

North Yorkshire Council

Standards and Governance Committee

Minutes of the meeting held on Friday, 14 March 2025 commencing at 10.00 am.

Councillor Heather Phillips in the Chair, plus Councillors Nick Brown, Melanie Davis, David Ireton, Nigel Knapton, Monika Slater and Peter Wilkinson.

In attendance virtually: Councillors Sam Cross and Andy Solloway.

Officers present: Moira Beighton, Senior Lawyer, Governance, Harriet Clarke, Senior Democratic Services Officer, Josie O Dowd, Governance Officer, Jennifer Norton, Assistant Director Legal and Deputy Monitoring Officer and Christine Phillipson, Principal Democratic Services Officer.

Other Attendees: Independent Person Louise Holroyd.

Other Attendees virtually: Independent Person Gillian Baker.

Apologies: Councillor Clive Pearson and Independent Person Hillary Gilbertson MBE.

Copies of all documents considered are in the Minute Book

119 Welcome and Introductions

In the absence of the Chair, the Vice-Chair, Councillor Heather Phillips, welcomed everyone to the meeting.

120 Apologies for Absence

Apologies for absence were received from Councillor Clive Pearson, with Councillor Robert Windass attending as substitute.

Apologies were received from Independent Person Hillary Gilbertson.

121 Minutes of the Meeting on 6 January 2025

Members requested that a typographical error in relation to Minute 113 on page 5 of the agenda reports pack be amended.

Resolved

The amended minutes of the meeting held on 6 January 2025 were agreed and signed as a correct record.

122 Declarations of Interest

There were none.

123 Public Participation

There were no public questions or statements.

124 Annual Report of the Standards and Governance Committee

Considered –

The report of the Assistant Chief Executive Legal and Democratic Services and Monitoring Officer regarding the draft Annual Report of the work of the Standards and Governance Committee for the municipal year commencing 1 April 2024.

The Committee had agreed that it would be helpful to publish an Annual Report on its work to the Council in order to raise the profile of the Committee and strengthen awareness of its work and ethical standards generally.

An Annual Report also assists in discharging the Council's statutory duty to promote and maintain high standards of conduct and also ensures that the Council has an overview of work undertaken by the Committee in discharging the Council's standards responsibilities.

The draft Annual Report for the year commencing 1 April 2024 was attached for Members' consideration and approval at Appendix 1 and would be presented to a future meeting of the Council.

The Senior Governance Lawyer presented the report and highlighted that the Standards and Governance Committee was a vital part of the Council's ethical framework under the Localism Act 2011. The report covered the work undertaken by the Committee to promote this standards regime, including a review of national ethical framework developments, training, a review of standards documentation, and dealing with complaints.

The Committee were advised of a typographical error on page 51 at paragraph c) ii which should read "1 case".

In response to a question from a Member in relation to staffing resource, the Assistant Director Legal and Deputy Monitoring Officer, reported that internal staffing levels were adequate for the current volume of work, which was becoming more manageable since Vesting Day. She also confirmed that the Council recognised the need to build greater resilience in the number of suitably qualified External Investigators. It was confirmed that a vacancy remained for an Independent Person following the resignation of Roy Martin. The two Independent Persons present, Louise Holroyd and Gillian Baker expressed the view that 4 Independent Persons was adequate for the current workload, and that this could be reviewed if required in the future.

One Member requested details around the reasons for 109 complaint cases not being investigated. In response, it was confirmed that some complaints concerned matters which the Council had no jurisdiction to investigate, some were blanket complaints against multiple members of the same parish/town council brought by the same complainant and were in effect a complaint about parish/town council operational matters, and in some instances, the level of resource required to investigate was not proportionate to the nature of the complaint. A request was made to emphasise the difference between complaints made against NYC councillors and parish councillors within the report.

Members voiced concerns around the attendance of parish and town councils at standards training sessions held by the Deputy Monitoring Officer and suggested that alternative methods of contacting parish councillors be explored. Officers explained that a recording of the training was available to parish councils. It was confirmed that standards training would be offered to the new town councils for Harrogate and Scarborough.

Resolved

That the Standards and Governance Committee approves the draft Annual report for presentation to a future meeting of full Council.

125 Dispensation Request for Councillor Yvonne Peacock

Considered –

A report of the Assistant Chief Executive Legal and Democratic Services and Monitoring Officer concerning a dispensation request from Councillor Yvonne Peacock in relation to Richmond (Yorks) Area Committee meetings discussing Home to School Transport issues. Councillor Peacock is a partner in a private hire firm which has a contract with North Yorkshire Council (NYC) for Home to School transport. This is listed as a Disclosable Pecuniary Interest (DPI) in the Employment and Contracts sections of her interest form.

Councillor Peacock requested a dispensation to speak at relevant meetings where Home to School Transport is discussed, to put forward the views of the residents in her division. Councillor Peacock's initial request included references to Full Council meetings and the ability to vote, but this was later amended to enable her to speak at meetings of Richmond (Yorks) Area Committee meetings only.

The Monitoring Officer considered the request under his delegated powers and consulted the Members of the Committee and the Independent Persons for their views. As the available Members were not all in agreement, the Monitoring Officer was unable to exercise his delegated powers to grant a dispensation. As a result, Councillor Peacock requested the application for a dispensation to speak at the Area Committee meetings be brought to this meeting of the Standards and Governance Committee to be considered by the Committee.

