



Standards Committee

Agenda

**Wednesday, 16th July, 2025
at 4.30 pm**

in the

**Council Chamber, Town Hall, Saturday
Market Place and available to view on
[YouTube](#)**



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**STANDARDS COMMITTEE
AGENDA**

DATE: STANDARDS COMMITTEE - WEDNESDAY, 16TH
JULY, 2025

VENUE: COUNCIL CHAMBER, TOWN HALL, SATURDAY
MARKET PLACE, KING'S LYNN PE30 5DQ

TIME: 4.30 pm

1. APPOINTMENT OF VICE - CHAIR FOR THE MEETING

To appoint a Vice-Chair for the meeting.

2. APOLOGIES OF ABSENCE

To receive any apologies of absence.

3. MINUTES OF THE PREVIOUS MEETING (Pages 4 - 14)

To approve the minutes of the previous Standards Committee held on the 25th March 2025 and 7th May 2025.

4. DECLARATIONS OF INTEREST (Page 15)

Please indicate if there are any interest which should be declared. A declaration of interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda time to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on any item or simply observing the meeting from the public seating area.

5. URGENT BUSINESS

To consider any business which, by reason of special circumstances the Chair proposed to accept as urgent under Section 100(b)(4)(b) of the Local Government Act 1972

6. MEMBERS PRESENT UNDER STANDING ORDER 34

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

7. CHAIR'S CORRESPONDENCE

8. REPORT ON 2024-2025 COMPLAINTS (Pages 16 - 27)

9. REPORT ON 2025 - 2026 DISPENSATION (Pages 28 - 35)

10. DATE OF NEXT MEETING

To be scheduled.

To: Members of the Standards Committee

Councillors B Ayres, S Bearshaw, A Moore, J Osborne, S Ring, S Sandell
(Vice-Chair) and A Ware (Chair)

For Further information, please contact:

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Borough Council of King's Lynn & West Norfolk
King's Court, Chapel Street
King's Lynn PE30 1EX

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**STANDARDS COMMITTEE**

Minutes from the Meeting of the Standards Committee held on Tuesday, 25th March, 2025 at 11.30 am in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor A Ware (Chair), Councillors B Ayres, S Bearshaw, S Ring and S Sandell (Vice-Chair)

OFFICER PRESENT: James Arrandale- Deputy Monitoring Officer

8 **APOLOGIES**

Apologies for absence were received from Councillor Squire

9 **MINUTES**

RESOLVED: The minutes of the previous meeting were agreed as a correct record.

10 **DECLARATIONS OF INTEREST**

Under Standing Order 34, Councillor Nash declared an interest in Item 7, Summary of 2023-2024 Code of Conduct Complaints.

11 **URGENT BUSINESS**

There was none.

12 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillor Nash was present under Standing Order 34.

13 **CHAIR'S CORRESPONDENCE (IF ANY)**

There was none.

14 **SUMMARY OF 23-24 CODE OF CONDUCT COMPLAINTS**

[Click here to view the recording of this item on YouTube.](#)

The Deputy Monitoring Officer presented the report.

The Chair invited questions and comments from the Committee, a summary of which is set out below.

Councillor Ring thanked the Deputy Monitoring Officer and asked how the previous year's number of complaints compared to 2023-2024.

The Deputy Monitoring Officer advised the number of complaints for 2022-2023 was around 40 and agreed the previous years should be included in the report to provide a further comparison.

Councillor Ring asked if the report could focus on number of incidents rather than complaints. He commented further this information would be useful to determine the position of the Council and Members with LGR and Devolution upcoming. Councillor Ring sought further clarification on how malicious complaints were measured.

The Deputy Monitoring Officer stated that there was no fixed definition for malicious complaints, as it was inherently difficult to determine a complainant's motive. The Council takes a cautious approach to determining whether a complaint is malicious. An indicator would be where a complainant makes repeated complaints without proper evidence or supporting material.

Councillor Ring sought clarification on how social media posts were considered as complaints.

The Deputy Monitoring Officer understood this information was a request from prior reports to Standards Committee. He clarified that this referred to social media-related conduct included in the complaint, such as comments made on social media.

In response to Councillor Ayres, the Deputy Monitoring Officer confirmed if the complaint was about social media conduct, it was likely evidence of the conduct on social media would be provided along with the complaint.

Councillor Bearshaw referred to table 3 of the report and asked if an additional column could be included for complaints upheld.

Under Standing Order 34, Councillor Nash referred to point of order 20.1: if appendix B was endorsed, 3 members of the Committee had an interest in Appendix B as members who attended the Standards hearing.

Councillor Ring commented the recommendation was to note the reports not to approve.

The Deputy Monitoring Officer advised as per the Terms of Reference for the Committee, the function was to monitor the report and receive the specific briefing, and no further action was required. Standards Committee were not acting in a decision-making capacity when noting the Report, so an interest did not arise.

RESOLVED: The Standards Committee noted the contents of this report together with Appendices A and B

Councillor Nash left the meeting at 11:49am

UPDATED CODE OF MEMBER CONDUCT AND GUIDANCE ON COMPLAINT HANDLING

[Click here to view the recording of this item on YouTube.](#)

The Deputy Monitoring Officer presented the report.

The Chair invited questions and comments from the Committee, a summary of which is set out below.

Councillor Ring commented the report was clear and helpful with the tracked changes. He highlighted the declarations of interest forms for Members were correct and already included spouses and the Code of Conduct now reflected this too. He commented the importance of this being clear and correct and members were encouraged if in doubt to include in their declarations of interest.

The Deputy Monitoring Officer clarified, “partner” was used to include spouses and civil partners etc.

The Chair, Councillor Ware thanked the Deputy Monitoring Officer for the clear definitions in the report.

Councillor Bearshaw asked for the declarations of interest flow chart to be amended to reflect the inclusion of partner. Councillor Bearshaw referred to allowances and suggested on the item all members have dispensation to speak as it was needed.

Councillor Ring asked if the recent judicial hearing fed into the amendments made to the investigation section of the code of conduct. He commented there were clear points of clarification on the hearing process.

