

# North Yorkshire County Council

## Informal meeting of Standards Committee

Minutes of the remote meeting held on Friday 11<sup>th</sup> March 2022 at 2pm.

### Present:-

County Councillors Andy Paraskos, Peter Sowray MBE and Cliff Trotter (Vice-Chairman in the Chair).

### Apology for Absence:-

Apologies for absence was received from County Councillor Caroline Patmore (Chairman) and Stuart Parsons; together with Louise Holroyd and Hilary Gilbertson MBE (Independent Persons for Standards).

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**Copies of all documents considered are in the Minute Book  
All decisions made by the Committee are subject to the procedure set out in Minute  
79, below.**

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### 79. Welcome and Introductions

The Chairman welcomed everyone to the meeting and highlighted the following:-.

Under his delegated decision making powers in the Officers' Delegation Scheme in the Council's Constitution, the Chief Executive Officer has power, in cases of emergency, to take any decision which could be taken by the Council, the Executive or a committee. Following on from the expiry of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which allowed for committee meetings to be held remotely, the County Council resolved at its meeting on 5 May 2021 that, for the present time, in light of the continuing Covid-19 pandemic circumstances, remote live-broadcast committee meetings should continue (as informal meetings of the Committee Members), with any formal decisions required being taken by the Chief Executive Officer under his emergency decision making powers and after consultation with other Officers and Members as appropriate and after taking into account any views of the relevant Committee Members. This approach was reviewed by full Council at its February meeting and it was agreed to continue with this approach with a further review taking place at the County Council AGM in May 2022.

### 80. Minutes

#### Resolved –

That the Minutes of the remote meeting held on 17 September 2021, having been printed and circulated, be taken as read, be confirmed by the Chairman as a correct record and signed at the next available opportunity.

### 81. Declarations of Interest

There were no declarations of interest from Members.

## **82. Public Questions or Statements**

There were no questions or statements from members of the public.

## **83. Amendments to Council's Members' Code of Conduct in light of new voluntary Model Code**

Considered-

The report of the Monitoring Officer updating Members regarding approval of the proposed amendments to the Council's Members' Code of Conduct in light of the new voluntary Model Code of Conduct for Members and regarding the production of supporting Guidance in relation to the new Council Code.

At the Committee's previous meeting on 17 September 2021 Members considered proposed amendments to the Council's Code of Conduct for Members in light of the Local Government Association (LGA) new, voluntary model Code of Conduct, making various suggestions for further amendments and also suggesting that the most appropriate method of disseminating information from the LGA Guidance on the Model Code, would be to create a specific Council guidance note, if the proposed changes to the Council's Code were ultimately approved.

After following the due process, as outlined in the report, the amendments were presented to full Council at its physical meeting on 16 February 2022 for Members' consideration and approval.

Given the forthcoming elections in May 2022, it was recommended that the changes came into effect on that date so that all Members could receive training on the new Code of Conduct. In order to ensure consistency with developments in the national standards regime, full Council therefore agreed that:

- a) the proposed amendments to the Council's current Members' Code of Conduct be approved, to take effect from 5 May 2022;
- b) the Monitoring Officer be authorised to make consequential amendments to the registration of Members' interests form proforma, any other relevant standards documentation and the Constitution to reflect the changes made to the Council's Code; and
- c) that tailored guidance, specific to the Council's Members' Code of Conduct, be circulated to the new elected Members in May 2022.

The Monitoring Officer, under his specific delegation, would make the consequential amendments to the registration of Members' interests proforma, any other relevant standards documentation and the Constitution, to reflect the new Code at the relevant time. Until the elections, the current Code of Conduct for Members would continue to have effect.

The new unitary authority would adopt its own Code of Conduct for Members at the relevant time.

The Monitoring Officer was drafting Guidance for Members, based on the LGA online guidance and a draft would be circulated to Standards Committee Members as soon as possible, and then circulated to all Members.

**Resolved –**

That the following be noted:-

- (a) the approval process which had been undertaken in relation to the amendments to the Council's Code of Conduct for Members in light of the new Model Code; and
- (b) the progress made in relation to producing detailed, tailored Guidance on the Council's amended Code and a summary chart of the new interests regime.

#### **84. Local Ethical Framework Developments**

Considered -

The report of the Monitoring Officer updating Members on the development of the Ethical Framework under the Localism Act 2011.

The report provided a summary of the following, together with links to the full documents:-

- Amendments to County Council's Code of Conduct in light of the New Model Code of Conduct for Members
- Committee on Standards in Public Life Report on Local Government Ethical Standards
- Online Safety Bill
- Proposed Complaint Review Role by Local Government and Social Care Ombudsman
- LGA Call for Evidence - Civility in Public Life: abuse and intimidation of Councillors
- CSPL Report on the Regulation of Election Finance
- CSPL Report on 'Upholding Standards in Public Life'
- Previous CSPL reports and reviews
- Civility in Public Life - Digital Citizenship Resources

The Monitoring Officer noted that the further a response was being developed in respect of LGA Call for Evidence - Civility in Public Life: abuse and intimidation of Councillors, and would be submitted in due course.

**Resolved -**

That the contents of the report be noted.

#### **85. Complaints Update**

Considered -

The report of the Monitoring Officer updating the Committee regarding Ethical Framework complaint activity.

There had been one new anonymous complaint received since the last Complaints Update

report to the Committee, the details of which were set out in the report. Complaint NYCC/SC/79 was assessed by the Monitoring Officer in consultation with the Independent Person for Standards and it was concluded that no action should be taken in relation to the complaint as there was no evidence to suggest a breach of the Code by the Subject Member. The Subject Member had apologised to those whom his comments had caused offence and the anonymous complaint did not fall within the criteria for investigation or other action.

The existing complaint NYCC/SC/77 was currently under consideration by the Monitoring Officer, has been referred for investigation and would be reported on at a subsequent meeting.

For the year 1 April 2021 to date, the Council had received two formal standards complaints.

In a discussion of the report, the following issues and points were raised:-

- A Member asked how much weight was given to an anonymous complaint. In response it was stated that every complaint was considered by the Monitoring Officer and an Independent Person of the Standards Committee, and various criteria were considered to determine whether the complaint should be taken forward, with anonymity from the complainant covered within those criteria. It was noted that the details of the complainant would be given to the Member who was the subject of the complaint, should those details be provided. A Member asked whether the anonymous complainant could be identified through their email address. In response it was stated that this would require a detailed investigation and it was unclear whether this would be pursued.

**Resolved -**

That the current position, regarding complaints received, be noted.

**86. Standards Bulletin**

Considered -

The report of the Monitoring Officer presenting for the Committee's consideration, a draft of the latest Standards Bulletin, a copy of which was at Appendix 1 to the report.

Members noted that the Bulletin would require updating in accordance with discussions at the informal meeting.

**Resolved –**

That the following be proposed to the Chief Executive Officer for consideration under his emergency delegated powers:-

That the Bulletin, as updated following the informal meeting on 11 March 2022, be approved for circulation.

**87. Other Business**

The Monitoring Officer noted that this would be the final meeting of the Committee prior to the elections, and the formation of a new County Council. He thanked Members for their hard work during the current County Council period.

It was clarified that the Highways Section should be contacted in relation to the removal of electoral posters placed on verges alongside the highway.

The meeting concluded at 2.20 pm.  
SML