

Standards Committee



Please contact: Emma Childs

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10 December 2024

A meeting of the **Standards Committee** of North Norfolk District Council will be held in the Council Chamber - Council Offices on **Thursday, 19 December 2024 at 11.30 am.**

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Members of the public who wish to ask a question or speak on an agenda item are requested to arrive at least 15 minutes before the start of the meeting. It will not always be possible to accommodate requests after that time. This is to allow time for the Committee Chair to rearrange the order of items on the agenda for the convenience of members of the public.

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so should inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

Emma Denny
Democratic Services Manager

To: Cllr J Boyle, Cllr H Blathwayt, Cllr N Dixon, Cllr N Housden, Cllr R Macdonald, Cllr P Porter and Cllr L Shires

All other Members of the Council for information.
Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance
If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

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A G E N D A

1. TO RECEIVE APOLOGIES FOR ABSENCE

2. ITEMS OF URGENT BUSINESS

To determine any items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B (4) (b) of the Local Government Act 1972.

3. MINUTES

1 - 4

To approve as a correct record, the minutes of the meeting of the Standards Committee held on 03 October 2023.

4. DECLARATIONS OF INTEREST

5 - 10

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a pecuniary interest.

5. DETERMINATION OF CODE OF CONDUCT COMPLAINT IN RESPECT OF CLLR ROCKETT OF FAKENHAM TOWN COUNCIL

11 - 76

Members are asked to consider the investigation report and decide on any further action. Recommendations: To consider whether the allegations against the subject member of Fakenham Town Council are upheld and if so whether and what sanction might be appropriate to recommend to Fakenham Town Council

6. EXCERPTS FROM THE MONITORING OFFICER'S ANNUAL REPORT

77 - 86

To receive and note excerpts from the annual Monitoring Officer's Report for 2023-24 that relate to the Standards Committee and Code of Conduct complaints.

7. ANY OTHER BUSINESS

8. EXCLUSION OF THE PRESS AND PUBLIC

To pass the following resolution:

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part I of Schedule 12A (as amended) to the Act”.

STANDARDS COMMITTEE

Minutes of the meeting of the Standards Committee held on Tuesday, 3 October 2023 at the Council Chamber - Council Offices at 2.00 pm

Committee

Members Present:

Cllr H Blathwayt (Vice-Chairman) Cllr N Dixon
Cllr A Fitch-Tillett Cllr R Macdonald
Cllr P Porter

Officers in

Attendance:

Democratic Services and Governance Officer - Scrutiny (DSGOS) and Assistant Director for Finance, Assets, Legal & Monitoring Officer (MO)

23 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Cllr L Shires and Cllr G Bull.

24 PUBLIC QUESTIONS

None received.

25 MINUTES

- i. The Chairman noted that in addition to the minutes from June 2023, there were minutes to approve from October 2022, as a result of the November meeting being inquorate.
- ii. Cllr H Blathwayt noted that he had excused himself from the meeting held on 23rd June as the Subject Member was well known to him.
- iii. Minutes of the meetings held on 11th October 2022, 23rd June and 30th June 2023 were approved as a correct record and signed by the Chairman.

26 ACTIONS ARISING FROM THE MINUTES

None to discuss.

27 ITEMS OF URGENT BUSINESS

None received.

28 DECLARATIONS OF INTEREST

None declared.

29 EXCERPTS FROM THE MONITORING OFFICER'S ANNUAL REPORT

The MO introduced the item and informed Members that appendix F contained information relating to Code of Conduct matters for 22-23. She added that between April 22 and March 2023 there had been a total of twenty Code of Conduct

complaints, seventeen of which related to Parish and Town Councils, whilst three related to the District Council, which was slightly reduced from the twenty-three received in 21-22. It was noted that upon receipt of a complaint, an initial assessment was undertaken to determine whether further action was necessary, at which point officers would liaise with the Independent Person. The MO stated that the most common cause of complaint was alleged disrespectful behaviour, and that the majority of complaints received resulted in no further action, though advice was often given to improve procedures and conduct. She added that whilst two complaints had resulted in Standards Hearings, they had taken place in the current year to avoid the pre-election period. It was noted that GRAC had received the full report, which contained information on Members' registers of interest, and the register of gifts and hospitality.