The Vice-Chair, Councillor Sandell sought clarification on the timescales in reference to the second step criteria, and whether there was a cut-off when a complaint arose too far in the past to be considered.

The Deputy Monitoring Officer confirmed there was no definite timescale as it depended on the nature of the allegation. Complaints in any event tend to be made quite promptly after the event in dispute but were usually within the last couple of months.

Councillor Bearshaw sought clarification on the independent person and if there were separate terms of reference.

The Deputy Monitoring Officer advised the independent person was formally instructed and best practice guidance was given. He added there was no issue raised in any legal cases in relation to Appendix B of the independent person.

The Chair, Councillor Ware commented in relation to timescales, it was finding a balance and the public interest needed to be considered. She referred to Councillor Bearshaw’s previous question and commented further the independent person was a vital part of the investigation up to

the 25 January 2024 Hearing and acted fairly. Councillor Ware commented following the hearing there were newspaper articles and sought clarification if they could be subject to a complaint.

The Deputy Monitoring Officer without seeing a complaint formally, he said he was unable to comment and would need to know the full details. He added it would be considered if this was in the bounds of the Members free speech.

Councillor Ring added he felt this was not in the public interest to form a complaint over the comments made and the independent person acted within their remit and the procedures for the hearing were followed.

Councillor Bearshaw commented complaints by the nature are emotive and as a committee their role was to remove the emotive side of the complaint and follow procedures

RESOLVED: The Standards Committee were requested

1. To approve the attached revised Member Code of Conduct, with tracked changes accepted).
2. To adopt the attached revised Guidance on Complaint Handling, with tracked changes accepted.

16

DATE OF NEXT MEETING

The Deputy Monitoring Officer advised the annual report was deferred pending the judicial review and the report for 2024-2025 was to be brought to the Committee within a couple of months.

Councillor Ayres referred to previous years when the Chair would receive regular updates on complaints which were submitted and then an informed decision could be made when a meeting was necessary.

The Chair, Councillor Ware agreed with the Deputy Monitoring Officer to receive regular updates on the Complaints submitted.

The date of the next meeting was to be scheduled when required.

The meeting closed at 12.16 pm

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

STANDARDS COMMITTEE

**Minutes from the Meeting of the Standards Committee held on Wednesday,
7th May, 2025 at 5.30 pm in the Council Chamber, Town Hall, Saturday
Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor J Osborne (Chair)
Councillors B Ayres and S Bearshaw

Subject Member:
Borough Councillor T Parish

Officers:
James Arrandale, Deputy Monitoring Officer
Emma Briers, Democratic Service Officer

Independent Person:
Amanda Orchard

Investigating Officer:
Jo Winter

Councillors attending under Standing Order 34:
Councillor C Joyce

1 **APPOINTMENT OF CHAIR FOR THE HEARING**

RESOLVED: Councillor J Osborne was appointed Chair for the meeting.

2 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4 **EXCLUSION OF PRESS AND PUBLIC**

The Chair invited the Panel and Councillor Parish to consider excluding the press and public from the hearing.

Councillor Parish requested the press and public were excluded as the personal matters would be discussed in the Hearing.

Councillor Bearshaw agreed with Councillor Parish's submissions and proposed that the press and public be excluded. The proposal was seconded by Councillor Ayres and agreed by the Panel.

The Chair invited the Panel to outline reasons why the press and public should be excluded.

Councillor Bearshaw advised that public discussion of personal information of Councillor Parish was not in the interest of the public.

The Chair read out the resolution for the Panel to exclude the press and public from the hearing.

The Democratic Service Officer advised that the hearing would continue to be recorded and that no unauthorised recordings would be permitted.

RESOLVED: That under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 and 3 of Part 1 of Schedule 12A to the Act.

5

TO CONSIDER THE LOCAL INVESTIGATION AS TO AN ALLEGATION AGAINST BOROUGH COUNCILLOR TERRY PARISH

At the invitation of the Chair, the Investigating Officer presented the report.

Councillor Parish asked the Investigating Officer a question in which the Investigating Officer responded. The Panel had no questions.

Councillor Parish presented his case to the Panel.

The Chair invited questions from the Panel to Councillor Parish in which he responded.

The Investigating Officer summed up the complaint.

Councillor Parish summed up his case.

The Independent Person provided advice to the Panel on the Investigating Officer's report.

At 6:14pm the Panel retired to consider the decision in private with the Deputy Monitoring Officer, the Independent Person and the Democratic Services Officer.

The Investigating Officer left the meeting at this point.

Councillor C Joyce, under Standing Order 34 left the meeting at 6:14pm.

The Panel reconvened at 7:09pm

The Chair read out the decision of the Panel that the Code had been breached.

Councillor Parish then made representations on any sanction that the Panel may wish to impose.

At 7:14pm the Panel retired to consider what action was to be taken following the decision it had made that the Code had been breached.

The Panel reconvened at 7:54pm

The Chair gave the Panel's decision on recommended sanction.

The Chair confirmed that a formal decision notice would be prepared by the Deputy Monitoring Officer and published within 7 working days following the Hearing. A copy would be sent to the complainants and to the Borough Councillor.

The Chair also confirmed that the decision notice would be made available for public inspection and reported to the next meeting of the Standards Committee.

The meeting closed at 7.59 pm

Borough Council of
**King's Lynn &
 West Norfolk**



Borough Council of King's Lynn and West Norfolk

**Standards Committee Hearing
 (held in exempt session)**

Date: 07 May 2025

Borough Councillor Terry Parish

DECISION NOTICE

Standards Committee Members	Borough Councillor B Ayres Borough Councillor J Osborne (Chair) Borough Councillor S Bearshaw
Subject Member	Councillor T Parish
Council Officers	Emma Briers, Democratic Services Officer
Independent Person	Amanda Orchard
Deputy Monitoring Officer	James Arrandale
Investigator	Jo Winter
Attending under Standing Order 34	Councillor C Joyce

Decision Notice

Standards Committee Hearing
Borough Council of King's Lynn and West Norfolk
Date: 07 May 2025

1. Summary of the Complaints:

This hearing was convened to consider a complaint against Cllr Terry Parish. The complaint was submitted by Cllr Moriarty.

