

North Yorkshire Council

Standards and Governance Committee Hearing Panel

Minutes of the meeting held on Thursday, 7 November 2024 commencing at 10.30 am at County Hall, Northallerton.

Committee Members present: Councillor Monika Slater in the Chair; plus Councillors Clive Pearson and Peter Wilkinson,

Officers present: Jennifer Norton, Assistant Director and Deputy Monitoring Officer, Moira Beighton, Senior Governance Lawyer and Christine Phillipson, Principal Democratic Services Officer, North Yorkshire Council.

Other Attendees: Councillor Philip Barrett, Thornton-le-Dale Parish Council and Parish Councillor Marguerite Markham, Thornton-le-Dale Parish Council .

Independent Person for Standards and an independent parish/town council representative.

Copies of all documents considered are in the Minute Book

1 Appointment of Chair

Councillor Monika Slater duly elected as Chair.

2 Apologies for Absence

There were none.

3 Declarations of Interest

There were none.

4 Procedure for Standards and Governance Hearings

5 Exempt Information

6 Consideration of Investigation Report regarding, and determination of, complaint NYC/SGC/2023/110 (EXEMPT REPORT AND APPENDICES)

NORTH YORKSHIRE COUNCIL STANDARDS AND GOVERNANCE COMMITTEE

HEARINGS PANEL

Complaint by Parish Councillor Philip Barrett, Thornton-le-Dale Parish Council against Parish Councillor Marguerite Markham, Thornton-le-Dale Parish Council

Reference: NYC/SGC/2023/110

Summary of Decision

North Yorkshire Council is the principal authority for parish and town councils in North Yorkshire for the purposes of the standards provisions in the Localism Act 2011. It is responsible for receiving and handling complaints that a parish/town councillor may have breached that authority's code of conduct for Members.

On 7 November 2024 the Standards and Governance Committee Hearings Panel, in consultation with the Independent Person for Standards and an independent parish/town council representative, considered a complaint by Parish Councillor Philip Barrett, Thorntonle-Dale Parish Council, that Parish Councillor Marguerite Markham, Thornton-le-Dale Parish Council, has failed to follow the Parish Council's Code of Conduct for Members.

Summary of complaint

The complaint concerns the subject Member's alleged behaviour at a Parish Council subcommittee meeting held in November 2023 when it is alleged she disclosed confidential third party information in a verbal outburst in front of members of the public.

Summary of findings

The Panel found that the subject Member was acting in her official capacity as a Parish Councillor at the relevant time.

The Panel found that the comments made by the subject Member were in **breach** of the general principle on councillors to exercise reasonable care and diligence and also paragraph 4 (confidentiality and access to information) of the Parish Council's Code of Conduct. More particularly she had not considered whether it was appropriate to disclose the confidential information and the Panel did not consider that any of the exceptions and justifications for disclosure in paragraph 4 of the Code were met in this case.

Sanctions and Recommendations

The Panel recommends to Thornton-le-Dale Parish Council that:

- 1. The Parish Council issue a private letter of censure to the subject Member.**

Publicity

The Panel resolved that a summary Decision Notice, with third party personal information withheld, be sent to the parties and the Parish Council and be **published on North Yorkshire Council's website**.

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There is no right of appeal in relation to this decision.

If either party believes North Yorkshire Council has not followed its procedures in handling the complaint, they may complain to the Local Government and Social Care Ombudsman.

For further information about this matter please contact the Monitoring Officer at MonitoringOfficer@northyorks.gov.uk

Councillor Monika Slater

Chair of the Standards and Governance Committee Hearings Panel
North Yorkshire Council

7 November 2024

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The meeting concluded at 3.10pm.