



## ORDINARY MEETING OF THE COUNCIL

Tuesday, 27 April 2021 at 6.30pm

(Online meeting)

Members of the Council are summoned to consider the following business

### AGENDA

Please note that due to Covid-19, this meeting will be held remotely and will be livestreamed here: <https://www.youtube.com/channel/UCdfb6ZRbYnZ1-rRliLmjUwg>

1. **Apologies for Absence** – To receive any apologies for absence.
2. **Minutes** – To confirm the minutes of the Council meeting held on 15 April 2021.  
  
(Copy to follow)
3. **Public Participation** – In the event that questions are received, the Chairman will conduct the public participation session for a period of up to fifteen minutes. Where questions are asked, one related supplementary question may be permitted at the Chairman's discretion.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have on items appearing on this agenda, including the nature of those interests and whether they wish to apply the exception below.

**Note:** Declarations should be in the form of either:

- a “**disclosable pecuniary interest**” under Appendix A to the Code of Conduct, in which case the Member must leave the meeting room; or
- an “**other interest**” under Appendix B of the Code. For these interests, the Member may stay in the meeting room, although they must leave if membership of the organisation results in a conflict of interest.

**Exception:** Where a member of the public has a right to speak at a meeting, a Member who has a disclosable pecuniary interest or an other interest and must leave the room, has the same rights and may make representations, answer

questions or give evidence, but at the conclusion of that, must then leave the room and not take part in the discussion or vote.

5. **Recommendations for Confirmation** – Minutes containing recommendations for debate and confirmation by Council arising from Standards Committee held on 10 March 2021.
6. **Appointment of Independent Persons under the Localism Act 2011** – To receive a report from the Solicitor to the Council (Monitoring Officer) which seeks to extend the term of office of Independent Person, John Boumphrey to Annual Council 2023.
7. **Statement from the Leader of the Council** – The Leader of the Council will deliver his statement. When the statement has been made, Members will be invited to ask questions of the Leader.
8. **Statements from Lead Members, Chairmen of Committees and Council Representatives on Outside Bodies**
  - a. **Lead Members** – To receive an update from Lead Members.
  - b. **Chairman of Select Committee** – The Chairman of Select Committee to report on the Committee’s work, and answer any questions from Members.
  - c. **Chairmen of Other Committees** – This is an opportunity for Members of the Council to ask questions of the Chairmen of the Committees listed below on any current issues, or for those Chairmen to make a statement:
    - Audit and Governance Committee
    - Licensing Committee
    - Planning Committee
    - Standards Committee.
  - d. **Council Representatives on Outside Bodies** – To receive an update from Council representatives on Outside Bodies on key areas of work.
9. **General Question / Statement Time** – This is an opportunity for Members to raise awareness of issues that may be affecting their Ward, and are of general interest or importance, by making a statement or asking a question.

(Council Procedure Rule 11.4 covers the conduct of this item. A Member must give advance notice by noon on the day before the meeting to Democratic Services of any issue to be raised. The time limit for dealing with matters under this Rule is up to 15 minutes in total, with no individual item taking more than 5 minutes. Timings may be varied at the Chairman’s discretion.)
10. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.
11. **Date of Next Meeting** – Annual Council Meeting on Tuesday, 25 May 2021 at 6.30pm.

Agenda Contact Officer:

Guy Close, Democratic Services Manager

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## Council Meeting

27 April 2021

## Recommendations For Confirmation

Report of the Democratic Services Manager

Ward(s) affected: All

1. **Purpose of Report** – To present recommendations of Committees which require confirmation by Council.
2. **Recommendation** – To approve recommendations within the minutes reproduced in the appendices to this report.
3. **Report**
- 3.1 In the current cycle of meetings the following Committees have made recommendations which require confirmation by Council. The recommendations are contained in the following minutes, which are set out within the appendices to this report.

