF URGENT MOTION</u> (Pages 3 - 6)
-----	---

To consider an urgent motion, due notice of which has been given in accordance with Standing Order 4.8.12, and agreed with the Managing Director as urgent under clause 14.6.5(a)(iv) of the Council's Constitution.

N.B. The document included in this supplementary pack is the amended version of the Urgent Motion.

This page is intentionally left blank

**COUNCIL
23 MAY 2023**

PUBLIC DOCUMENT

TITLE OF REPORT: NOTICE OF MOTIONS UNDER STANDING ORDER 4.8.12

N.B. This supplementary document contains the amended Urgent Motion.

The following motion has been submitted, due notice of which has been given in accordance with Standing Order 4.8.12. This has been agreed under 14.6.5 (a)(iv) of the Council Constitution by the Managing Director as an urgent motion which could not reasonably wait until the next ordinary Full Council meeting.

To be moved by Councillor Clare Billing and seconded by Councillor Amy Allen:

“Debate Not Hate Motion

The intimidation and abuse of councillors, in person or otherwise, undermines democracy; preventing elected members from representing the communities they serve, deterring individuals from standing for election, and undermining public faith in democratic processes.

This council notes that increasing levels of toxicity in public and political discourse is having a detrimental impact on local democracy and that prevention, support and responses to abuse and intimidation of local politicians must improve to ensure councillors feel safe and able to continue representing their residents.

Equally, the staff and contractors working for this Council should be free to go about their duties without fear of threat and intimidation. The recent assault on a member of our waste team is not acceptable. This Council puts people first and will not tolerate abuse of any kind. We appreciate at times services may fall below the standards residents are reasonably entitled to expect. This is why we have a robust complaints procedure where residents can raise concerns, and we will work with them to ensure services are delivered to a high standard.

In particular, the act of arson that was committed in recent months outside the front door of Council Offices has led to a heightened unease from councillors. Not only did this event cause concern to councillors, but it placed the safety and wellbeing of our staff, who work in the offices daily, at risk. This comes after several members have had threats to their safety from members of the public, online and in person, along with incitement to violence.

The personal safety of members of this Council, our staff, contractors, and that of their families, must be taken seriously.

This Council notes that its members have an obligation towards openness and that the publication of councillor addresses serves this purpose, by increasing openness and transparency to the public. This council nevertheless believes it is important to balance the principle of openness against the legitimate safety concerns described above and recognises that members may hold different views on this matter.

This Council believes that as a default, to protect councillors, especially those that are newly elected, the addresses of councillors will not be published in the Councillor Directory but will be listed as “Care of Council Offices etc.”. Members may then opt in to having their addresses published in the Councillor Directory

This Council also notes that s.29 of the Localism Act 2011 states:

“(1) The monitoring officer of a relevant authority must establish and maintain a register of interests of members and co-opted members of the authority.

(2) Subject to the provisions of this Chapter, it is for a relevant authority to determine what is to be entered in the authority's register.

...

(5) The monitoring officer of a relevant authority other than a parish council must secure—
(a) that a copy of the authority's register is available for inspection at a place in the authority's area at all reasonable hours, and
(b) that the register is published on the authority's website.”

s.32 of the Act says:

“(1) Subsections (2) and (3) apply where—

(a) a member or co-opted member of a relevant authority has an interest (whether or not a disclosable pecuniary interest), and

(b) the nature of the interest is such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

(2) If the interest is entered in the authority's register, copies of the register that are made available for inspection, and any published version of the register, must not include details of the interest (but may state that the member or co-opted member has an interest the details of which are withheld under this subsection).

(3) If section 31(2) applies in relation to the interest, that provision is to be read as requiring the member or co-opted member to disclose not the interest but merely the fact that the member or co-opted member has a disclosable pecuniary interest in the matter concerned. Property owned by members, and their homes, are clearly items in which they hold a pecuniary interest. And so must be included and published in the Council's Register of Interest, meaning they will always be accessible to the public – even if we remove them from the councillor's directory.”

By contrast, in 2008 MPs successfully passed legislation meaning their home address and travel plans are no longer legally required to be published. The debate in the house, following a campaign by Julian Lewis, was led by Harriet Harman, and mirrored much of what has been set out in this preamble.

It is appreciated that for Councillors to achieve equality with Parliament will require some legal changes.

This Council asks that political and officer leadership work together to bring about the changes necessary to promote and protect the personal safety of councillors

This Council commits to challenge the normalisation of abuse against councillors, officers, staff, and the contractors who work with us and uphold exemplary standards of public and political debate in all it does.

This Council agrees to sign up to the LGA's Debate Not Hate campaign. The campaign aims to raise public awareness of the role of councillors in local communities, encourage healthy

debate and improve the response to and support those in public life facing abuse and intimidation.

This council resolves to:

- At the discretion of all current members, remove councillor addresses from the Councillor Directory (but maintain the entry in the Declaration of Pecuniary Interests until such time as legislative change is effected).
- Adopt the default position that councillors opt in, rather than opt out, of having their addresses published on the Councillor Directory.
- Write to the local Members of Parliament to ask them to support the LGA's Debate Not Hate campaign.
- Write to the Government to ask them to work with the LGA to develop and implement a plan to address abuse and intimidation of all politicians.
- Work with MPs and the LGA to bring about legislative change giving councillors and their families the same protection as MPs.
- Ensure the council has a clear reporting mechanism which councillors can use to monitor and record incidents of harassment and abuse of councillors, officers, staff and contractors.
- Regularly review the support available to councillors in relation to abuse and intimidation and councillor safety.
- Work with the local police to ensure there is a clear and joined-up mechanism for reporting threats and other concerns about the safety of councillors and their families and discuss the need to take a preventative approach that accounts for the specific risks that councillors face, as they do with other high-risk individuals, like MPs.
- Take a zero-tolerance approach to abuse of councillors, officers, staff, and contractors working with us. Where such occurs, this Council will robustly condemn acts of intimidation and violence against our staff, contractors and councillors."

This page is intentionally left blank