Questions and Discussion

- i. Cllr N Dixon referred to notes on page 4 relating to Standards Hearings, and suggested that these complaints should be listed alongside others within the table. He added that referring to these complaints in notes meant that less information had been provided. The MO replied that the complaints were from 21-22 and would have been covered in the corresponding report, though the investigations had been delayed meaning that the cases were still active throughout the following year. She added that given that the complaints weren't raised in 22-23, the decision had been made to add them as a note, as opposed to including them in the table. Cllr N Dixon stated that it would be helpful to have comparable information to other complaints to know when the complaints were received, for consistency and transparency of reporting. The Chairman suggested that any future reports should include ongoing complaints within the table. The MO stated that she could make reference to previous year complaints within the table, if required.
- ii. Cllr N Dixon noted that the minutes of the October meeting included an outstanding action related to the investigation of early intervention methods to resolve issues prior to the point of complain. He added that discussions had taken place with NALC in November, but the meeting had been inquorate, and as a result no resolution had been reached. The MO replied that a NALC representative had attended an inquorate meeting in November and discussed a number of issues and early interventions, though it was important to remember that the Council and its partners must not seek to remove or impede peoples' rights to submit a formal Code of Conduct complaint. Cllr N Dixon agreed that it was important not to restrict the right of complaint, but efforts should be made to help improve the Standards process, given that the recent Hearings could potentially have been avoided if greater efforts were made to resolve the issues earlier in the investigation process. He added that the Standards regime was a lengthy and resource intensive process that often left involved parties unsatisfied. Cllr R Macdonald agreed that the outcomes of the Hearings had been disappointing, taking into account the time and resource requirements. The MO stated that she understood the disappointment and concerns with the Standards process, but noted that the Standards Regime was a statutory process that the Council was not able to amend. She added that sanctions only formed recommendations for Parish and Town Councils, which were themselves limited in scope and subject to the approval of the appropriate Council. It was noted that at District level, only more serious matters would be raised to the point of a Hearing. Despite these concerns, the MO stated that the large majority of complaints resulted in no further action which

saved significant resource. She added that Subject Members were always approached to offer an apology where appropriate, but in the most recent cases had declined to do so, meaning that complaints had proceeded to a formal Hearing. Cllr N Dixon accepted the comments but noted that there was a point in the first Hearing where it was apparent that an apology could have resolved the issues much sooner. He added that he would therefore encourage more proactive behaviour to achieve positive outcomes prior to reaching the requirement for a formal Hearing. The MO stated that whilst she was supportive of seeking faster resolutions, she had to be careful not to prejudice the Standards process or her independence as the Monitoring Officer, should the matter proceed to a Hearing. Cllr N Dixon suggested that at the very least efforts should be made to learn from previous experiences and seek to improve the Council's processes. The MO noted the perceived inadequacies with the Standards system, but suggested that this was in most part due to legislation that the Council was not able to amend, in addition to resource limitations. She added that giving each complaint the level of attention proposed would require significant additional resource where the Council had no legal obligation to act.

- iii. The Chairman suggested that Democratic Services may help to resolve several issues before they reached the point of complaint and noted that other authorities may deal with a significantly higher number of complaints. The DSGOS stated that Democratic Services Officers did offer advice and support to Parish and Town Councils to help them resolve issues, though this was not always possible, in which case they were referred to the Code of Conduct complaints process. The MO added that Democratic Services also administered the Town and Parish Forum which gave Councillors and Clerks the opportunity to raise issues and seek advice from officers.
- iv. Cllr N Dixon proposed that a report be brought back to the Committee on the outcome of discussions with NALC in November 2022, and that officers continue to consider options to reduce the burden of the Standards process. He added that without minutes it was difficult to know what was discussed at the November meeting, and a report would help to determine any outcomes. The MO suggested that with no formal record of discussion from the November meeting, it may be prudent to reinvite NALC representatives to a future meeting to discuss options with a view to securing outcomes. Cllr N Dixon suggested that he would be open to adopting this suggestion as part of his recommendation. The Chairman suggested that all Members should be invited to attend such a meeting, given that all Members were associated with Parish or Town Councils. Cllr R Macdonald seconded Cllr N Dixon's amended proposal.

