


City of York Council Standards Committee	
Pre Hearing Checklist	
Complainant	Mr Andrew Dickinson
Subject Member	Councillor John Galvin
Investigating Officer	Ms Christine Bainton
Do you intend to attend the proposed hearing to give evidence or make representations?	
Yes.	
Do you wish to be represented at the hearing by a solicitor, barrister or another person?¹	
No.	
If so by who?	
N/A	
Do you wish the whole or any part of the hearing to be in private?	
No.	
If yes please explain why²	
N/A	

¹ Although there has to be a degree of formality to the proceedings of the committee it will be unusual for subject members to be represented. The procedure is not adversarial. The Committee will act in an inquisitorial manner to ensure that the circumstances of the case are fully understood.

² The Standards Committee's general position is that hearings should be held in public and that documents should be publicly available in advance of the meeting. However, there may be circumstances in which fairness to individuals dictates and the provisions of schedule 12A to the Local Government Act 1972 allow, information to be considered in private. The Council's proper officer will determine whether papers should be publicly available and the Hearing Sub Committee will determine whether the meeting or any part of it should be in private

Do you wish any part of the Investigating Officer's report or other relevant documents to be withheld from the public?

No.

If yes please explain why³

N/A

Do you disagree with any of the facts found by the investigating officer as set out in his/her report?

Yes.

If yes please set out briefly the facts that you dispute and your view as to the true factual position

Paragraph 25 of the report states that:-

During his interview, he (Mr Galvin) said that he made an aside comment to another Councillor. He said "This man's being a Pillock" in reference to the person who was driving a lorry.

As many of the objections centred on the highway implications the purpose of the lorry was to illustrate the problems the Sainsbury's delivery vehicles would create. That Mr Galvin described the man as a 'Pillock' demonstrates that he came with a predetermined view and, therefore, he was unwilling to listen and to fairly consider the points raised by objectors, of which there were a significant number, with an open mind and reach an unbiased determination.

Paragraph 29 also makes reference to the lorry '*being a distraction*'. As mentioned above the purpose of the lorry was to help illustrate the difficulties of such a large vehicle negotiating Union Terrace, particularly the sharp 90 degree bend. Incidentally the lorry had to mount the pavement to manoeuvre around the corner, a point missed by all officers and committee members present at the site visit!

Paragraph 27 of the report states that:- (Cont)

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He believes that he made this comment (reference to arriving my helicopter) to diffuse a hostile situation.

I do not believe this to be true. Making unprofessional comments such as this do not ‘diffuse’ situations they make them worse. I believe this illustrates Mr Galvin’s dislike to the objectors and why I believe he acted with bias in approving the development. If Mr Galvin wanted to ‘diffuse’ the situation he should have apologised and been sympathetic to those waiting in the rain for over an hour. His abrasive comments further demonstrate his hostility towards the objectors.

Do you believe that witnesses should be called to the Hearing

No.

If yes please identify the witnesses who you wish to be called and briefly identify the issues that they will be able to give evidence about⁴

⁴ The Monitoring Officer and Chair will consider whether any witnesses you name are likely to be able to give evidence which will be of value to the Hearing Panel. If they are then those witnesses will be invited to attend. The Panel cannot compel the attendance of any witness.