The complaint arose from emails sent by Cllr Parish to Cllr Lintern, acting chair of Planning Committee, regarding matters before the Committee's meeting on 4 November 2024. It was alleged that these emails may have influenced, or attempted to influence, Cllr Lintern's decision-making.

2. Relevant sections of the Council's Code of Conduct (the "Code of Conduct") and its Members' Code of Good Practice for Planning (the "Planning Code")

The Initial Complaint did not specify sections of the Code of Conduct and the Planning Code which had potentially been breached. The Investigator's Report did identify specific obligations on Councillors as follows:

- Within the Planning Code:
 - o Section 1.4 (openness and transparency) and
 - o Section 3 (regarding impartiality and integrity of decision-making)
- Within the Code of Conduct:
 - o The General Principles
 - o Section 3 (Impartiality)
 - o Section 5 (Disrepute)
 - o The Nolan Principles

3. Summary of evidence considered and representations made

The Investigator presented her report. She referred the Panel to her finding that, while Cllr Parish did not explicitly instruct Cllr Lintern as to how to act, and while there was no direct evidence that the emails altered any decision, the nature and timing of those emails could be interpreted as attempts to unduly influence the decision-making process, and raised concerns regarding impartiality, integrity, and fairness and transparency in decision-making. She therefore upheld the complaint.

Cllr Parish asked, and the Investigator responded to, questions regarding the impact of the press coverage of the conduct in issue. The Panel had no questions for the Investigator

Cllr Parish then presented his case. He affirmed that he had not intended to apply any influence to Cllr Lintern, but only to communicate his opinions. He reiterated that this was a misjudgment that had only occurred due to exceptional circumstances, and he regretted it.

The Investigator had no questions. Cllr Parish responded to a question from Cllr Ayres about the tone of some of the emails.

The Investigator and Cllr Parish both summed up.

The Independent Person stated that she considered the investigator's report to be very robust and agreed with its findings. She commended the parties' openness and honesty in the process. She also recognised Cllr Parish's difficult circumstances at the time of the conduct.

4. Conclusions on Breach

In reaching its decision the Panel listened closely to the detailed submissions made by the parties in respect of the individual elements of the Complaint, and to the points raised by the Independent Person.

The Panel acknowledged the candour of Cllr Parish in responding to the Complaint and in engaging during the hearing. The Panel recognised Cllr Parish's passion for dealing conscientiously with his planning work, that he treats it as a serious job and puts service before self. The Panel further acknowledged the circumstances that he found himself in at the time.

Notwithstanding this, the Panel held that there was a clear breach of both the Code of Conduct and the Members' Code of Good Practice for Planning. The Panel recognised Cllr Parish's own admissions regarding the inappropriateness of the emails sent to Cllr Lintern.

The Panel agreed with the recommendations of the Investigating Officer and the Independent Person in favour of upholding the complaint. In particular the Panel agreed with the Investigator's submission that the messages sent to Cllr Lintern create the perception of undue influence.

The Panel specifically considered that the emails were inconsistent with section 1.4 of the Members' Code of Good Practice for Planning, section 5.1 of the Code of Conduct regarding disrepute and the Nolan principle of openness. The Panel considered that there was also a breach of the Respect principle within the Code of Conduct, in that the emails failed to respect Cllr Lintern and the remainder of Planning Committee.

5. Decision on Breach

The Panel found that Cllr Parish breached the Code of Conduct and the Planning Code.

6. Submissions and Conclusions on Sanctions

The Panel heard submissions from Cllr Parish in the hearing regarding sanction. Cllr Parish noted he had stepped back from his role as Chair while this process was ongoing.

In its deliberations, the Panel took account of Cllr Moriarty's written submissions, but considered that those submissions did not justify the conduct. The Panel took note of the Investigator's assessment that the concerns raised in the complaint were serious, and also noted observations from the Independent Person on the importance of maintaining public confidence in the integrity of Planning Committee.

The Panel was mindful of the mitigating and aggravating features relating to sanctions in the LGA Guidance on Code of Conduct Complaints, including as mitigating factors (i) Cllr Parish's circumstances at the time, and (ii) Cllr Parish's apology and acknowledgement that he should not have sent the emails. The Panel also took account of the recommendations in the Investigator's report regarding training and processes, and acknowledged that remote attendance could cause frustration.

Balanced against the mitigating factors, the Panel placed emphasis on the need to maintain public confidence in the planning process.

In this context, the Panel considered that the necessary and proportionate sanction was for to recommend that Cllr Parish be removed from Planning Committee.

7. Decision on Sanction

The Panel determined to recommend to Cllr Parish's Group Leader to remove Cllr Parish from Planning Committee.

At the same time, the Panel recognised the wider contributions of Cllr Parish to Council business. The Panel observed that its decision was intended to safeguard the integrity of the Council's planning functions; it does not consider that the sanction should preclude him from continuing to actively contribute to other areas of Council business.

