

# Extraordinary Council

**To All Members of the Extraordinary Council on on Friday, 17 July 2026**

**Date of meeting: Monday, 27 July 2026**

**Time: 18:30**

**Venue: Council Chamber  
Council Offices, Adam and Eve Street, Market Harborough.**

**Members of the public can access a live broadcast of the meeting from the [Council website](#), and the meeting webpage. The meeting will also be open to the public.**

Dear Councillor

A Meeting of the Harborough District Council, which you are invited to attend, is to be held as detailed above.

The business to be transacted is set out in the Agenda below.

Yours faithfully

JOHN RICHARDSON  
CHIEF EXECUTIVE AND HEAD OF PAID SERVICE  
HARBOROUGH DISTRICT COUNCIL

## **Agenda**

- 1 Apologies for Absence**
- 2 Declarations of Members' Interests**
- 3 To consider the recommendations of the Scrutiny Committee on Cabinet's proposed budget amendments (see page 3)**
- 4 To consider the recommendations of the Standards Sub-Committee of 30 June 2026 (see page 4-10).**

Section 100A(4) Local Government Act 1972. This report includes an appendix that is exempt and not for publication by virtue of paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972. If Council wishes to discuss this appendix, it will need to pass a resolution that having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because release would identify third parties, or relate to them.

Contact:  
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Circulate to: **All Councillors**

**Cabinet request to Council to agree an increase in resourcing to meet administration priorities following review by the Corporate and Performance Overview and Scrutiny Panel**

Council is asked to review the following and, subject to the recommendations of scrutiny, approve the budget amendments. Members are referred to the following items:

1. Cabinet request of Council to agree an increase in resourcing to meet administration priorities - 6th July 2026 – please refer to the council papers of 6 July 2026
2. Street Cleansing: Cabinet Request to Council to agree an increase in resourcing to meet the administrations priorities - 15th June 2026 – Please refer to the Cabinet Papers of 15 June 2026
3. Cabinet request of Council to agree an increase in resourcing to meet administration priorities - 23rd July 2026 – please refer to cabinet papers of 23 July 2026
4. Recommendations from the Corporate and Performance Overview and Scrutiny Panel on 23 July 2026 – these will be circulated following the meeting on 23 July 2026

**Cabinet will consider the recommendations from the Corporate and Performance Overview and Scrutiny Panel at their meeting on 27 July 2026 and their consideration on any Scrutiny recommendations will be reported to this Council meeting.**

# Harborough District Council Extraordinary Council 27 July 2026

|                            |                                                                                               |
|----------------------------|-----------------------------------------------------------------------------------------------|
| <b>Title:</b>              | Recommendations of the Standards Sub-Committee                                                |
| <b>Status:</b>             | Public (with an exempt appendix)                                                              |
| <b>Key Decision:</b>       | No                                                                                            |
| <b>Subject to Call In:</b> | No                                                                                            |
| <b>Report Author:</b>      | Leah Mickleborough, Head of Democratic Services, Elections and Monitoring Officer             |
| <b>Portfolio Holder:</b>   | Report to be presented by Councillor Paul Bremner, Chair of the Audit and Standards Committee |
| <b>Appendices:</b>         | Exempt Appendix A                                                                             |

## Summary

This report provides further information to Councillors on the process followed by the Standards Sub-Committee in reaching its recommendations in relation to the conduct of Councillor Mark Graves, as requested at the meeting of 6 July 2026

## Recommendations

That Councillor Mark Graves be removed from all committee appointments until the Annual Meeting in May 2027.

## Reasons for Recommendations

At its meeting on 30 June, the Standards Sub-Committee recommended that Councillor Graves be removed from his committee appointments. This decision can only be made by the Council.

# **1. Purpose of Report**

- 1.1. The purpose of this report is to provide Council with further information in relation to the process followed by the Standards Sub-Committee at its meeting on 30 June 2026, as requested by Council on 6 July 2026.

## **2. Background and Details**

- 2.1. The Council, through its constitution, has delegated to the Audit and Standards Committee to determine complaints where Councillors have breached the Code of Conduct and to deal with any reports from the Monitoring Officer or Deputy Monitoring Officer in connection with a complaint relating to a breach of the Council's Code of Conduct. The constitution confirms that the Audit and Standards Committee has convened the standards sub-committee to undertake these functions on its behalf. Under s.101(2) of the Local Government Act 1972, the Audit and Standards Committee is also allowed to sub-delegate any of their functions to officers.
- 2.2. On 30 October 2025, the Audit and Standards Committee reviewed and approved revised procedures for handling Members code of conduct complaints. These procedures are used whenever a complaint is made. They are available on the Council's website at [Members code of conduct - Complaints | Members code of conduct - Complaints | Harborough District Council](#). The procedures clarify the scope and authority of the Monitoring Officer and the Standards Sub-Committee.
- 2.3. The procedures allow (section 13) the Monitoring Officer to make an initial determination that a Councillor has or has not breached the Code of Conduct where there is sufficient evidence to do so. The procedures also allow the Monitoring Officer to recommend action to remedy the matter(s) such as an apology, training or other proportionate remedy.
- 2.4. Where matters are more complex, they can instead be referred for independent, external investigation and if that was to find a breach of the Code of Conduct, it would usually be referred to the Standards Sub-Committee for consideration.
- 2.5. Section 19 of the Council's procedures for handling conduct complaints allow that where a subject member does not comply with a required remedy or sanction, the Monitoring Officer may refer this to the Standards Sub-Committee for further consideration (in line with the constitutional authority of the Standards Sub-Committee referred to in 2.1 above).
- 2.6. On 11 February 2026, under s.13 of the procedure rules, the Monitoring Officer determined that Councillor Graves had breached the Code of