RESOLVED

To invite NALC representatives to attend a future meeting of the Standards Committee to discuss and consider options for an early complaint resolution process.

30 DISPENSATIONS

The MO introduced the item and informed Members that the Committee held responsibility for consideration and granting of dispensations, but it had been agreed that waiting for Standards Committee meetings to undertake these responsibilities

was not an efficient process. As a result, delegated authority was granted for the MO sign-off dispensations in liaison with Committee Members. It was noted that Cllr V Holliday had therefore been granted a dispensation to allow her to debate matters related to second homes and holiday lets.

RESOLVED

To receive and note the update on any dispensations granted.

31 ANY OTHER BUSINESS (TO INCLUDE AN UPDATE ON RECENT STANDARDS COMPLAINTS)

The MO reported that there were no Hearings planned for the foreseeable future, though three Code of Conduct matters were at the assessment stage and officers were liaising with the Independent Person.

32 EXCLUSION OF THE PRESS AND PUBLIC

The meeting ended at 2.49 pm.

Chairman

Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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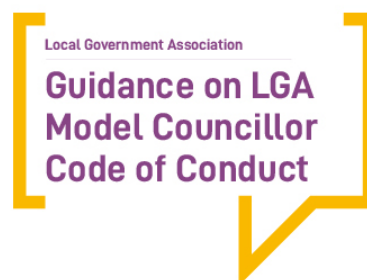
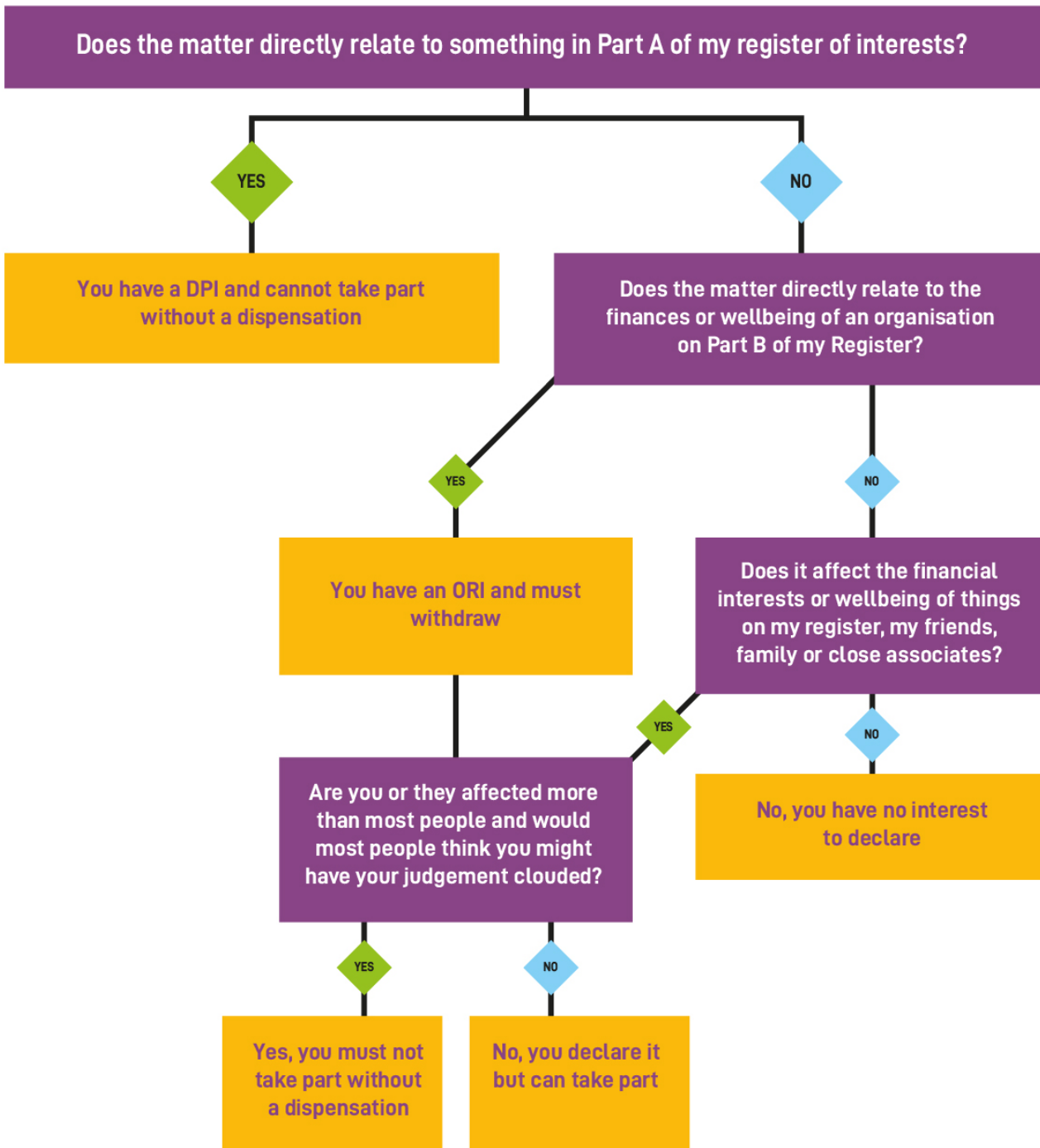
* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)



