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Epsom Council chamber walk-out: a postscript

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The procedural controversy at Epsom and Ewell Borough Council did not end when 11 councillors walked out of the Council Chamber on 21 July in protest at the Mayor's ruling in favour of her father participating in a debate on the development of Council owned Hook Road arena, where his annual fireworks display is held.

Since Epsom and Ewell Times's (EET) report, "Fireworks at Epsom Council spark walk-out", further exchanges with Councillor **Neil Dallen** (RA, Town) and the Mayor, Councillor **Lucie McIntyre** (RA, West Ewell), have raised questions about accountability, consistency and the proper boundary between robust scrutiny and personal abuse.

An interview made a condition of answering

Before the earlier publication, EET sent Cllr Dallen straightforward written questions about his position as a director of Epsom Fireworks Display Limited, the company's agreement to hire the Council-owned Hook Road Arena, and whether he has ever received remuneration, expenses or another financial benefit through the company. After five days Cllr Dallen did not reply before publication.

After the publication he made an interview a condition of responding: "I do not intend to answer them *(the questions)* in isolation but if you wish to meet and discuss the firework display, how it is organised, who benefits etc. I would be very happy to meet you either face to face or online."

EET explained that its settled news-gathering policy is to conduct enquiries by email. This creates an exact, contemporaneous record of the questions asked and answers given and protects reporters, contributors and those being interviewed against later disagreement about what was said. This policy has been expressly approved by EET's regulator IMPRESS. Furthermore, as volunteers we do not have the time to give and Cllr Dallen is no exception to our method. EET would welcome for publication an article about the history of the Epsom fireworks, an annual event that has been a staple of community life in the Borough since 1971.

Cllr Dallen replied: "*I can see no point in responding*. Perhaps you need to consider taking out insurance or getting agreement to record meetings."

For clarity, Cllr Dallen did not decline an interview. He required one before he would answer. EET declined that condition and renewed its invitation to answer in writing. No substantive response has followed.

Cllr Dallen is under no general legal obligation to answer questions from a newspaper. His decision not to answer proves neither payment nor wrongdoing. EET nevertheless considers the questions proper and relevant to the public controversy.

In particular, the question remains unanswered:

As a director, does Cllr Dallen receive, or has he ever received, fees, expenses or any other financial benefit from Epsom Fireworks Display Limited?

Gain is not the only possible interest

At the 21st July Council meeting, Cllr Dallen declared that he was a director and trustee connected with the fireworks display, but said he did not have a pecuniary interest in the Hook Road proposal.

It is possible that he reached that conclusion in good faith because the motion sought to advance development which might ultimately bring the annual firework display to an end rather than produce a gain for him.

A pecuniary interest, however, is not confined to the prospect of making money from the decision. An existing financial interest may also be adversely affected and that would constitute a "*pecuniary interest*"

Moreover, EEBC's Members' Code of Conduct includes among disclosable pecuniary interests a contract between the Council and an incorporated body of which the councillor is a director, where goods or services are to be provided and the contract has not been fully discharged. Epsom Fireworks Display Limited had an agreement to hire Hook Road Arena for the November 2026 display.

The Code says that, where a matter "directly relates" to such an interest, the councillor must disclose it, take no part in the discussion or vote and leave the room unless granted a dispensation.

That leaves an important question of application. Did a motion merely making development of the Arena a strategic priority "directly relate" to the existing fireworks-hire contract? The motion did not itself cancel that agreement or

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approve a particular development. There is consequently room for legal argument.

But the existence of a company contract is relevant independently of whether Cllr Dallen receives directors' fees. An answer about remuneration would still help establish whether his directorship also falls within the separate category of an office carried on for "profit or gain" and would allow the public to understand the full nature of his interest.

It remains a question Cllr Dallen has chosen not to answer.

The Mayor's full statement

EET also asked Cllr McIntyre why she did not formally disclose that Cllr Dallen is her father and why she did not invite the Deputy Mayor to chair the dispute over his participation.

