

# North Yorkshire Council

## Special Meeting

### Standards and Governance Committee

Minutes of the meeting held on 9th April 2024 commencing at 3.00 pm.

Councillors Clive Pearson (Chair), Nick Brown, David Ireton, George Jabbour (as substitute for Nigel Knapton), Heather Phillips and Monika Slater; together with Roy Martin (Independent Persons for Standards).

Officers present: Steve Loach (Democratic Services) and Moira Beighton, (Legal Services).

Apologies: Councillors Sam Cross, Melanie Davis, Nigel Knapton, Andy Solloway and Peter Wilkinson; together with Hilary Gilbertson; Louise Holroyd; James (Jamie) Nelson and Richinda Taylor (Independent Persons for Standards)

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**Copies of all documents considered are in the Minute Book**

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#### **53. Declarations of Interest**

There were no declarations of interest.

#### **54. Temporary Appointment to Barton-le-Willows Parish Council**

Considered –

The report of the Assistant Chief Executive (Legal and Democratic Services) informing the Committee of the situation of Barton-le-Willows Parish Council and seeking approval to invoke the power to temporarily appoint named persons to sit on the Parish Council.

Barton le Willows Parish Council comprised of 5 seats and required a minimum of 3 seats to be filled to be considered quorate. Following the resignation of a Councillor on 24 January 2024, the casual vacancy procedures were followed which recognised that when a casual vacancy occurs at a parish council, a request for an election must be made within 14 working days of the publication of a notice of vacancy by 10 electors from within the parish area. No request for an election was made by 10 electors within the required timeframe. The Parish Council could, therefore, proceed to fill the vacant seats via co-option but as there are only 2 remaining councillors the Parish Council was not quorate and therefore cannot make the decision to co-opt.

As the Parish Council was now no longer quorate, the council could not meet or conduct any business. The only option left was to invoke the power to make an appointment so that business could continue. Once appointed, the parish would be quorate, and the vacant seats could be filled via co-option.

Whilst legislation does not specify who may be appointed as temporary parish councillors, it was common practice for the elected member of the relevant division of the principal council to fulfil this role. In relation to this it would be Councillor Caroline Goodrick who would be appointed to achieve a quorum.

Once the vacant seat had been filled, any appointee can then resign from the Parish Council if they wish to do so.

The following issues were raised in relation to the report:-

- Concern was raised as to this situation becoming more predominant and it was asked whether there was a particular issue as to why this was the case. It was noted that there were fewer people willing to put themselves forward to be Parish Councillors, and there also appeared to be a disconnect between the different levels of local governance. It was suggested that a report be brought to a subsequent meeting of the Committee on how and when liaison with Parish Councils was taking place and what assistance was provided. It was stated that Democratic Services had recently formed a team that would include a dedicated service for providing assistance and information to Parish Councils. Concern was raised that Members were unaware of the development of this time and requested further details, whilst welcoming the approach being undertaken.
- A Member suggested that direct channels of communication were required between the different levels of local authorities to provide more stability and provide assistance where available and necessary. The lines of communication may have been clouded during the unification process and these should be made clear to Parish Councils, enabling them to obtain the appropriate support.
- It was suggested that Divisional Councillors should be available to assist their local Parish Councils. However, a Member considered that although a level of support to Parish Councils was important, Divisional Councillors should not be seen as the “go to” contact as this could lead to an over-reliance on that support and Members may not have sufficient time to deal with all queries. He also considered it appropriate that Parish Councils were encouraged to take control of their own affairs whenever possible. Another Member considered it appropriate that Divisional Councillors were available and offered assistance to Parish Councils.
- It was suggested that many Parish Councillors were leaving as they had become disillusioned with their role within local communities following the creation of the unitary authority, with very local issues now being their main focus.
- Members suggested that it would be appropriate to have discussions with Parish Councillors to determine the reasons for them leaving the role, and determine whether assistance could be provided to address this. In respect of this it was considered appropriate that the Divisional Councillor take the lead and steer the Parish Councils towards appropriate assistance.

**Resolved –**

- (i) That the Council appoints the division member for Sheriff Hutton and Derwent, Councillor Goodrick, under Section 91 (1) of the Local Government

Act 1972, to Barton-le-Willows Parish Council in order to make it quorate, unless or until either sufficient vacancies on Barton-le-Willows Parish Council have been filled by way of co-option or election so that the Parish Council is able to act lawfully, or the Order made under Section 91 (1) is revoked.

- (ii) That the Assistant Chief Executive Legal and Democratic Services be authorised to make the required order as attached at Appendix A to the report.

This was approved unanimously

The meeting concluded at 3.20pm