Agenda Item 5

Code of Conduct Complaint against Cllr Rockett of Fakenham Town Council	
Executive Summary	This report summarises the issues relating to a Member Code of Conduct Complaint, referred for determination by a Hearing of the Standards Committee to take place on 19 December 2024
Options considered	The Standards Committee, on having heard the evidence, may find <ol style="list-style-type: none"> (1) No breach of the Code of Conduct (2) A breach or breaches of the Code of Conduct And, where a breach is found: <ol style="list-style-type: none"> (3) May recommend to the relevant town Council that one or more sanctions be imposed (4) May choose not to recommend any sanction
	The Code of Conduct procedure is set out in the Localism Act 2011 and the North Norfolk District Council Constitution. The Council's Independent Person has been consulted.
Recommendations	That the Standards Committee consider the documents and evidence at the hearing and make such decision as set out in the available options, or as provided at the hearing.
Reasons for recommendations	The Localism Act 2011 requires that Standards matters relating to town and parish Councils are considered by the principal Council. The Standards Committee can only make a decision following its consideration of the evidence.
Background papers	Exempt papers

Wards affected	Fakenham (Lancaster wards)
Cabinet member(s)	Cllr Tim Adams
Contact Officer	Cara Jordan, Monitoring Officer cara.jordan@north-norfolk.gov.uk 01263 516373

Links to key documents:

Corporate Plan:	<p>A Strong, Responsible and Accountable Council – Effective and efficient delivery</p> <p>There is a statutory obligation to deal with issues relating to Member Conduct.</p>
Medium Term Financial Strategy (MTFS)	No specific financial issues - Statutory obligation to deal with issues relating to Member Conduct.
Council Policies & Strategies	Statutory obligation to deal with issues relating to Member Conduct under the Localism Act 2011. The Constitution sets out arrangements for dealing with allegations of a breach of the Code of Conduct