The Council supplied the following statement on her behalf: "I was elected Mayor this year and, as you will read in my biography on the Council website, the commitment my father, Councillor Dallen, demonstrates in helping others is one of the things that inspired me to serve my community by becoming a councillor, and now Mayor. I am perfectly able to chair a meeting in my capacity as Mayor when my father is in attendance. At the Full Council meeting on 21 July, Councillor Dallen declared that he did not have a pecuniary interest in the item concerning Hook Road Arena, which was his right."

The original report summarised the first part and reproduced the final two sentences verbatim, these being the part directly addressing the question. The Council subsequently insisted that the entire statement should appear, saying that editing it had altered its meaning.

EET therefore publishes it above in full.

The additional passage undoubtedly supplies context. It also expressly records Cllr McIntyre's admiration for her father and the influence he has had upon her own public life. Readers may consider that this reinforces, rather than dispels, the appearance of a conflict when she chaired rulings determining whether he could remain, speak and move the motion.

The issue is not whether a mayor can ordinarily chair a meeting attended by a parent. It is whether she should have continued to chair the particular dispute over that parent's interests, without formally disclosing the relationship and when the Deputy Mayor was available.

Cllr McIntyre's statement does not answer that question.

In requesting publication of the full quotation, the Council's communications team added: "We value our working relationship with local media and always respond to enquiries in good faith, with the expectation that comments will be represented accurately."

This was not an express threat to end cooperation with EET. In its context, however, the reference to the working relationship could be read as placing institutional weight behind the request. A constructive relationship between a council and the local press must permit fair editing, difficult questions and disagreement over what is relevant. It cannot depend upon every supplied statement being published in full.

Was there "hate" in the chamber?

At the conclusion of the Hook Road debate, Cllr Dallen said: "We, as a council, made a motion about Debate Not Hate, and I think we need to remind ourselves about that."

EEBC unanimously adopted its Debate Not Hate motion in July 2023. It committed the Council to challenging abuse and intimidation while encouraging healthy political debate.

The campaign was never intended to make councillors immune from criticism. When the East Surrey Shadow Authority recently supported the same Local Government Association campaign, councillors emphasised that they expected their decisions to be questioned and that there was a fundamental difference between robust disagreement and personal abuse. As one councillor put it: "We should challenge each other's policies, question decisions, and hold one another to account." Read EET's report.

EET has reviewed the transcript of the Hook Road exchange. It records repeated procedural objections, interruptions, an adjournment and the walk-out. Cllr **Kieran Persand** (Conservative Horton) called the Council "a joke". Cllr **Clive Woodbridge** (RA Ewell Village) praised those opposition councillors who remained for showing a "mature side", prompting Cllr **Chris Watson** (Labour Ewell Court) to defend the walk-out as a valid democratic act. Cllr **Hannah Dalton** (RA Stoneleigh) referred more generally to "cheap pop shots and remarks" and councillors feeling "mauled".

Some of that language was sharp and the atmosphere was plainly heated. EET found no threat, discriminatory abuse, harassment or personal attack upon Cllr Dallen in the recorded Hook Road exchange of the kind at which Debate Not Hate is principally directed. The objections concerned whether he was entitled to participate and whether the correct procedure had been followed.

It is therefore fair to ask what Cllr Dallen intended by invoking Debate Not Hate. If it was directed at those procedural objections, it risked treating scrutiny as abuse and turning a campaign designed to protect democratic participation into a means of discouraging it.

"Debate Not Hate" cannot sensibly mean "debate, but no uncomfortable questions". The campaign protects councillors against intimidation; it does not release them from accountability.

Cllr Dallen may maintain that he had no pecuniary interest and was entitled to participate. Cllr McIntyre may maintain that she was capable of chairing impartially. Both are entitled to state those positions.

But accountability involves more than asserting that one is right. It includes answering reasonable questions, disclosing

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relationships relevant to public perception and permitting established rules to be tested without characterising the challenge itself as hate.

Whether the approaches taken here demonstrate consistency—or something closer to selective accountability—is a judgment readers can now make with the exchanges before them.

Sam Jones – Reporter



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