

Minutes of the meeting of the STANDARDS
HEARINGS PANEL held at 3.50 pm on
Wednesday, 17th January, 2018 at Council
Chamber, Civic Centre, Stone Cross, Northallerton

Present

Councillor Mrs C S Cookman Councillor N A Knapton
G W Dadd

Independent Person

Mr R C Pennington (Independent Person)

Parish Council Representative

Parish Councillor Mrs C Artingstoll

SHP.27 **ELECTION OF CHAIRMAN**

THE DECISION:

That Councillor G W Dadd be elected Chairman for duration of the meeting.

(Councillor G W Dadd in the Chair)

SHP.28 **EXCLUSION OF THE PRESS AND PUBLIC**

THE DECISION:

The Panel considered whether to exclude the press and public from the meeting during consideration of the items of business at minute no. SHP.29 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act. The Panel was satisfied that the public interest in disclosing the information outweighed the public interest in maintaining the exemption.

The Panel resolved to hear the matter in public.

SHP.29 **ALLEGATIONS ABOUT DISTRICT COUNCIL MEMBERS**

The Panel considered a request from the complainant to adjourn the hearing on the basis that the Panel's previous hearing had overrun and that the complainant had not wanted to wait any longer for her matter to be heard. The Panel noted that the complainant had been notified that the other matter would overrun and had been advised that the Panel may proceed in her absence. The Panel considered the request

for an adjournment and noted that whilst it was unfortunate that a delay had occurred, the Panel was in receipt of all relevant information including that provided by the complainant. Therefore, the Panel decided that a fair hearing could take place and that it was in the public interest to deal with the matter in a timely manner. For those reasons the Panel refused the complainant's request for an adjournment.

ALLEGATIONS AGAINST DISTRICT COUNCILLOR C ROOKE

The subject of the decision:

The Deputy Monitoring Officer presented a report with regard to an allegation that Councillor C Rooke had failed to comply with the provisions of the Council's Code of Member Conduct by:

- (i) conducting himself in a manner which could reasonably be regarded as failing to treat others with respect; and
- (ii) conducting himself in a manner which could reasonably be regarded as bringing his authority or his office as a Member of the Authority into disrepute.

Alternative options considered:

The Panel considered all the options available but having concluded that Councillor Rooke had not breached the Code of Conduct, none of the alternative options were deemed appropriate.

The reason for the decision:

The Panel considered:

- the Deputy Monitoring Officer's report;
- the written submissions of the complainant;
- the oral submissions of Councillor Rooke; and
- the District Council's Code of Conduct.

The Panel considered the written submissions of the complainant who stated that, during a Planning Committee meeting held on 9th November 2017, Councillor Rooke (who was sitting as a Member of the Planning Committee) made comments in respect of wildlife and ecological issues and expressed "glee" at the outcome of a vote on a planning application before the Committee and, in doing so, failed to treat those present at the meeting with respect and brought his Authority into disrepute.

Councillor Rooke told the Panel that, during the Planning Committee deliberation, he had presented his views on the application including wildlife and ecological issues and had referred to his personal notes to ensure he covered all the points he wanted to address.

Councillor Rooke told the Panel he denied celebrating the outcome of a vote on a planning application. Councillor Rooke told the Panel that on 9th November 2017 the Planning Committee was dealing with two applications and that following the decision of the first application there was a 5-10 minute adjournment. Councillor Rooke informed the Panel that, during this adjournment, Councillor Rooke had spoken with the Members of Planning Committee sitting adjacent to him about a mistaken road reference made by one of the Councillors during deliberation.

The Panel concluded that Councillor Rooke presented his opinion on wildlife and ecological issues during the meeting as a contribution to the Planning Committee deliberation. The Panel concluded that Councillor Rooke had spoken to other Members following the decision of a planning application. However, the Panel was satisfied that Councillor Rooke had not expressed “glee” at the outcome of the decision nor had his conduct amounted to a celebration of the Committee’s decision.

THE DECISION:

The complaints alleging that Councillor C Rooke had breached the Code of Conduct (namely by failing to treat others with respect and bringing his Authority or his office into disrepute) are not upheld.

ALLEGATIONS AGAINST DISTRICT COUNCILLOR D A WEBSTER

The subject of the decision:

The Deputy Monitoring Officer presented a report with regard to an allegation that Councillor Webster had failed to comply with the provisions of the Council’s Code of Member Conduct by:

- (i) conducting himself in a manner which could reasonably be regarded as failing to treat others with respect; and
- (ii) conducting himself in a manner which could reasonably be regarded as bringing his authority or his office as a Member of the Authority into disrepute.

Alternative options considered:

The Panel considered all the options available but having concluded that Councillor Webster had not breached the Code of Conduct, none of the alternative options were deemed appropriate.

The reason for the decision:

The Panel considered:

- the Deputy Monitoring Officer’s report;
- the written submissions of the complainant;
- the oral submissions of Councillor Webster; and
- the District Council’s Code of Conduct.

The Panel considered the written submissions of the complainant who stated that, during a Planning Committee meeting held on 9th November 2017, Councillor Webster (who was sitting as a Member of the Planning Committee) made comments in respect of noise and environmental issues and expressed “glee” at the outcome of a vote on a planning application before the Committee and, in doing so, failed to treat those present at the meeting with respect and brought his Authority into disrepute.

Councillor Webster informed the Panel that he had spoken at length on issues in relation to the planning application as a contribution to the Planning Committee’s deliberation. Councillor Webster informed the Panel that he spoke on noise, environmental and traffic issues but that he did not recall saying “we’ve heard enough on the subject”. Councillor Webster told the Panel that during his contribution to the Committee meeting he had mistakenly referred to the wrong road name, however,

once he had realised the mistake he apologised and corrected himself. Councillor Webster denied expressing “glee” at the outcome of a Planning Committee vote. Councillor Webster informed the Panel that the Committee had a temporary adjournment between the two planning applications during which he had spoken briefly with two other Committee Members about the mistake he had made during his presentation.

The Panel concluded that Councillor Webster had, during the meeting, expressed his opinion on noise, environmental and traffic issues as a contribution to the Planning Committee discussion. The Panel concluded that Councillor Webster had spoken to other Members following the decision on the planning application. However, the Panel was satisfied that Councillor Webster had not expressed “glee” at the outcome of the decision.

THE DECISION:

The complaints alleging that Councillor D A Webster had breached the Code of Conduct (namely by failing to treat others with respect and bringing his Authority or his office into disrepute) are not upheld.

The meeting closed at 4.30 pm

Chairman of the Panel