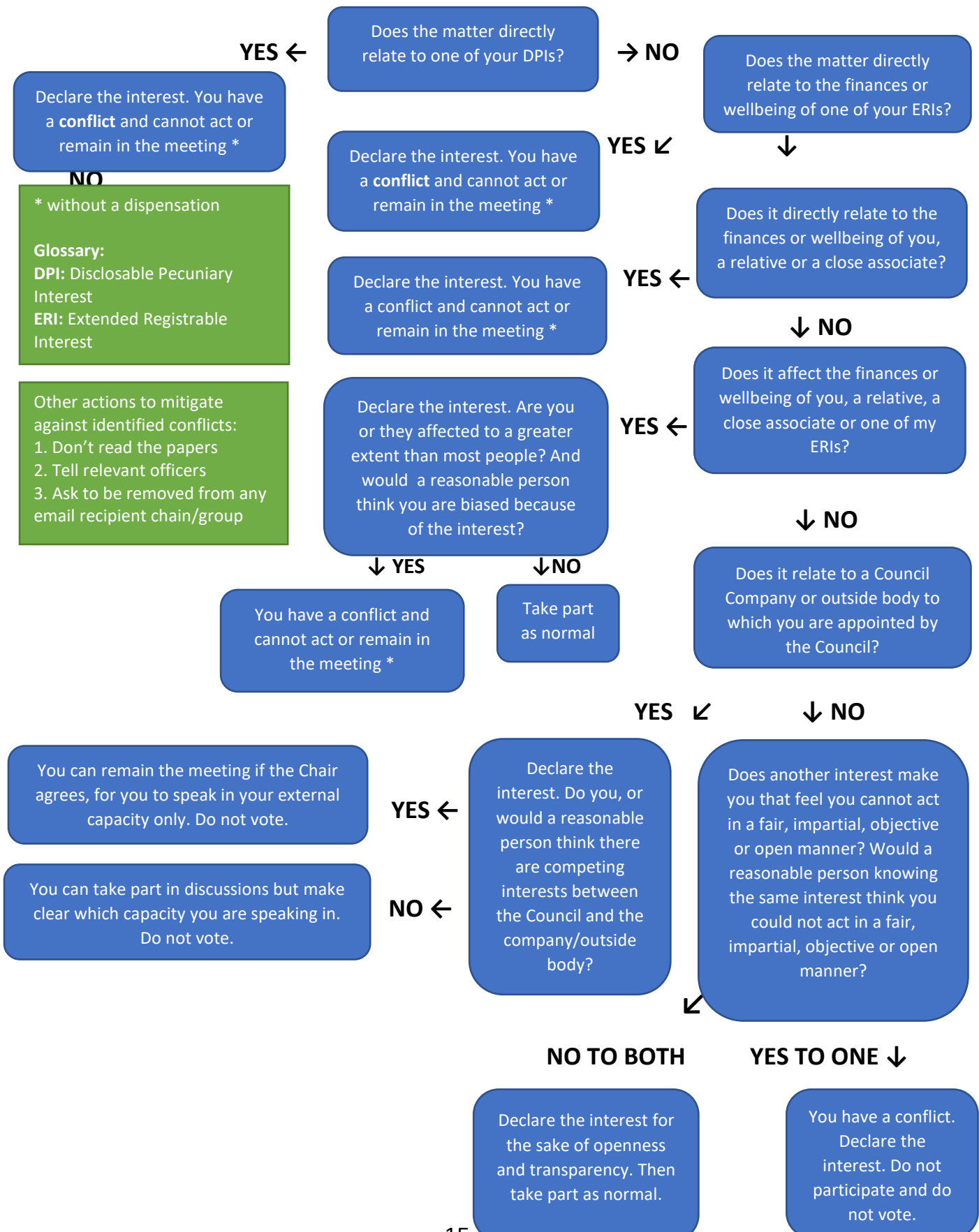
Signed.......... Date: 13th May 2025

Councillor J Osborne, Chair of the Standards Committee Panel Hearing

DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



START



STANDARDS COMMITTEE REPORT

REPORT TO:	Standards Committee		
DATE:	08 July 2025		
MEETING DATE	16 July 2025		
TITLE:	Summary of 2024-2025 Code of Conduct Complaints		
REPORT AUTHOR:	Deputy Monitoring Officer		
OPEN/EXEMPT		WILL BE SUBJECT TO A FUTURE CABINET REPORT:	No

REPORT SUMMARY

PURPOSE OF REPORT/SUMMARY:
To place before Members (i) a summary and analysis of the Code of Conduct complaints received in the period 1 April 2024 to 31 March 2025 against both Borough Councillors and Parish Councillors, and (ii) a summary report on the Standards Hearing which took place on 07 May 2025, identifying issues for consideration.
KEY ISSUES:
Code of Conduct Complaints Members are directed to Appendix A for the breakdown of the complaints made in 2024-2025 and to note the trends within the numbers. Members are directed to Appendix B for a summary of the Standards Hearing on 07 May 2025. Of the twenty-one complaints overall, two were subject to formal investigation. One of those concluded without a Standards Committee Hearing, and recommended a written apology and training. The other was referred to a Standards Panel which recommended that the Councillor be removed from the Chair of Planning Committee. As per the previous reported year, themes within the complaints were disrespectful conduct, or perceived bullying, by Councillors. A range of other issues also arose. Consistent with the previous reported year, most Councillor complaints came from members of the public rather than fellow Councillors. No complaints were determined to have been raised on a malicious/vexatious basis.
RECOMMENDATIONS:
To note the contents of this report together with Appendices A and B, in the interests of promoting high standards of conduct by Councillors and co-opted members.
REASONS FOR RECOMMENDATIONS:
To fulfil the Standard Committee's functions to monitor the implementation and operation of the Councillor Code of Conduct.

SUMMARY OF COMPLAINTS RECEIVED IN 2024-2025

1. Background – the Code of Conduct Guidance

- 1.1. The Borough Council is responsible for assessing Code of Conduct complaints in relation to its own Borough Councillors but also Code of Conduct complaints made against any Parish Councillor from a Parish within the Borough.
- 1.2. The relevant sections of the Borough Council's "*Guidance on Member Code of Conduct Complaints Handling*", approved by Standards Committee on 3 February 2023,¹ are set out in the annex to this Report.

2. Parish and Borough Councillor Complaints Received

- 2.1. Twenty-one complaints were received during the period 2024-2025, of which fifteen were made against Parish Councillors and six were against Borough Councillors. This compares as follows with previous years:

<u>Year</u>	<u>Total Complaints</u>	<u>Against Parish Cllrs</u>	<u>Against Borough Cllrs</u>
2024/25	21	14	7
2023/24	49	36	13
2022/23	30	18	12

This is therefore a significant reduction in numbers against the previous year.

- 2.2. Members are directed to Appendix A for a further breakdown of the complaints.
- 2.3. Members are referred to Appendix B for a summary of the 7th May 2025 the Hearing.

