

Minutes of the meeting of the STANDARDS  
HEARINGS PANEL held at 12.00 pm on  
Thursday, 3rd October, 2019 at Main  
Committee Room, Civic Centre, Stone Cross,  
Rotary Way, Northallerton, DL6 2UU

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Present

Councillor G W Dadd  
A Robinson

Councillor P Thompson

Independent Person

Independent Person Mr S Green

Parish Council Representative

Parish Councillor P Hull

SHP.7 **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.8 **EXCLUSION OF THE PRESS AND PUBLIC**

**THE DECISION:**

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the items of business at minute no SHP.9 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 as the Panel was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

SHP.9 **ALLEGATIONS ABOUT A TOWN COUNCIL MEMBER**

**The subject of the decision:**

The Deputy Monitoring Officer presented a report in relation to allegations that a Town Councillor ("the Town Councillor") failed to comply with the provisions of the Town Council's Code of Member Conduct namely that she behaved in an aggressive, intimidating and disrespectful manner.

**Alternative options considered:**

The Panel considered all the options available but having concluded that the Town Councillor 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 Town Councillor;
- the written and oral submissions of the complainant;
- the written and oral submissions of four witnesses; and
- the Town Council's Code of Conduct.

The Panel reached the following conclusions:

The Panel considered evidence in relation to an allegation that during a meeting on 15 July 2019, between the Town Councillor, the complainant and another member of the Town Council ("W"), the Town Councillor behaved in an aggressive, intimidating and disrespectful manner. The complainant stated that following a meeting of the Town Council the Town Councillor had burst into the room where the complainant was holding a private meeting with W. The complainant stated that the Town Councillor interrupted the conversation and questioned the complainant in an aggressive way. The complainant stated that the Town Councillor was challenging in her voice and demeanour. The complainant informed the Panel that during a discussion about a confidential matter, the Town Councillor pointed her finger at both the complainant and W and, with a raised voice, stated "I can't talk to you and I can't talk to you" before leaving the room. When questioned, the complainant could not recall whether the Town Councillor had qualified this statement.

The Panel considered a written statement from W. W stated that on 15 July 2019 prior to the Town Council meeting, the Town Councillor had requested a private meeting with W. W informed the Panel that he had agreed to meet the Town Councillor in the clerks' office after the Town Council meeting. W also stated that at the end of the Town Council meeting, he had requested to have a meeting with the complainant and the Town Councillor. W stated that during the private meeting the Town Councillor questioned the complainant in an aggressive tone and pointed her finger at W and the complainant and stated in a raised voice "I can't talk to you and I can't talk to you" and left the room.

The Town Councillor told the Panel that on 15 July 2019 she and W had arranged to meet privately on the rising of the Town Council meeting. The Town Councillor informed the Panel that she had not interrupted the meeting between the complainant and W, but had been present from the start. The Town Councillor refuted the allegation that she behaved in an aggressive way although accepted that she had become frustrated during the meeting.

The Town Councillor informed the Panel that during the meeting both the complainant and W had disclosed information relating to an issue in which the Town Councillor had been assigned as a neutral point of contact. The Town Councillor informed the Panel that she was compelled to leave the meeting because information relating to a confidential matter was being discussed by the complainant and W which could lead to the Town Councillor's neutral position being compromised. The Town Councillor told

the Panel that on leaving the meeting she turned to each the complainant and W explained the reasons why she could not discuss the matter any further with either of them. In doing so, the Town Councillor explained that she did point her finger and used the words "I can't talk to you" but that she had, at the time, elaborated on the reasons why and made a point of apologising directly to the complainant.

The Panel considered an email exchange between the Town Councillor and W dated 16 and 18 July 2019. The Panel noted that, during this exchange, W did not raise any concerns about the Town Councillor's conduct at the meeting on 15 July 2019 and thanked her for leaving the meeting.

The Panel concluded that the Town Councillor and the complainant had both been invited to attend a private meeting with W on 15 July 2019. The Panel concluded that the Town Councillor had become frustrated during the meeting and had pointed her finger to emphasise her reasons for leaving the meeting. The Panel was not satisfied that this behaviour was inappropriate within the context of the discussion. Therefore the Panel was not satisfied that the conduct of the Town Councillor had amounted to behaviour that was intimidatory, bullying or disrespectful.

It followed that, in the Panel's view, the Town Councillor had not breached the Code of Conduct in respect of the allegations made by the complainant.

**THE DECISION:**

That Panel recommends to the Town Council that the allegations that the Town Councillor behaved in an aggressive, intimidating and disrespectful manner are not upheld.

The Panel recommends that the Town Council be notified of its findings.

The meeting closed at 1.15 pm

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Chairman of the Panel