

**NORTH YORKSHIRE COUNCIL**  
**19 July 2023**

**The Report of the Corporate and Partnerships Overview and Scrutiny Committee regarding the Notice of Motion seeking the resignation of the Police Fire and Crime Commissioner that was referred to the committee at the meeting of the Council on 17 May 2023**

**Report of the Assistant Chief Executive (Legal and Democratic Services)**

**1.0 PURPOSE OF THE REPORT**

- 1.1 To provide Council with a summary of the deliberations and recommendations of the Corporate and Partnerships Overview and Scrutiny Committee concerning a Notice of Motion seeking the resignation of the Police Fire and Crime Commissioner that was referred to the committee at the meeting of the Council on 17 May 2023.

**2.0 BACKGROUND**

- 2.1 At Full Council on 17 May 2023, the Chairman decided that a Notice of Motion seeking the resignation of the Police, Fire and Crime Commissioner should be passed to the Corporate and Partnerships Overview and Scrutiny Committee for consideration, with the intention of it being considered and recommendations brought back to the 19 July 2023 meeting of the Council.

- 2.2 The Notice of Motion proposed by Councillor Bryn Griffiths and seconded by Councillor Mike Schofield stated:

'His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) has recently published two reports on the performance on North Yorkshire's Police. The first was published on 17th March regarding the Police Effectiveness, Efficiency, Legitimacy: PEEL 2021/22 – An inspection of North Yorkshire Police (NYP). It graded North Yorkshire Police's performance across eight areas of policing and found the force was 'inadequate' in one area, 'requires improvement' in four areas, 'adequate' in two areas and 'good' in one area. The strapline was "North Yorkshire must make improvements to help keep people safe and reduce crime".

The second report was published on 3rd May, entitled "North Yorkshire – National child protection inspection post-inspection review". This inspection reviewed the progress made by North Yorkshire Police since the publication of the last report for North Yorkshire in 2021. HMICFR had audited 33 child protection cases - 11 cases were found to be good, 8 required improvement and 14 were inadequate. For so many cases to be found inadequate is a damning indictment not only on the Police, but also on the overall management of the force by the Police & Fire Commissioner.

The police, fire and crime commissioner (PFCC) is elected to be responsible for generally overseeing both the police force and fire service. Clearly the PFCC has failed in this duty and is continuing to fail to hold the North Yorkshire Police force to account and therefore to keep the public and in particular children safe. Urgent action is therefore needed to remove the existing Commissioner immediately and install a far more effective manager.'

- 2.3 The Notice of Motion was considered by the Corporate and Partnerships Overview and Scrutiny Committee at their meeting on 5 June 2023.

- 2.4 The Council's Constitution (Council Procedure Rules, section 11, page 223) states:

(h) If a motion is referred to the Executive or one committee only, the Executive or that committee shall report to the Council upon that motion together with its recommendation. If a motion is referred to more than one committee, the Executive shall report to the Council upon that motion together with its recommendations. The report of the Executive or any committee to which a motion has been referred shall contain a statement of that motion.

(i) When the Executive or a committee reports back on a motion, the motion, as originally moved and seconded at the earlier meeting, will be the matter before the Council. Any recommendation of the Executive or committee to amend the motion will therefore be an amendment to the motion and any recommendation to support or oppose the motion will be only an expression of views.

### **3.0 CORPORATE AND PARTNERSHIPS OVERVIEW AND SCRUTINY COMMITTEE MEETING ON 5 JUNE 2023**

3.1 The papers for the meeting of the Corporate and Partnerships Overview and Scrutiny Committee meeting on 5 June 2023 can be accessed via the following link (Item 9) – [Agenda for Corporate & Partnerships Overview & Scrutiny Committee on Monday, 5th June, 2023, 10.30 am | North Yorkshire Council](#)

3.2 The extract from the minutes of the meeting is as below:

Councillor Bryn Griffiths introduced the report as the proposer of the motion and drew attention to the options in the report at paragraph 6.1. He confirmed his Motion was not political but rather a reaction to the poor performance identified in the recently published reports of His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). He also expressed disappointment at the initial response of the PFCC when she had expressed surprise at the findings of those reports and suggested her monitoring of performance must have been lacking given her level of awareness of the issues.

Councillor Malcolm Taylor suggested the Motion was fundamentally flawed as it was not the role of the Council to hold the PFCC to account, but rather that responsibility laid with the Police Fire and Crime Panel (PFCP). Other Members agreed the PFCC's performance was the responsibility of the PFCP, including calling for the resignation of the PFCC should they deem that an appropriate response.

With that in mind and noting the planned special PFCP meeting on 21 June 2023 at which the Panel would focus on the PFCC's performance in relation to the HMI inspection outcomes, and the progress being made, the Committee agreed no further action was required in relation to the Motion.

However, given their remit of scrutinising crime and disorder, members of the Committee agreed they would like to invite the PFCC, the Chief Constable and Chief Fire Officer individually to attend future meetings of the Committee, and agreed to add their attendance to the Committee's work programme.

3.3 Having considered the report in full, the representations by Councillors Bryn Griffiths and Mike Schofield, the members of the Corporate and Partnerships Overview and Scrutiny committee who were present resolved that: 1) no further action be taken in response to the Notice of Motion and 2) the work programme be updated to include the attendance at future meetings of the PFCC, the Chief Constable and Chief Fire Officer.

### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are no specific financial implications associated with this report.

## **5.0 LEGAL IMPLICATIONS**

5.1 The legal implications arising from the motion are addressed in the report.

## **6.0 CLIMATE CHANGE IMPLICATIONS**

6.1 There are no specific climate change implications associated with this report..

## **7.0 EQUALITIES IMPLICATIONS**

7.1 There are no specific equality implications associated with this report.

## **8.0 RECOMMENDATION**

8.1 That Council considers the recommendation of the Corporate and Partnerships Overview and Scrutiny Committee that no further action be taken in response to the Notice of Motion.

Barry Khan  
Assistant Chief Executive (Legal and Democratic Services)

County Hall, Northallerton

11 July 2023

### **Report author:**

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### **Background documents:**

Constitution of North Yorkshire Council -

<https://edemocracy.northyorks.gov.uk/documents/s19609/NYCCConstitutionVersion2May2023.pdf>

**Note:** Members are invited to contact the author in advance of the meeting with any detailed queries or questions.