Conduct and recommended an apology be issued. The wording of the apology would need to be agreed with the Independent Person.

- 2.7 Independent Persons are an important part of the standards process. Their views have to be taken into account when a decision is reached as to whether the code of conduct has been breached. Across Leicestershire, there is a pool of independent persons appointed who provide advice on standards matters on a rotational basis. The independent persons undertake training on their role. The independent person for this case was Mr Gordon Grimes.
- 2.8 Between February and May 2026, e-mails were exchanged between the Monitoring Officer and Councillor Graves to try to agree an apology that may be acceptable for the independent person to agree. On two occasions, Councillor Graves was reminded that if it was not possible to agree, then the matter would need to be referred to the Standards Sub-Committee.
- 2.9 In May, the Monitoring Officer referred the correspondence to the Independent Person who was of the view that the proposed apology was not adequate, and on that basis, on 22 May 2026, the Monitoring Officer informed Councillor Graves that the matter would be referred to the Standards Sub-Committee to determine whether any further action was required.
- 2.10 Democratic Services worked to agree a suitable date with members of the Audit and Standards Committee, who form the standards sub-committee. On 18 June 2026, Councillor Graves was informed the meeting would take place on 30 June 2026. He was informed of the evidence that would be provided to the standards sub-committee, and given the opportunity to attend in person, or if he was not able to, provide a written statement to the Committee. Councillor Graves confirmed that due to work commitments, he could not attend and provided a written statement and did not seek an alternative date.
- 2.11 The Standards Sub-Committee agenda was issued with the required notice and contained:
- A brief report outlining the process and confirming the views of the Independent Person
  - The original complaint
  - The response Councillor Graves provided to the original complaint
  - The original decision notice of the Monitoring Officer
  - The correspondence relating to the proposed apology between the Monitoring Officer and Councillor Graves
- 2.12 In addition, copies of Councillor Graves written statement and the Local Government Association's guidance on issuing sanctions were circulated to members of the sub-committee. Members of the sub-committee confirmed in

writing and at the start of the meeting that they had read all of the paperwork.

- 2.13 At the meeting, the members of the Sub-Committee heard from the Independent Person that an apology should be genuine, and not heavily caveated. Agreeing with this, the sub-committee considered that the current apology proposed was not sufficiently genuine and therefore further action was required in the form of additional sanctions.
- 2.14 The sub-committee considered the Local Government Association's guidance on issuing sanctions. This is available on the Local Government's website at [Guidance on Member Model Code of Conduct Complaints Handling | Local Government Association](#). The sub-committee had opportunity to review and comment on the relevant questions posed in the guidance and consider the mitigating and aggravating factors. Some of the factors noted by individual members of the committee during the debate related to whether Councillor Graves was willing to accept his fault in the matter; the nature of the proposed apology; Councillor Graves' prior record in relation to the Code of Conduct and whether Councillor Graves was seeking to blame others for his conduct in the matter. Information relating to other complaints is included at Exempt Appendix A.
- 2.15 The Committee was also mindful of which potential sanctions could be applied to Councillor Graves. Potential sanctions are identified in the LGA guidance and also listed in the Council's own procedures for handling conduct cases. It is also reinforced in caselaw (as identified in the legal implications section below) which has highlighted that one of the legitimate sanctions, other than censure or publicity statement is removal from committee appointments. As Councillor Graves is an independent member, any proposed removal from committees would have to be made by Council, rather than a request to a group leader.
- 2.16 On the basis of the evidence reviewed the sub-committee made the recommendation that a censure letter be sent to Councillor Graves (which was sent on 3 July 2026); that a statement be read at Council (6 July 2026) and Council be recommended to consider removing Councillor Graves from all committee appointments.
- 2.17 The Standards Sub-Committee meeting took place on 30 June, after publication of the agenda for the Council meeting on 6 July. The Chairman of Council agreed that using his powers under s.100B of the Local Government Act 1972, the recommendation be considered as an urgent item of business given the potential impact on the Council and Councillor Graves if there was an extended delay in considering this item of business. At its meeting, Council requested the item be deferred to this extraordinary committee on 27

July to allow a report to be brought forward demonstrating the process followed.