Corporate Governance:	
Is this a key decision	No
Has the public interest test been applied	<p>The appendix to this report, namely the investigation report and its appendices, are to be treated as exempt for the following reason:</p> <p>Information in this appendix involves the likely disclosure of exempt information as defined in paragraphs 1 and 2, Part 1 of schedule 12A (as amended) to the Local Government Act 1972.</p> <p>These paragraphs relate to:</p> <ol style="list-style-type: none"> 1. information relating to an individual; 2. information which is likely to reveal the identity of an individual; and <p>The public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:</p> <p>Paragraphs 1 & 2: The documents contain the personal data of person(s) directly and indirectly connected to alleged misconduct and presently it is considered that data protection rights outweigh the public interest in disclosure.</p> <p>The Committee will consider representations at the hearing as to whether this information should remain exempt or public.</p>
Details of any previous decision(s) on this matter	None

1. Purpose of the report

This report summarises the issues relating to a Member Code of Conduct Complaint. It has been referred for determination by a Hearing of the Standards Committee to take place on 19 December 2024.

Under Section 28(6) and (7) of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that a Member of the authority (i.e. a councillor or a co-opted member) has failed to comply with that Council’s Code of Conduct, can be investigated and decisions made on such allegations.

Such arrangements must provide for the Council to appoint at least one Independent Person, whose views must be sought by the Council before it takes a decision on an allegation which it has decided to investigate, and whose views can be sought by the Council at any other stage, or by a Member against whom an allegation has been made.

- 1.1 At the Standards Committee hearing of 19 December 2024, the Committee will consider any preliminary matter, including whether the appendix should be public or exempt, and whether the matter should be heard in public or private session. Thereafter, the Committee will consider the appendix to this report, and any other information provided at the hearing, to consider the complaint and
 - (i) Make findings on relevant agreed and disputed facts
 - (ii) Determine, whether the Fakenham Town Council Code of Conduct was breached by the councillor subject of the allegations (“the Subject Member”)
 - (iii) Where a breach of the Code of Conduct is determined, consider whether any sanction should be imposed, and if so, make such recommendations to the Fakenham Town Council as appropriate.

2. Introduction & Background

The Complaint

- 2.1 The Monitoring Officer received a Code of Conduct complaint against the Subject Member, of Fakenham Town Council. The complaint was made by another councillor of that town council. The complaint, following initial assessment and investigation, has been referred for consideration and determination by the Standards Committee.
- 2.2 The complaint details an incident which, it is alleged, amounts to a breach the Code of Conduct by the Subject Member. Following the original complaint, the investigation report also considers two other alleged breaches.
- 2.3 The two allegations relate to the Subject Member:
 - (i) Disrespectful, bullying or abusive behaviour on 22 March 2024
 - (ii) Sharing confidential information, namely the confidential complaint, with members of the Fakenham Town Council.

- 2.4 An Assessment Notice was completed. It detailed that the matter may be able to be resolved if the Subject Member provides an unfettered written apology to the Complainant, which shall be first lodged and approved as sufficient by the Monitoring Officer, within 21 days. In the absence of such apology, the Assessment Notice detailed that the matter be referred for investigation. The Subject Member wrote to say that there would be no apology provided.
- 2.5 An investigation was conducted and is included in the appendix to this report. The report writer considers that there has been a breach of the Code of Conduct and makes recommendations as to suitable sanctions. The decision as to whether there has been a breach and if so, which sanction or sanctions are appropriate will be for the Standards Committee to decide having considered all relevant information at the hearing.
- 2.6 The Independent Person has also provided his views on the matter, and this is also appended to this report.

3. Preliminary Issues

- 3.1 There may be preliminary issues to determine prior to proceeding to the full hearing. One such matter to be considered is as to whether the hearing is held in public or private session.

Public or private session

- 3.2 As a preliminary issue, the Committee will need to determine whether the hearing is to be held in public, or whether it should be in private session, with the press and public excluded.
- 3.3 There is a presumption and starting point that a hearing under this procedure is subject to the ordinary rules of committee meetings and should be held in public. This, however, is subject to exceptions and further consideration where it is considered that confidential or exempt information is likely to be disclosed.
- 3.4 The Committee, in reaching its determination as to whether to hear the matter in public or private session, will take into account any representations from the Investigating Officer; Subject Member, Independent Person, and any other person as the Committee considers may assist them in this matter.