### **Standards Committee**

The Chairman of Standards Committee will present recommendations in respect of the following minutes:

#### **10 March 2021**

STN. 381 Members' Code of Conduct

- 3.2 Members requiring a copy of any of the reports associated with the above minutes are asked to contact the Democratic Services Team.
4. **Author of the Report** – Guy Close, Democratic Services Manager, Telephone (01756) 706226, E-mail: [gclose@cravencdc.gov.uk](mailto:gclose@cravencdc.gov.uk)
5. **Background documents** – None

6. **Appendices**

Appendix A STN.381 Members' Code of Conduct

STN.381

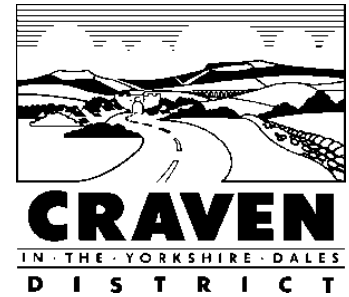
**MEMBERS' CODE OF CONDUCT**

The Solicitor to the Council (Monitoring Officer) submitted a report which presented the draft revised Members' Code of Conduct. On 3 July 2019, the Committee agreed an action plan for implementing 15 best practice recommendations set out in the CSPL report and at the last meeting, the Committee received a progress report. Members were reminded that two of the best practice recommendations required amendments to the Members' Code of Conduct.

In accordance with CSPL recommendation one, Member obligation two in the Code had been amended. A new section had been added – 'Complying with the Code of Conduct', in line with recommendation two. The Monitoring Officer had taken the opportunity to carry out a light touch review of the Code, which was last reviewed by the Committee in December 2018. The Monitoring Officer proposed that a new member obligation was added to the Code requiring Members to promote equalities and not discriminate unlawfully against any person. Members were pleased to note that any reference to gender had also been removed to ensure the document was inclusive.

**Recommended** – That the revised Members' Code of Conduct is recommended to Council for adoption.

**Council – 27 April 2021**  
**APPOINTMENT OF INDEPENDENT  
PERSONS UNDER THE  
LOCALISM ACT 2011**



**Report of the Solicitor to the Council (Monitoring Officer)**

**Ward(s) affected:** All

**1. Purpose of Report**

To extend the term of office of Independent Person John Boumphrey (to Annual Council 2023).

**2. Recommendations – Members are recommended to:**

Extend the term of office of Independent Person John Boumphrey to the Annual Council meeting in 2023.

**3. Report**

- 3.1 Section 28(7) of the Localism Act 2011 requires the Council to appoint at least one Independent Person, who must be consulted at various stages of the process when dealing with allegations of misconduct by district or parish councillors.
- 3.2 Also, following the amendment of schedule 3 to the Local Authority (Standing Orders) (England) Regulations 2001, a panel hearing the dismissal of a senior officer of the Council must now include at least two Independent Persons appointed under the Localism Act 2011.
- 3.3 The membership of Standards Committee is set out in Part 3 of the Council's Constitution. This states that the Committee will be comprised of five District Councillors, three Independent Persons (non-voting) and four parish representatives (non-voting).
- 3.3 At its meeting on the 25 April 2017, Council appointed John Boumphrey and Peter Charlesworth as Independent Persons until Annual Council 2021. Roger Millin was appointed as the third Independent Person on the 22 May 2018 and his term of office runs until Annual Council 2022.
- 3.4 These appointments were made following an advertisement, application and interview process.

- 3.5 With the Government's aspiration for local government reorganisation in York and North Yorkshire from April 2023, the voting members of Standards Committee have discussed the future appointment of Independent Persons. It was agreed that as the Independent Persons have extensive experience from which the Council can continue to benefit and have attended regular training, consideration be given to extending those terms of office which end this May.
- 3.6 The Localism Act does not prescribe the term of office for Independent Persons consequently, the Council may either carry out a recruitment exercise or extend the term of office of the current incumbents.
- 3.7 John Boumphrey has confirmed his agreement to the proposed extension to his term of office and the Solicitor to the Council therefore recommends that his term of office is extended.

#### **4. Financial and Value for Money Implications**

The cost of implementing the Code of Conduct arrangements, providing training and meeting expenses is met from existing budgets.

#### **5. Legal Implications**

These are set out in the body of the report.

#### **6. Contribution to Council Priorities**

- 6.1 High standards of conduct underpin all the Council's work and the achievement of its priorities.

#### **6.2 Impact on the declared Climate Emergency**

No implications for the declared Climate Emergency.

#### **7. Risk Management**

Not applicable.

#### **8. Chief Finance Officer (s151 Officer) Statement**

No additional comments.

#### **9. Monitoring Officer Statement**

The recommendation set out in the report is lawful and within the powers of the Council.



**10. Equality Impact Analysis**

This report does not affect the wellbeing of equalities groups. An Equalities Impact Assessment is not required.

**11. Consultations with Others**

Members of Standards Committee.

**12. Background Documents**

Report to and minutes of the Council Meeting on 25 April 2017.

**13. Appendices**

None.

**14. Author of the Report**

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