Members discussed the request, consulted the Independent Persons and the following issues were raised:

- A Member with a direct pecuniary interest speaking on a matter may be perceived as influencing the debate and the Committee wished to protect the Council and Councillor Peacock from any suggestion of undue influence.
- A neighbouring division Member could represent the views of the residents within Councillor Peacock's division. Members of the public would also be entitled to speak under the public questions and statements item.
- It was noted that Independent Person Louise Holroyd felt that it was important that Councillor Peacock was able to speak on behalf of her residents on Home to School Transport issues, but not vote, although she noted the comments of the Committee.
- Independent Person Gill Baker was in agreement with the Committee that the dispensation should not be allowed.
- It was confirmed that without a dispensation, Councillor Peacock could not speak on matters of Home to School Transport.

It was moved by Councillor Knapton and seconded by Councillor Wilkinson that the dispensation is not granted.

Resolved

That the dispensation request for Councillor Yvonne Peacock is not granted.

6 Members voted for the motion and there was 1 abstention.

126 Local Ethical Framework Developments

Considered –

The report of the Assistant Chief Executive Legal and Democratic Services and Monitoring Officer to update Members on the development of the national ethical framework under the Localism Act 2011.

Members receive a report at each ordinary Standards and Governance Committee meeting setting out any recent developments in the national ethical framework.

At the previous meeting on 6 January 2025, Members considered the Government consultation on strengthening the standards regime and the associated LGA questionnaire regarding the consultation and determined the Committee's response to each.

The Monitoring Officer submitted the Committee's agreed responses via the online systems on 8 January 2025 and informed the Committee Members and Independent Persons via email. A copy of the responses were attached at Appendices 1 and 2.

The Government consultation closed on 26 February 2025, and Members would be kept informed of developments.

Resolved

To note the contents of the report.

127 Complaints Update

Considered –

A report of the Assistant Chief Executive Legal and Democratic Services and Monitoring Officer presenting an update on standards complaints received.

During the period 1 April 2023 to 31 March 2024, the Council received 174 complaints that members may have breached the relevant authority's code of conduct for Members.

During the period 1 April 2024 to 28 February 2025, a further 130 complaints had been received.

Since Vesting Day on 1 April 2023 to 28 February 2025, a total of 304 standards complaints have therefore been received.

Of these 304 complaints:

- 223 did not merit referral for formal investigation
- 6 complaints were recommended for informal resolution
- 31 complaints were referred for investigation, through 9 investigations

289 assessments have been completed so far by the Monitoring Officer and Deputy Monitoring Officer in consultation with the Independent Persons. A number of complaints assessments are currently on hold pending responses from subject members, or the outcome of related investigations.

A high proportion of these complaints were in respect of members of 3 parish/town councils, many complaints being interrelated.

Following a query from a Member in relation to the number of parish and town councils, the Principal Democratic Services Officer clarified that in North Yorkshire there are 729 individual parishes. These parishes then make up 412 parish and town councils and there are a further 160 parish meetings. Some of the individual parishes group together to form a parish council so within the 412 parish and town councils some will be made up of a number of individual parishes that may also be requesting individual precepts.

Resolved

That the Committee notes the current position on standards complaints received.

128 Standards Bulletin

Considered –

The Assistant Chief Executive Legal and Democratic Services and Monitoring Officer's draft Standards Bulletin.

The Standards Bulletin is produced periodically and circulated to Members and relevant officers of the Council to keep them informed of key developments in the standards regime. Members have also previously agreed that the Bulletin should be circulated to parish and town councils in the North Yorkshire area.

The Bulletin was attached at Appendix 1 to the report.

Resolved

That the Bulletin be updated as necessary following the outcome of the Committee's meeting and approved for circulation.

129 Standards Training Plan

Considered –

A report of the Assistant Chief Executive Legal and Democratic Services and Monitoring Officer presenting the Standards Training Plan for Members for 2025/26.

A report is brought to each ordinary meeting of the Committee for it to consider the standards training needs of Members of the Council and how best to meet them through the Standards Training Plan.

The updated Standards Training Plan was attached at Appendix 1 of the report.

Members raised the following issues:

- The lack of future training dates in the 2025/26 year. In response to this, the Senior Governance Lawyer explained that the Plan provided a record of training that had been given, and that the Committee could look to plan further training in the future.
- The Chair suggested that the report be brought back to the next meeting on 20 June 2025, giving Members and officers a chance to request new training.

- Members were impressed with the training provided prior to Standards Hearings and requested that this continued.
- Members discussed whether training could be better marketed to parish councils, given the poor attendance at the training sessions held in September 2024. In response to this, the Principal Democratic Services Officer reported that a new parish and town council website was being created, which could advertise future training sessions to parish and town councils.
- It was noted that the details of scheduled training sessions were currently emailed to parish clerks who had a responsibility to circulate the information to parish councillors.

Resolved

That Members consider the Standards Training Plan for Members for 2025/26 and determine whether any recommendations are required.

130 Work Programme 2025/26

Considered –

The Assistant Chief Executive Legal and Democratic Services and Monitoring Officer's report on the work programme for 2025/26.

The Committee previously agreed it would be helpful for the Committee to implement a forward Work Programme of its work, as far as this can be anticipated.

The Programme is a standing item on each scheduled ordinary meeting of the Committee and keeps track of matters that the Committee wishes to consider/review.

A revised Work programme was attached at Appendix 1.

Resolved

That Members consider and review its Work Programme at Appendix 1.

131 Urgent Business

There was no urgent business.

132 Date of the Next Meeting

The next meeting will take place on Friday 20 June 2025 at 10.00am in the Brierley Room, County Hall, Northallerton.

The meeting concluded at 11.26 am.