

# Councillor loses committee roles

## Only sanction available due to legal 'anomaly'

**A councillor convicted of overspending during last year's elections has been stripped of his committee responsibilities.**

Independent councillor Alan Jack was subject to an emergency motion during Wednesday's full council meeting. It also saw leaders call for the closure of a legal loophole which has allowed the maverick politician to remain in place.

The Almond and Earn representative sat silently throughout the proceedings as his colleagues supported the motion put forward by leader Ian Miller.

Cllr Miller said there was no "personal malice" in the motion but that he felt that he had "no option" but to pursue it given the circumstances.

He warned: "Without action this could signal a free for all for people to breach rules for elections.

"It is with some regret I propose this motion. If Councillor Jack had done the honourable action and resigned his seat following his conviction, it would not have been necessary."

The council leader hinted that the loophole, which means that councillors convicted in such circumstances are not required to step down, should be looked at again.

"This is a highly unsatisfactory situation and I think councillors should have deep concern at this situation," said Cllr Miller.

"My view is that I would have liked to have done more, but this is the only maximum sanction available."

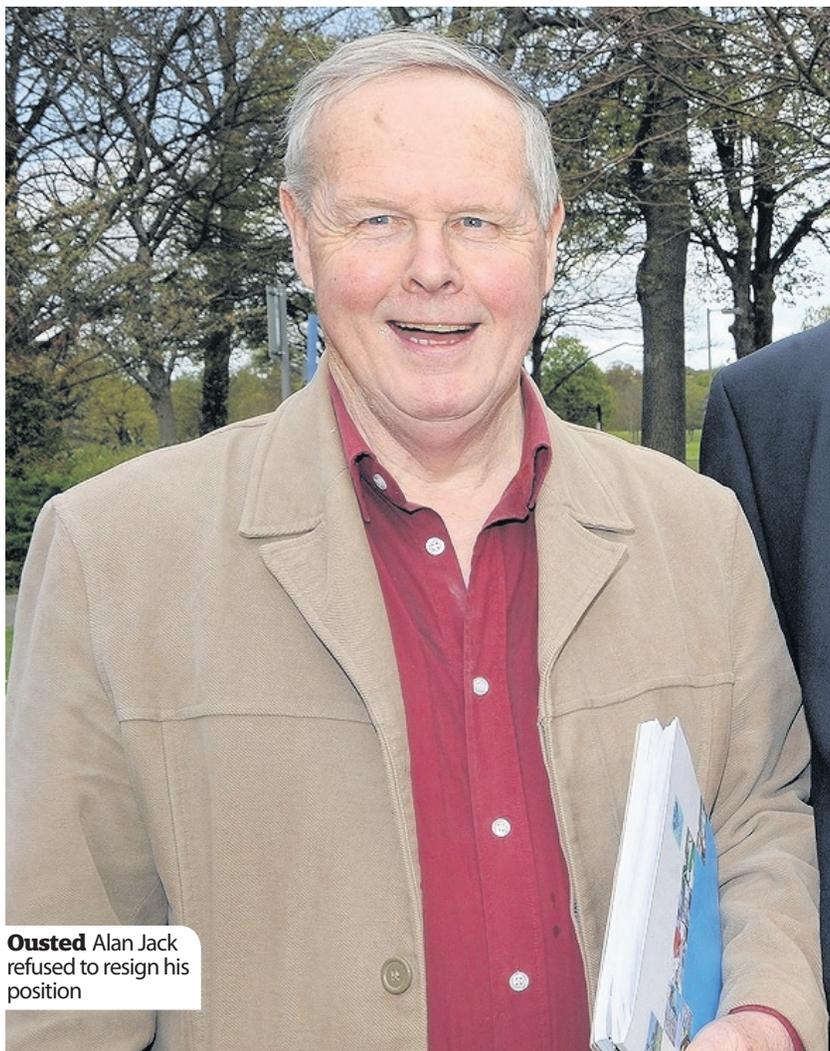
Councillor Peter Barrett added that over and above the motion, other steps with regulatory bodies should be carried out to prevent a repeat. He also pointed out that had the offence been committed in England or Wales, the renegade ex-Tory would have been removed, but there was said to be an 'anomaly' in Scots Law.

The decision was not put to the vote, instead councillors verbally backed the motion.

Cllr Jack (74), of Bridge of Earn, was fined £450 at Perth Sheriff Court last month for exceeding the maximum limit for election expenses.

He admitted spending £850.64 more than he should have between March 22 and May 26 last year in his bid to get elected as an independent councillor.

Following Wednesday's meeting, Cllr Dave Cuthbert will now sit on the development management committee, Cllr Mike Barnacle on enterprise and infrastructure and Alan Livingstone on the Tayplan committee.



**Ousted** Alan Jack refused to resign his position

## 'It seems candidates can now buy seats'

PKC's leader wanted Cllr Alan Jack to resign following his election fraud conviction.

No legal action can be taken to remove the Almond and Earn maverick from office and council figurehead Ian Miller fears the episode could lead to the "wholesale abuse" of election expenses in the future.

"If this happened in England, he would have been automatically disqualified as a councillor, as the law intended," he said.

"However, there is no provision for this in the Scottish version of the Representation of the People Act. This creates a worrying precedent and could lead to wholesale abuse of election expenses at the next local government election.

"The limits on spending are designed to ensure there is a level playing field for all candidates. That may not be the case in future as it seems candidates can now 'buy' their seat and then face a fine of only £400 with no further

sanction.

"This seems ridiculous to me. Section 2.1 of the Councillors' Code of Conduct states, 'You have a duty to uphold the law and act in accordance with the law and the public trust placed in you.'

"That has clearly not been the case here."

The leader of PKC's Tory group Mac Roberts added: "Further to the legal opinion that there are no sanctions available to penalise Councillor Alan Jack for exceeding the maximum amount for election expenses by £850 – even though this was money from his own pocket – some people may think that it is a minor matter.

"However, this is unfair to all other candidates. We do not want to get to the position where people can buy electoral success just by having a large wallet.

"With no legal sanctions available it is now up to Councillor Jack to consult his conscience as to his future."

Ex-Tory renegade Cllr Jack refused to comment.

"This could lead to wholesale abuse of election expenses"

**Ian Miller**

## Kids give it welly and raise cash for farmers

Youngsters at Crieff Parish Church raised over £400 to help 'Give Hunger the Boot'.

Children from the Sunday school, aged three to 11, linked their annual harvest celebrations to a day of welly boot inspired activities.

Not content to leave it there, the junior churchgoers are off on a Welly Walk up Crieff's Knock this weekend for the fundraising appeal in aid of leading UK charity Farm Africa.

Crieff Parish Church regularly raises money for developing countries through its harvest projects

and the Sunday school kids are encouraged to read and learn about life in Africa.

Its sponsored walk is part of Farm Africa's Great African Welly Walk.

All the money raised will go towards Farm Africa, a charity that supports smallholder African farmers, providing them with training and technology so they are able to grow enough to eat with surpluses sold on.

**Welly good idea** Kids from Crieff Parish Church are pictured with their welly boot planters



## Charged with theft of police vehicle

A Perth man has made a brief appearance in private at the Sheriff Court charged with stealing a police car from the force's Barrack Street HQ.

David Sneddon Mullen (27), of Scott Street, is also charged with breaking in and stealing car keys from the Perth city centre complex on Tuesday evening.

Mullen made no plea and his case was continued for further inquiries at the court on Wednesday.

The vehicle is understood to have been a Mitsubishi Outlander.

Represented by local lawyer Paul Ralph, Mullen was remanded in custody meantime.