



# North Yorkshire Council

## Standards and Governance Committee

Minutes of the remote meeting held on Monday, 6 January 2025 commencing at 2.00 pm.

Councillor Clive Pearson in the Chair plus Councillors Nick Brown, David Ireton, Peter Wilkinson and George Jabbour.

In attendance virtually: Councillors Sam Cross, Monika Slater, Heather Phillips and Andy Solloway.

Officers present: Harriet Clarke, Senior Democratic Services Officer.

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

Other Attendees : Independent Person Louise Holroyd  
Other Attendees virtually ; Independent Person Jamie Nelson .

Apologies: Councillors Melanie Davis and Nigel Knapton with Councillor George Jabbour as substitute.  
Independent Persons Gillian Baker and Hilary Gilbertson MBE.

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

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### **107 Welcome and Introductions**

### **108 Apologies for Absence**

Apologies were received from Councillor Melanie Davis and Councillor Nigel Knapton with Councillor George Jabbour attending as substitute.

Apologies were received from Independent Persons Gillian Baker and Hilary Gilbertson.

### **109 Minutes from the Meeting on 18 November 2024**

The minutes of the meeting held on 18 November 2024 were agreed and signed as an accurate record.

**110 Declarations of Interest**

There were none.

**111 Public Participation**

There were no public questions or statements.

**112 Local Government Association. Proposed Changes to the Local Government Standards Framework**

Considered

The report of the Assistant Chief Executive Legal and Democratic Services on the Proposed Changes to the Local Government Standards Framework and the Invitation by the Local Government Association to Authorities to submit views on a range of standards topics via an online questionnaire.

The Deputy Prime Minister announced at the Local Government Association (LGA) Annual Conference that the Government intends to consult on possible changes to the local government ethical framework.

The LGA have contacted local authorities, seeking their views on a range of standards issues through an online questionnaire, to inform and support the LGA's eventual response to the expected Government consultation.

The Deputy Monitoring Officer circulated, at the meeting, the consultation by the Government on strengthening the standards regime which had been published on 18 December 2024.

The Committee was invited to respond to the questionnaire and consultation, as were the Monitoring Officer and the Independent Persons for Standards.

It was noted that there was an overlap in questions from the LGA questionnaire and the Government consultation. The Committee agreed to discuss and provide a response to both sets of questions.

It was proposed by Councillor Wilkinson and seconded by Councillor Jabbour that the response be provided from the Standards and Governance Committee as agreed.

This was agreed unanimously.

A copy of both responses is included as an appendix to the minutes.

Councillor Phillips left the meeting at 4pm.

Councillor Slater left the meeting at 4.05pm.

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## **Response to Ministry of Housing, Communities and Local Government Consultation on Strengthening the Standards and Conduct Framework for Local Authorities in England.**

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### **113 Complaints Update Report**

Considered

The report of the Assistant Chief Executive Legal and Democratic Services and Monitoring Officer presenting to the Committee, for information and consideration, an update on, and statistical information regarding, 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 10 December 2024, a further 108 complaints have been received.

Since Vesting Day on 1 April 2023 to 10 December 2024, a total of 282 standards complaints have therefore been received.

The Committee noted from the report that:

In total, 264 assessments have so far been completed by the Monitoring Officer and Deputy Monitoring Officer in consultation with the Independent Persons for Standards. A number of complaints' assessments are currently on hold, pending responses from subject Members or the outcome of previous assessments and investigations.

Further Hearing Panels sat on 18 October 2024, 7 November 2024 and 9 December 2024.

18 October : The Panel concluded that the subject Members had breached the relevant Codes of Conduct for Members and recommended sanctions to the respective parish councils.

7 November : The Panel concluded that the subject Member had breached the relevant authority's Code of Conduct for Members. The Panel recommended to the Parish Council that it issue a private letter of censure to the subject Member and also made some recommendations back to the Parish Council.