4. Summary of Complaints

One complaint form was received. Following the original complaint, the investigation report also considers one other alleged breach. The two allegations are detailed at 2.3 above.

- 4.1 The Code of Conduct of Fakenham Town Council is attached in the appendix and requires that Members act respectfully, and do not behave in a bullying or intimidatory manner. Further that information is not disclosed which is confidential.

- 4.2 To breach a Member Code of Conduct, a person must be a councillor and acting in their capacity as a councillor. Elected Members have an enhanced right to freedom of speech, but this is not a limitless freedom. The investigation report considers the issue of 'freedom of speech'.
- 4.3 A draft investigation report was shared with the complainant and the Subject Member who were provided with the opportunity to make any relevant comment before the issue of the final report.
- 4.4 The investigating officer considers that there has been a breach of the Code of Conduct.

5. The role of the Committee

- 5.1 The Committee is to consider the complaint, taking into account the written evidence before them, and that given by the Investigating Officer and the Subject Member at the hearing. It will also consider any views of the Independent Person.
- 5.2 On having heard from the Investigating Officer and the Subject Member, including any witnesses they may present, the Committee will need to make findings of fact in regard to the conduct complained of and whether or not they consider that the Subject Member has breached the Code of Conduct.
- 5.3 If the Committee finds that there is a breach, it will then consider whether or not it considers any sanction is appropriate. Before doing so it should take into account any representations of the Investigating Officer, the Independent Person and the Subject Member. Where a sanction is considered appropriate, a recommendation as to sanction will need to be made to the Fakenham Town Council.
- 5.4 If a breach is found, and if a sanction is considered appropriate, any sanction recommended must be reasonable and proportionate. It should be relevant to the Subject Member's behaviour. Sanctions which may be considered include:

Recommendation to the Fakenham Town Council of one or more of the following

- (i) A report of the Committee's findings made to the relevant town council
- (ii) Issue of a formal censure
- (iii) That the Subject Member makes an apology
- (iv) Removal from any or all committees (where sits) of the town council
- (v) Removal from outside appointments (where held) to which he is appointed by the town council
- (vi) That the Subject Member undertakes specified training
- (vii) That the town council withdraws facilities provided to the Subject Member for a limited time
- (viii) That the Subject member be excluded from the town Council's offices other than when attending formal meetings

With regard to (vii) and (viii) above, any such sanction must not unduly restrict the Member's ability to perform his duties as an elected member.

6. Financial and Resource Implications

None, save that North Norfolk District Council is responsible for considering a Code of Conduct complaint relating to a town or parish councillor and currently bears the cost of so doing.

7. Legal Implications

The District Council has a duty under s.27 Localism Act 2011 to promote and maintain high standards of conduct by Members.

8. Risks

None. Statutory responsibility to promote high standards and to consider complaints.

9. Net Zero Target

Not applicable

10. Equality, Diversity & Inclusion

The Council has a responsibility to consider complaints. The Code of Conduct of each Council should be based on the Nolan principals and the Standards regime looks to promote high standards. Equality training may be considered as a possible recommended sanction in appropriate cases.

11. Community Safety issues

None.

12. Conclusion and Recommendations

That the Committee considers the written and oral evidence at the Standards Committee Hearing and does

- (i) Make findings on relevant agreed and disputed facts**
- (ii) Determine, whether the Fakenham Town Council Code of Conduct was breached by the councillor subject of the allegations (“the Subject Member”)**
- (iii) Where there is a finding of breach or breaches of the Code of Conduct, consider whether any sanction should be imposed, and if so, make such recommendations to the Fakenham Town Council as appropriate.**

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Monitoring Officer Report - Code of Conduct Complaints

