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Standards Sub-Committee Meeting Tuesday 11 November 2025

Decision Notice

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Oldham Council Standards Sub-Committee

11 November 2025

DECISION NOTICE

1. On 28 May 2024, Cllr Arooj Shah submitted complaints about Cllrs Mark Kenyon, Howard Sykes, Louie Hamblett and David Murphy. In her written complaints, she alleged that:
 - Cllr Kenyon had secretly recorded a meeting between Cllr Shah and members of the Shaw Independents group which took place in the Leader's office on 20 May 2024.
 - Cllrs Sykes, Hamblett and Murphy were aware that Cllr Kenyon was making that recording.
 - All four councillors leaked the recording to a third party who then shared the recording online.
2. Those complaints were investigated by an external investigating officer who concluded:
 - Cllr Kenyon had secretly recorded the meeting and had shared it with third parties who published the recording online, in breach of paragraphs 4.1, 5.1 and 7.1 of the Code.
 - Cllrs Sykes, Hamblett and Murphy were not aware that Cllr Kenyon was making the recording until after he had done it and therefore they did not breach the Code.
 - All four councillors had failed to co-operate with the investigation in breach of paragraph 8.2 of the Code.
3. The complaints were referred to the Standards Sub-Committee to make a determination. We held a hearing on 11 November 2025.
4. The night before the hearing, the Council was sent written representations by a barrister acting for Cllr Sykes. Among other points, he argued that the Sub-Committee had no power to consider the allegation that Cllr Sykes had failed to co-operate (in breach of paragraph 8.2) because it had not been made the subject of a formal written complaint. Logically this point also applies to Cllrs Hamblett and Murphy as well.
5. We dealt with this as a preliminary issue at the beginning of the hearing. We heard from the parties and took legal advice from our legal adviser. We decided unanimously to take no further action on any of the alleged breaches of paragraph 8.2 because these were not the subject of a formal written complaint and the law (section 27(9) of the Localism Act 2011) requires an allegation to be made in writing before it can be dealt with under the Council's statutory "arrangements" for code of conduct complaints.
6. That left the allegations that Cllr Kenyon had breached paragraphs 4.1, 5.1 and 7.1 of the Code. At the hearing, we heard representations from the investigating officer, Cllr Kenyon's representative and Cllr Kenyon himself. We also heard from

the Council's independent person that he believed Cllr Kenyon had breached the Code.

7. Cllr Kenyon admitted that he had disclosed confidential information in breach of paragraph 4.1 and that he had brought his role and the Council into disrepute in breach of paragraph 5.1. He argued that the corridor where he made the recording was a public area and therefore he had not misused Council resources.
8. At the hearing, Cllr Kenyon explained why he made the recording and why he shared it with a third party, knowing it would almost certainly be released online. He said that he was not trying to excuse his behaviour, he did not believe it was right, he wished he had not done it and said that it was naïve and incredibly stupid to have done it. He admitted that he had therefore breached paragraphs 4.1 and 5.1.
9. We have taken into account Cllr Kenyon's admission that he breached paragraphs 4.1 and 5.1 and accept that admission. We therefore find that he breached those provisions of the Code.
10. By a 3-2 majority, we decided that he did not breach paragraph 7.1 because he was entitled to use the members' corridor as an elected member of the Council and was in the Civic Centre for legitimate reasons. The two dissenting members of the Sub-Committee believed that although Cllr Kenyon was entitled to be in the building he was not entitled to use the members' corridor to record the meeting and therefore misused his right to be there.
11. We then heard from Cllr Kenyon and the independent person on what sanctions to impose for the breach of the Code. We decided to impose the following sanctions:
 - To make our findings public
 - To recommend that Cllr Kenyon sends a personal apology to Cllrs Shah, Hince and Navesey.