3. Complaints against Borough Councillors

- 3.1. Seven Borough Councillor complaints were received. However, only five instances of alleged Borough Councillor misconduct took place during the year:
 - One complaint had originally been made in 2021 but had not been progressed by Eastlaw at the time due to oversight. The complainant followed this up during 2024/25, and the Council determined to assess it notwithstanding the elapse of time, in order to make up for its oversight, and because the allegations were potentially serious.
 - Another complaint arose from conduct in 2016 (an alleged data breach). The Complaint was assessed in 2024/2025 in light of the particular facts, and in view of the nature of the allegations.

¹ https://www.west-norfolk.gov.uk/downloads/download/37/complaints_against_councillors_documents

- 3.2. The complaints were all unrelated and directed at different councillors (unlike in 2023/24 where there were overlapping complaints about the same councillor/incident).

Nature of Alleged Breach and Underlying Subject Matter

- 3.3. There is no clear pattern to the behaviour complained of, or to the subject matter underlying the complaints.

Councillor-on-Councillor complaints

- 3.4. Only one of the complaints was made by fellow Borough Councillors, which is the complaint that went to Standards Committee.

Vexatious/malicious/political motive of complainant

- 3.5. There was no evidence to support a conclusion that any of the complaints were vexatious, malicious or politically motivated.

Investigation

- 3.6. Two complaints went to investigation. Of these:

3.6.1. One alleged a serious data breach and conflict of interest, relating to a planning matter. This was investigated internally, and informal resolution was required in the form of a written apology and data protection training for the subject councillor.

3.6.2. The second went to the Standards Hearing on 07 May 2025: see Appendix B.

Informal/Other Resolution

- 3.7. Informal resolution was ordered on two occasions:

3.7.1. the complaint at 3.6.1 above, and

3.7.2. a complaint where the Councillor was invited to apologise for disrespect to members of the public, and inappropriate “hijacking” of a residents’ meeting.

- 3.8. The outcome of the Standards Hearing on 07 May 2025 is reported in Appendix B.

- 3.9. For completeness, the other four Borough Councillor complaints concluded with no further action.

4. Complaints against Parish Councillors

- 4.1. Of the 14 parish complaints, four were made against the same Councillor, and clearly related to the same underlying issue within that Parish Council. However, there was insufficient indication that any of these complaints were vexatious or part of a campaign against the Councillor.

Nature of Alleged Breach and Underlying Subject Matter

- 4.2. As per previous years, a number of the complaints concern allegations of disrespect. In three cases, conciliation was recommended. In the cases where no further action was

taken, the noticeable themes were either that the behaviour did not in fact appear disrespectful or was within the bounds of freedom of political speech.

- 4.3. As with Borough Councillors, a material proportion of complaints arose from planning matters.

Councillor-on-Councillor complaints

- 4.4. Two of the Parish Councillor complaints were made by a fellow Parish Councillor. Based on the information available to the Monitoring Officer, it was not possible to conclude that either of these was “politically” rather than objectively motivated.

Vexatious/malicious/political motive of complainant

- 4.5. None of the Parish Councillor complaints were identified as potentially vexatious, malicious or politically motivated (against 7 of 49 in 2023/2024).

Investigation

- 4.6. None of the Parish Councillor complaints were referred to investigation.

Informal/Other resolution

- 4.7. Two complaints were discontinued as they fell outside the remit of the Code of Conduct:

4.7.1. one because it plainly involved a neighbour dispute in which the individual was not acting in their capacity as councillor;

4.7.2. the other because it concerned events before the individual became a councillor.

GENERAL

5. Policy Implications

- 5.1. An effective standards regime forms part of the Council's Code of Corporate Governance. The Department for Housing, Communities and Local Government has recognised the ‘Culture’ of a local authority as one of the seven themes of good practice for running an authority that meets and delivers best value. The culture of a local authority is determined by its shared values, ethics and beliefs, how decisions are made, as well as how elected members and officers behave, interact and carry out their roles. The standards regime supports the process of monitoring the culture of the Borough Council and its Parishes, enabling all respective authorities to take action to address any relevant Councillor behaviour and thereby improve the culture of the organisation.

6. Financial Implications

There are no specific financial implications arising out of this report.

7. Legal Implications

None arising from this report. The Code of Conduct implements various statutory requirements on the Council.

8. Environmental Considerations

None arising out of this report.

9. Equality Impact Assessment

N/A as this is an informative report.

10. Risk Management Implications

None

11. Background Papers

Planning Member Code of Conduct

Standards Hearing Decision

Annex - Relevant sections of the Borough Council's "Guidance on Member Code of Conduct Complaints Handling"

2.8 Assessment

The assessment of a complaint is normally a two-step process, described as the 'can/should' stages – the first stage being 'can we deal with this complaint?' and the second being 'should we deal with this complaint?'.

2.8.1 First-step criteria

The first step is a jurisdictional test and would assess whether the complaint is:

- against one or more named councillors of the authority or of a parish or town that the council is responsible for;*
- the named councillor was in office at the time of the alleged conduct;*
- the complaint relates to matters where the subject member was acting as a councillor or representative of the authority and it is not a private matter (i.e. the subject member was acting in their official capacity);*
- the complaint, if proven, could be a breach of the Code under which the subject member was operating.*

In relation to the final bullet point above, the Monitoring Officer will not only consider any parts of the Code of Conduct identified by you, but will consider the whole of the relevant Code of Conduct to ascertain which parts the Monitoring Officer believes are engaged.

If the complaint fails one or more of the tests above, it cannot be investigated as a breach of the Code, and you will be informed that no further action will be taken in respect of the complaint. If there is any doubt, however, the allegation should proceed to the second stage. For example, if it is unclear whether the councillor was acting 'in capacity' or not then the second stage of assessment criteria should be used.