APPENDIX F

1 April 2023 to 31 March 2024

Key

Clr	Councillor
MoP	Member of the public
DC	District Council
TC	Town Council
PC	Parish Council
DN	Initial Assessment – Decision Notice

Complaint Date	Complaint Reference	Complainant Councillor/ MoP /Other	Member	Authority	Allegation	Progress/ DN sent	Assessment Outcome	Hearing	Outcome of Hearing
7.4.2023	022202	MoP (A)	Clr (1)	Knapton PC	Abuse of position/power and not respecting pre-election “purdah”, use of position for political gain.	DN sent 14.6.2023	No Further Action	No	
10.5.2023	022362	MoP (B)	Clr (2) and (3)	Langham PC	Declarations of Interests Forms not returned	DN sent 9.6.2023	No further action Save for the following recommendations: Langham PC to publish its register of interests and its Code of Conduct on its website and to	No	

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							remind Members for them to register their pecuniary interests with NNDC & to make appropriate checks that this has been done.		
10.5.2023	022363	MoP (C)	Cllr (4) and (5)	Langham PC	Declarations of Interests Forms not returned	DN sent 9.6.2023	No further action Save for the following recommendations: Langham PC to publish its register of interests and its Code of Conduct on its website and to remind Members for them to register their pecuniary interests with NNDC & to make appropriate checks that this has been done.	No	
10.5.2023	022364	MoP (D)	Cllr (6) and (7)	Langham PC	Declarations of Interests Forms not returned	DN sent 9.6.2023	No further action Save for the following recommendations: Langham PC to publish its register of interests and its Code of Conduct on its website and to remind Members for	No	

							them to register their pecuniary interests with NNDC & to make appropriate checks that this has been done.		
10.5.2023	022365	MoP (E)	CIlr (8) and (9)	Langham PC	Declarations of Interests Forms not returned	DN sent 9.6.2023	No further action Save for the following recommendations: Langham PC to publish its register of interests and its Code of Conduct on its website and to remind Members for them to register their pecuniary interests with NNDC & to make appropriate checks that this has been done	No	
10.5.2023	022366	MoP (F)	CIlr (10) and (11)	Langham PC	Declarations of Interests Forms not returned	DN sent 9.6.2023	No further action Save for the following recommendations: Langham PC to publish its register of interests and its Code of Conduct on its website and to remind Members for them to register their	No	

							pecuniary interests with NNDC & to make appropriate checks that this has been done.		
10.5.2023	022367	MoP (G)	Cllr (12) and (13)	Langham PC	Declarations of Interests Forms not returned	DN sent 9.6.2023	No further action Save for the following recommendations: Langham PC to publish its register of interests and its Code of Conduct on its website and to remind Members for them to register their pecuniary interests with NNDC & to make appropriate checks that this has been done.	No	
10.5.2023	022368	MoP (H)	Cllr (14) and (15)	Langham PC	Declarations of Interests Forms not returned	DN sent 9.6.2023	No further action Save for the following recommendations: Langham PC to publish its register of interests and its Code of Conduct on its website and to remind Members for them to register their pecuniary interests	No	

							with NNDC & to make appropriate checks that this has been done.		
18.05.2023	022403	MoP (I)	Cllr (16)	Sheringham TC	Bullying and misogynistic behaviour, possible data breach	DN sent 21.11.2023.	No Further Action	No	
7.6.2023	022494	MoP (J), (K) and (L)	Cllrs (17) and (18)	Sheringham TC	Bullying and harassment.	DN sent 16.6.2023.	No Further Action	No	
21.6.2023	022571	MoP (M)	Cllr (19)	Walsingham PC	Acting outside proper processes	DN sent 16.8.2023.	No Further Action	No	
15.7.2023	022709	MoP (N)	Cllr (20)	NNDC	Political comment which the complainant considered inappropriate	DN sent 28.7.23.	No Further Action	No	
3.8.2023	022753	Cllrs (O) and (P)	Cllrs (21), (22) and (23)	Potter Heigham PC	Financial irregularities	DN sent on 14.8.2023.	No Further Action	No	
22.8.2023	022841	MoP (Q)	Cllr (24)	Fulmodeston and Barney Parish Council	Bullying and harassment	DN sent on 05.10.2023	No Further Action	No	