- 2.17 It is important that any standards process is fair. This was emphasised in *R (Greenslade) v Devon County Council* [2019] EWHC 260 (Admin). As that judgement set out, fairness does not mean that you must ensure Councillors have the ability to make oral representations or cross-examine those who have made complaints, it is about ensuring that Councillors know the gist of the case against them and have the ability to make representations. Councillor Graves knew the issue was about his failure to provide an acceptable apology, and had the ability to either attend the meeting of the Standards Sub-Committee, which he could not do, or put forward a representation, which he did. In addition, the Standards Sub-Committee were provided with Councillor Graves' previous submissions including his response to the complaint and the correspondence relating to the apology. This was emphasised in legal advice received by the Monitoring Officer prior to the Council meeting on 6 July which confirmed that by presenting the matter to the Standards Sub-Committee in full, fairness was preserved and there is no requirement to hold a more formal hearing.
- 2.18 As such, members should be assured that in the view of the Monitoring Officer and the legal advice received, the process was fair and sound to enable the Sub-Committee to reach its conclusions. The Council is not being asked to review whether the decision of the Sub-Committee was correct but the third recommended sanction, to remove Councillor Graves from all Committees until the Annual Meeting in May 2027 can be supported.
- 2.19 Members may also wish to note that as Councillor Graves has been advised for the purpose of deliberating this item, the Code of Conduct does not allow members to be present in the room when debate and decisions take place which directly relate to their own financial interest or wellbeing.

## **4. Implications of Decisions**

### **Financial**

- 4.1 There are no direct financial implications arising from this decision

### **Legal**

- 4.2 Under section 27 of the Localism Act 2011, the Council must promote and maintain high standards of conduct by its members and co-opted members. As part of that, it must adopt a member code of conduct.

Under section 28 of the same Act, the Council must have in place arrangements under which allegations of breaches of the code can be investigated and

decisions made on those allegations. The Council's arrangements must include the appointment of at least one independent person whose view are to be sought and taken into account before making a decision on an allegation which the Council has decided to investigate and may be sought by the Council and / or the subject member in other circumstances. If the Council finds that the subject member has failed to comply with its code of conduct (whether or not there has been an investigation), it may have regard to the failure in deciding whether to take action in relation to the subject member and what action to take.

As the report notes above, the case of *R (Greenslade) v Devon County Council* [2019] established that the standard required for the lawful consideration and determination of a code of conduct matter is fairness. Fairness requires that the subject member knows the complaint against them and has a reasonably opportunity to make representations.

In this case, the whole matter (including Councillor Graves' representations) was placed before the Sub-committee. The Sub-committee also had available to it the views of the independent person, whose role is was described as "*an important safeguard*" in another High Court case – *R(Taylor) v Honiton Town Council* [2016] EWHC 3307 (Admin). Councillor Graves had reasonable notice of the meeting, was invited to make representations and did so in writing. That his representations were in writing only does not make the process unfair.

A further High Court case confirms that a subject member may be removed from executive and committee roles as a sanction. In *Heesom v Public Services Ombudsman for Wales* [2014] EWHC 1504 (Admin), the judge stated that sanctions in England (as opposed to Wales) were limited to (for example) "*a formal finding that [a councillor] has breached to code, formal censure, press or other appropriate publicity and removal by the authority from executive and committee roles (and then subject to statutory and constitutional requirements).*"

## **Environmental Implications**

**4.3** There are no environmental implications arising from this decision

## **Risk Management**

**4.4** This report sets out how the Council has approached the consideration of this case in line with its legal responsibilities. It has been subject to external legal review.

## **Equalities Impact**

**4.5** Should a Councillor declare a protected characteristic which has impacted on their conduct subject to a complaint, this would be considered through the standards process.

## **Data Protection**

**4.6** Consideration has been given as to whether this report should be exempted under category 1 or 2 of schedule 10A to the Local Government Act 1972, as it discloses personal data.

4.7 All exemptions under schedule 10A are subject to a public interest test. Whilst the importance of protecting personal data is recognised, the following factors have also been taken into account:

a) The Council has a duty to uphold high standards of conduct; through undertaking this item in public, the Council can demonstrate its commitment to upholding high standards. Similarly, this report demonstrates the seriousness with which the Council is exercising its functions and providing assurance that decisions are made properly.

b) The discussion at Council on 6 July 2026 took place in public, at which it was requested further assurance. It would be incongruous with this discussion for this item to be considered in private.

c) The report does not consider details of the complaint, as it is ultimately about gaining assurance as to the process followed by the Standards Sub-Committee. The details of the complaint remain exempt.

## **5. Alternative Options Considered**

5.1 The Council can decide whether or not to support the recommendation of the Standards Sub-Committee based on the information provided.

## **6. Background papers**

6.1 None