9 December : The Panel concluded that the subject Member had breached the relevant authority's Code of Conduct for Members and made recommendations to the relevant authority.

A discussion then followed with the following to note.

Parish Councils requiring help with governance and general operation should be directed to the YLCA who will provide advice and support.

Councillor Brown had some specific queries which he said he would follow up by E Mail after the meeting.

Resolved

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

This was agreed unanimously.

#### **114 Review of Standards Documentation and Proposed Changes**

Considered

The report of the Assistant Director Legal and Deputy Monitoring Officer for consideration and review, regarding the current standards arrangements for the handling of complaints of a breach of the Members' Code of Conduct, deferred from the Committee's meeting on 6 September 2024, and further suggested amendments to the complaints process to streamline arrangements.

The Localism Act 2011 sets out the statutory ethical framework for relevant authorities. Under the Act, relevant authorities (except parish and town councils) must put in place arrangements for the investigation of allegations of breaches of the Members' Code of Conduct and to decide upon allegations. These arrangements must involve the appointment of at least one Independent Person.

Following local government reorganisation on 1 April 2023, North Yorkshire Council became principal authority for parish and town councils in North Yorkshire for the purposes of the standards complaint's provisions in the Localism Act.

Parish and town councils may adopt the Council's Code of Conduct for Members or their own. The Monitoring Officer has encouraged them to adopt North Yorkshire Council's Code (based on the voluntary LGA model code) in an aim to have standardised provisions across North Yorkshire for consistency and clarity.

North Yorkshire Council also publishes parish and town councils' registers of interests on its website (Parish councils contact details | North Yorkshire Council).

That is the extent of North Yorkshire Council's jurisdiction in respect of parish/town council governance; parish/town councils are separate legal entities and North Yorkshire Council has no jurisdiction to consider other complaints about them for example about the way in which the parish/town council has or has not done something, or about particular parish/town council decisions or employees; those complaints should be directed to the parish/town council itself.

The Committee last reviewed the standards arrangements on 15 March 2024.

The Senior Lawyer (Governance) highlighted the proposed changes to the Committee and reiterated that these changes were designed to streamline the standards process as far as possible to ensure that complaints are handled in a fair and proportionate way and as efficiently as possible to minimise the resource burden currently impacting Standards and Governance Committee Members, Independent Persons and the Monitoring Officer team and protect the public purse.

The main change was to introduce an initial triage step that would make provision for the Monitoring Officer to undertake a pre-assessment consideration of a complaint and remove complaints which clearly fall outside of the standards regime.

Councillor Brown had some specific queries which he was advised to follow up after the meeting with the Deputy Monitoring Officer.

It was moved by Councillor Wilkinson and seconded by Councillor Jabbour that the Committee approves the proposed amendments to the standards documentation as set out in this report and its Appendices.

Resolved

That the Committee approves the proposed amendments to the standards documentation as set out in this report and its Appendices.

This was agreed unanimously.

#### **115 Exclusion of the Press and Public**

It was proposed by Councillor Wilkinson and seconded by Councillor Jabbour that under Schedule 12A to the Local Government Act 1972 (as amended), the press and the public were excluded from the meeting during consideration of the item of business at agenda item 10 on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A and the Committee were satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Resolved

That the press and public be excluded in consideration of the item at agenda item 10.

This was agreed unanimously.

#### **116 Consultation Under Standards and Governance Committee Protocol on Unreasonably Persistent or Vexatious Complainant Behaviour**

It was proposed by Councillor Ireton and seconded by Councillor Wilkinson that the Committee agree the recommendations in the report.

Resolved

That the recommendations in the report be agreed.

This was agreed unanimously.

#### **117 Urgent Business**

There was no urgent business.

#### **118 Date of the Next Meeting**

The next meeting will be on Friday 14 March 2025 at 10am in The Brierley Room, County Hall, Northallerton.

The meeting concluded at 4.50 pm.