6.10.2023	023034	MoP (R)	Cllr (25)	Salthouse Parish Council	Abrupt text messages & threatening emails	Subject Member resigned	No further action	No	
19.10.2023	023073	MoP (S)	Cllr (26)	Briningham Parish Council	Threatening behaviour	Matter not pursued within the Code of conduct regime		No	
19.10.2023	023074	MoP (T)	Cllr (27)	Trunch Parish Council	Intimidating behaviour to neighbours	DN sent 6.3.2024.	No Further Action	No	
19.10.2023	023099	MoP (U) and (V)	Cllr (28) and (29)	Trunch Parish Council	Intimidating behaviour to neighbours	DN sent 8.3.2024.	No Further Action	No	
26.10.2023	023098	Cllr (W)	Cllr (30), (31) and (32)	Ryburgh Parish Council	Not following the correct procedurs and disrespectful behaviour	Subject Member Resigned – no further action		No	
30.10.2023	023109	MoP (X)	Cllr (33)	Mundesley Parish Council	Intimidating behaviour.	Complainant did not pursue the original complaint through the procedure			

31.10.2023	023111	MoP (Y)	Cllrs (34) and (35)	Salthouse Parish Council	Behaviour, alleging defamation	DN sent 20.12.2023	No Further Action	No	
2.11.2023	023126	MoP (Z)	Cllrs (36) and (37)	Salthouse Parish Council	Disclosure of sensitive information	DN sent 20.12.2023	No Further Action	No	
13.11.2023	023185	MoP (AA), (AB), (AC) and (AD)	All Councillors (38)	Mundesley Parish Council	Performance related issues.	DN	No further action	No	
21.11.2023	023224	Cllr (AE)	Cllr (39), (40) and (41)	Ryburgh Parish Council	Not following the correct procedures at a Parish Meeting; inappropriate disclosure and disrespectful behaviour	Subject Members Resigned – No further action		No	
30.11.2023	023227	MoP (AF)	All Councillor's (42) and MoP (43)	Blakeney Parish Council	Incorrect information included in newsletter and refusal to deal with complaint	DN sent 12.3.2024.	No Further Action	No	
18.1.2024	023435	MoP (AG)	Cllrs (44), (45) and (46)	Beeston Regis Parish Council	Disability discrimination & racist remark	DNs sent	No Further Action	No	

19.1.2024	023449	MoP (AH)	Cllr (47)	Salthouse Parish Council	Allegations of misleading Council department; failing to declare pecuniary interest.	Cllr resigned Not progressed and no further action		-	
2.2.2024	023503	MoP (AI)	Cllr (50)	North Norfolk District Council	Failure to follow protocol/ identifying someone in an enforcement matter	DN sent 2.4.2024.	No Further Action	No	
9.2.2024	023537	MoP (AJ)	Cllrs (60) and (61)	Mundesley Parish Council	Inappropriate conduct, lack of regard to Nolan principles, censorship & threatening messages.	DN sent	No Further action		
22.2.2024	023544	MoP (AK)	Cllr (62)	North Walsham Town Council	Alleged theft; defamation & false accusation.	DN sent 11.3.2024.	No Further Action	No	
28.2.2024	023621	MoP (AL)	Cllr (63)	NNDC	Disrespectful, prejudicial & aggressive behaviour	DN sent 10.4.2024.	No Further Action	No	
22.3.2024	023785	Cllr (AM)	Cllr (64)	Fakenham Town Council	Disrespectful & aggressive behaviour	DN sent	Referred for investigation		
24.3.2024	023781	MoP (AN)	Cllr (65)	Hoveton Parish Council	Not Disclosing possible conflict of interest	Matter not pursued – complainant not verified	No further action	N	

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