2.8.2 Second-step criteria

We will then assess your complaints against the following criteria by the Monitoring Officer:

- a) Does the complaint contain sufficient evidence to demonstrate a potential breach of the Code, even where further information is sought from the complainant?*
- b) Is the matter serious enough and sufficiently in the public interest to warrant the public resource and expense of an investigation?*
- c) Are there alternative, more appropriate, remedies that should be explored first?*
- d) Does the complaint, in the view of the Monitoring Officer, appear malicious, politically motivated, or 'tit for tat'?*
- e) Whether, even if proven, the complaint would not be serious enough to warrant any sanction (see section 5.1 on sanctions);*

- f) Whether a substantially similar complaint has previously been considered and no new material evidence has been submitted within the current administration;*
- g) Whether a substantially similar complaint has been submitted and accepted;*
- h) Does the complaint relate to conduct in the distant past? This would include consideration or any reason why there had been a delay in making the complaint;*
- i) Has the behaviour that is the subject of the complaint already dealt with? For example, through an apology at the relevant meeting;*
- j) Does the complaint actually relate to dissatisfaction with a local authority decision rather than the specific conduct of an individual?*
- k) Is it about someone who is no longer a councillor or who is seriously ill, thus impeding their ability to engage in the complaint process?*
- l) Had the subject member acted on the advice of an officer or the Independent Person in relation to the conduct complained of?*
- m) Did the conduct arise from lack of experience or training?*
- n) Is the subject matter of the complaint being dealt with through any other complaints, legal or regulatory process.*

The above criteria are intended to be indicative rather than prescriptive, and the underlying public interest will always be considered when deciding on whether to take action on a complaint.

2.9 Decision

2.9.1 Initial assessment decisions

One of the three following decisions will be reached on an allegation:

- no further action should be taken on the allegation;*
- the matter should be dealt with through a process of informal resolution in the first instance (see section on informal resolution) or;*
- the matter should be referred for a formal investigation (see section on investigations).*

3.3 Examples of informal resolution

- An apology;*
- Training by the subject member;*
- Policy/protocol change or adoption by the Council;*
- Provision of advice from the Monitoring Officer to the Subject Member; or*
- Mediation*

Appendix A – Standards Committee Report – 2024/25 Complaints

TABLE 1 – SUMMARY OF COMPLAINTS

No.	Complainant	Group/Parish	Outcome	Complaint Category
COMPLAINTS AGAINST BOROUGH COUNCILLORS				
1.	Councillor	Independent Group	Removal from position on Planning Committee	Failure to comply with policies
2.	Member of the public	Independent	Recommend apology and civility	Disrespect – Councillor towards member of the public
3.	Member of the public	Conservative	Written apology data protection training	Data protection issue
4.	Member of the public	Conservative	No further action	Lack of objectivity Disrespect – Councillor towards member of the public
5.	Member of the public	Conservative	No further action	Lack of objectivity
6.	Member of the public	Independent	No further action	Lack of objectivity
7.	Member of the public	Progressive	No further action	Lack of objectivity
COMPLAINTS AGAINST PARISH COUNCILLORS				
8.	Councillor	West Walton	No further action	Disrespect in Council meeting
9.	Member of the public	Burnham Market	No further action	Impartiality/Integrity
10.	Member of the public	Clenchwarton	Complaint not progressed – not within jurisdiction	Neighbour dispute
11.	Member of the public	Northwold	No further action	Bullying/harassment – councillor towards member of the public

Appendix A – Standards Committee Report – 2024/25 Complaints

12.	Member of the public	Upwell & Delph	No further action	Lack of objectivity
13.	Member of the public	Heacham	No further action	Parish business
14.	Member of the public	Hockwold-cum-Wilton	Informal resolution - recommend conciliation	Parish business
15.	Member of the public	Heacham	Informal resolution - recommend conciliation	Parish business
16.	Councillor	Downham Market	No further action	Disrespect – Councillor to councillor
17.	Member of the public	Hockwold-cum-Wilton	Discontinued – not within jurisdiction	Lack of respect
18.	Member of the public	Hunstanton	No further action	Disrespect/bullying – Councillor towards member of the public
19.	Member of the public	Heacham	No further action	Lack of integrity Bullying – Councillor towards member of the public
20.	Councillor	Heacham	Informal resolution - recommend conciliation	Lack of integrity
21.	Member of the public	Burnham Overy	No further action	Failure to carry out duties

Appendix A – Standards Committee Report – 2024/25 Complaints

TABLE 2 – COMPLAINTS GROUPED BY SUBJECT GROUP/PARISH

Borough Council

Conservative Group	Independent Group	Progressive
3	3	1

Parishes

Parish	Number of Complaints
Burnham Market	1
Burnham Overy	1
Clenchwarton	1
Downham Market	1
Heacham	4
Hockwold-cum-Wilton	2
Hunstanton	1
Northwold	1
Upwell and Delph	1
West Walton	1

TABLE 3 – COMPLAINTS GROUPED BY COMPLAINANT

Councillor	Member of the Public	Officer
3	18	0

Appendix A – Standards Committee Report – 2024/25 Complaints

TABLE 4 – COMPLAINTS GROUPED BY OUTCOME

Outcome	Number of Complaints
No Further Action	13
Standards Committee – recommend removal from position	1
Informal resolution – recommend civility	1
Informal resolution – advice provided	0
Informal resolution – apology recommended/given	2
Informal resolution – warning to comply (Declaration of Interest)	0
Informal resolution – recommend conciliation	3
Informal resolution – recommend training	1
Complaint Withdrawn	0
Discontinued – subject member resigned	0
Discontinued – no jurisdiction	2

REPORT TO STANDARDS COMMITTEE

APPENDIX B – REPORT OF STANDARDS HEARING ON 07 MAY 2025

Executive Summary

This is a summary for Standards Committee of the Standards Hearing held on 07 May 2025.

Summary Background

- A meeting of Planning Committee took place on 4th November 2024. Cllr Parish, the appointed Chair of the Committee, was unable to attend in person, but appeared under Standing Order 34. Cllr Lintern chaired the meeting in his place.
- During the Committee Meeting, Cllr Parish sent a number of emails to Cllr Lintern regarding various of the agenda items.
- On 27th January 2025, following disclosure of these emails, Cllr Moriarty raised a complaint against Cllr Parish, alleging that the emails may have breached the Members' Code of Good Practice for Planning (now the Planning Member Code of Conduct, the "**Planning Code**") and the Code of Conduct.
- The complaints were referred to independent investigators "Making a Difference", appointed via East of England LGA. The investigator interviewed Cllr Parish, Cllr Moriarty and Cllr Lintern, and issued a final report was issued on 26 March 2025, concluding that there appeared to be breaches of the Codes of Conduct, and recommending referral to a Standards hearing.
- In the Standards Hearing on 7th May 2025 (the **Hearing**), a cross-party Panel held that Cllr Parish had breached the Planning Code and the Code of Conduct.
- The Panel recommended that Cllr Parish be removed from Planning Committee.

Matters for Consideration by Standards Committee

The Investigator's Report recommended that the Council should consider whether to:

- a. Implement refresher training for all Planning Committee members on governance standards, transparency and ethical communication; and
- b. Introduce clearer guidance to regulate communication between Committee members and other (SO34) members during meetings, in particular relating to email and messaging.

In the Hearing, the Panel noted these recommendations, and acknowledged that members attending remotely could reasonably experience frustration in the course of debate as a result of not being physically present.

Planning Committee members receive training upon induction when members join (i.e. as a one-off). While members receive ongoing technical training, there is no formal programme of ongoing governance training. The Planning Code has recently been updated in March 2025, and in section 5 includes detailed "*do's and don't's*" relating to predetermination and bias.

STANDARDS COMMITTEE REPORT

REPORT TO:	Standards Committee		
DATE:	08 July 2025		
MEETING DATE	16 July 2025		
TITLE:	Member Dispensations		
REPORT AUTHOR:	Deputy Monitoring Officer		
OPEN/EXEMPT		WILL BE SUBJECT TO A FUTURE CABINET REPORT:	No

REPORT SUMMARY

PURPOSE OF REPORT/SUMMARY:	
To recommend that Standards Committee issue dispensations to all Members relating to Council Tax and Business Rates as set out below, until the next ordinary date of elections.	
KEY ISSUES:	
Member Dispensations regarding Council Tax matters Members are directed to the contents of the report for the basis for granting the recommended dispensations.	
RECOMMENDATIONS:	
1. To issue dispensations to all Members for the following matters relating to Council Tax, until the next ordinary date of elections: i. To participate and vote on the Budget and the setting of Council Tax, including where the interest is as the owner of an additional property or as beneficiary of Council Tax Support. ii. To participate and vote on any Council Tax discount, levy or premium on dwellings occupied periodically (second homes) and empty & unfurnished properties, including where the interest is as the owner of an additional property. iii. To participate and vote on the Council Tax Support scheme for working age people, including where the interest is as a claimant of Council Tax Support. iv. To participate and vote on the scheme of Business Rates discretionary reliefs including where the interest is as a business rate payer in the Borough. v. To participate and vote on the scheme of Council Tax discretionary reliefs, including where the interest is as a beneficiary of the relief in the Borough.	
REASONS FOR RECOMMENDATIONS:	
To enable members to take part appropriately in Council business and to minimise the potential for misunderstanding and third-party challenge.	

1. Background

- 1.1. The Localism Act 2011 requires each member of the Council to disclose to the Monitoring Officer their “disclosable pecuniary interests” (**DPI’s**), as defined in regulation.¹
- 1.2. Under the Localism Act, a member who has a DPI in an item of business is prohibited from participating in discussion and prohibited from voting on the matter unless a dispensation has been granted (s.33 of the Localism Act).
- 1.3. Dispensations may also be granted for the following restrictions that otherwise apply:
 - 1.3.1. Where a matter arises at a meeting which directly relates to the financial interest or well-being of a member or their relative or close associate (and is not a DPI) then they must disclose the interest, and may not take part in any discussion or vote, or remain in the room.
 - 1.3.2. Where a matter arises at a meeting which affects the financial interest or well-being of a member or their relative or close associate, or of a body included in their “extended registerable interests” (**ERI’s**),² and the factors in paragraph 9 of Appendix B of the Code (Registering Interests) apply, they must disclose the interest, and may not take part in any discussion or vote, or remain in the room.
- 1.4. It should be emphasised that the interests above arise not only in respect of members themselves, but also their spouse/civil partner/co-habitee. This point is now clarified in the revised Code of Conduct approved by Standards Committee in its meeting on 25 March 2025.³
- 1.5. The granting of dispensations is delegated from Full Council to Standards Committee, (see paragraph E.14 of the Committee’s Terms of Reference). In 2013,⁴ Standards Committee delegated authority to the Monitoring Officer to grant dispensations. However, as these recommendations are for ongoing dispensations on a significant matter, Standards Committee is asked to consider them.
- 1.6. Notwithstanding any grant of the recommended dispensations, members will be reminded that they may still wish to consider whether to participate in relevant business, where their personal circumstances are specifically affected to a material degree over and above other councillors and members of the public.

2. Reasons for granting standing dispensations

- 2.1. Under s.33 of the Localism Act, a relevant authority may only grant dispensations where it considers it appropriate to do so in the circumstances.⁵ There is further a specific ground for dispensation if the authority “*considers that without the dispensation the number of persons prohibited ... from participating in any particular business would be*

¹ The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

² “Extended registerable interests” include unpaid directorships, and membership of or general control or management of a relevant body.

³ See definition of “Partner” in the Code of Conduct.

⁴ Meeting on 15 February 2013 – minutes [here](#). The Monitoring Officer is required to report any such dispensations to the next meeting of Standards Committee

⁵ Other specific grounds are listed in s.33(2).

so great a proportion of the body transacting the business as to impede the transaction of the business.”

- 2.2. Standing dispensations have been recommended in the interests of efficiency, because the issues covered by the recommended dispensations are recurring.
- 2.3. For the avoidance of doubt, none of the above dispensations shall override the effect of s.106 of the Local Government Finance Act 1992, which bars a Member from voting on the Budget item if they have an outstanding Council Tax debt of over two months.

Recommendation 1

- 2.4. Members of the Council will normally be Borough taxpayers. Their interest in the setting of Council Tax will normally be similar to any other resident liable to pay Council Tax.
- 2.5. Government Guidance, and LGA Guidance on the Model Code, confirm that a member's status as a Council Taxpayer does not create a DPI. However, consistent with practice at other local authorities, the recommended dispensation is intended to put beyond question that such members are entitled to participate in the ordinary setting of the Budget and Council Tax without any breach of the Code of Conduct.
- 2.6. The recommended dispensation would also permit members to take part in Budget debates where:
 - 2.6.1. They own an additional home (whether in use or empty); and/or
 - 2.6.2. They are the beneficiary of Council Tax Support (CTS).
- 2.7. In practical terms, matters relating to additional/empty homes and CTS are brought for decision as a single Budget item. Given the significance of the Budget, it would be contrary to the interests of debate if members were prevented from debating or voting on the whole of the Budget item due to an interest in one of the Council Tax elements. Further justification is set out below in respect of the specific interests.

Recommendation 2

- 2.8. The recommended dispensation would apply to business taking place in meetings other than the Budget Full Council.
- 2.9. The ownership of second homes is prevalent within the Borough, and given the nature of the current debate, it would be appropriate to allow members with second homes to participate in business relating to tax on second homes in the interests of more representative debate.⁶
- 2.10. From time to time members will also own empty homes. Again, given the (lower) prevalence of empty homes in the Borough, the potential range of reasons for this, and the nature of the current debate around the issue, it would be appropriate to allow members with empty homes to participate in business relating to tax on those homes in the interests of more representative debate.

⁶ By way of example, in the Full Council meeting on 30 January 2025, six members were required to leave the meeting for the item on Second Homes Council Tax.

Recommendation 3

- 2.11. The recommended dispensation also applies to business taking place in meetings other than the Budget Full Council.
- 2.12. The CTS scheme affects numerous residents within the Borough: where any member has this interest, therefore, it will be common to many other residents. It is appropriate in that context that members should be able to participate in this business notwithstanding this interest. Conversely, the debate could be viewed as less representative if members who received CTS were excluded.⁷

Recommendations 4 and 5

- 2.13. The policies in respect of the reliefs under these recommendations are reviewed periodically by members.
- 2.14. Members participate in many of the groups to which business rates discretionary reliefs are available, and advocate for those groups. Members may also be beneficiaries of discretionary Council Tax relief schemes.
- 2.15. In both cases, members affected by those schemes will be representative of the wider group of beneficiaries of the schemes. It is appropriate and in the interests of representative debate that members with either of those interests should be able to participate in business relating to these reliefs.

GENERAL

3. Policy Implications

The recommendations are made in the interests of broadening debate and simplifying the conduct of business relating to Council Tax and related matters, and therefore support the Council's policymaking.

4. Financial Implications

There are no specific financial implications arising out of this report.

5. Legal Implications

The Code of Conduct implements various statutory requirements on the Council. The 2012 Regulations and the 2011 Act regulate the application of these dispensations, and the recommendations have taken them into account, as set out in this Report.

6. Options considered

One alternative course would be not to grant the dispensations, on the basis that the relevant interests should be treated strictly. For the reasons set out it is recommended that more representative debate will take place if those members are permitted to participate.

A further alternative would be to only grant dispensations on a case-by-case basis. However, this may involve substantially more work over time, and potentially on an

⁷ By way of example, in the Full Council meeting on 30 January 2025, six members were required to leave the meeting for the item on Second Homes Council Tax.

expedited basis, as members may only apply for dispensations shortly before the relevant meeting.

7. Environmental Considerations

None arising out of this report.

8. Equality Impact Assessment

Attached

9. Risk Management Implications

None

10. Background Papers

None



Stage 1 - Pre-Screening Equality Impact Assessment

For equalities profile information please visit [Norfolk Insight - Demographics and Statistics - Data Observatory](#)

Name of policy/service/function	Monitoring Officer – Member Dispensations				
Is this a new or existing policy/ service/function? (<i>tick as appropriate</i>)	New	☒	Existing		
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.	To grant dispensations in order to streamline the conduct of member business in meetings. Statutory constraints apply as set out in the report, but the recommendations work within them.				
Who has been consulted as part of the development of the policy/service/function? – new only (<i>identify stakeholders consulted with</i>)	Joanne Stanton, Revenues and Benefits Manager Alexa Baker, Monitoring Officer				
Question	Answer				
1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service? Please tick the relevant box for each group. NB. Equality neutral means no negative impact on any group. <i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i> <i>*For more information on health inequalities please visit The King's Fund</i>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Sex			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Armed forces community			x	
	Care leavers			x	
	Health inequalities*			x	
Other (eg low income, caring responsibilities)	x				



Please provide a brief explanation of the answers above:

The individuals affected by the proposals are Councillors, as the proposals relate to participation and voting in meetings.

The proposals mainly apply to Councillors who have additional homes or business interests, which are not and do not indirectly imply protected characteristics. However, one of the proposals would apply to Councillors in receipt of Council Tax Benefit, which may indirectly support the participation of members within protected groups. This would also positively impact residents in receipt of Council Tax Benefit within protected groups by giving them a platform for their voices and opinions to be heard that otherwise would not have been available.

Question	Answer	Comments	
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No		
3. Could this policy/service be perceived as impacting on communities differently?	No		
4. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	N/A	Actions: Actions agreed by EWG member:	
If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary: Decision agreed by EWG member:			
5. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	Please provide brief summary:	
Assessment completed by:	James Arrandale		
Job title	Deputy Monitoring Officer		
Date completed	08 July 2025		
Reviewed by EWG member	Amy Pearce	Date	08 July 2025



✓ Please tick to confirm completed EIA Pre-screening Form has been shared with Corporate Policy (corporate.policy@west-norfolk.gov.uk)