



## STANDARDS COMMITTEE

<b>DATE:</b>	<b>Thursday, 16 May 2024</b>
<b>TIME:</b>	<b>10.00 am</b>
<b>VENUE:</b>	<b>Town Hall, Station Road, Clacton-on-Sea, CO15 1SE</b>

### MEMBERSHIP:

<b>Councillor Wiggins (Chairman)</b>	<b>Councillor J Henderson</b>
<b>Councillor Oxley (Vice-Chairman)</b>	<b>Councillor Land</b>
<b>Councillor Alexander</b>	<b>Councillor Newton</b>
<b>Councillor Baker (sub for Cllr Oxley)</b>	<b>Councillor Talbot</b>

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DATE OF PUBLICATION: Wednesday, 15 May 2024

## AGENDA

7 **Report of the Monitoring Officer - B.1 - Investigator's Report & Findings (Pages 5 - 14)**

Becky MacDonald-Lofts' answers to Councillor Nick Turner's questions are attached.

### **Date of the Next Scheduled Meeting**

*The next scheduled meeting of the Standards Committee is to be held in the Town Hall, Station Road, Clacton-on-Sea, CO15 1SE at 10.00 am on Wednesday, 10 July 2024.*

## **Information for Visitors**

### **FIRE EVACUATION PROCEDURE**

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the room and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

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Your calmness and assistance is greatly appreciated.

## QUESTIONS FOR BECCY LOFTS

### 1. Regarding the SMP Explorer Tool Meeting on June 5, 2023:

- "You mentioned that the June 5th meeting was meant only for feedback on the interface of the SMP Explorer Tool, yet Cllr Turner discussed broader issues with the SMP itself. Could you clarify how the meeting's agenda was communicated to attendees, including Cllr Turner?"

The direct calendar invite to all Member representatives, including Cllr Turner, contained the following information that included a statement on the direct purpose of the session (highlighted in yellow):

Dear all,

At the last quarterly meeting of the LGA Coastal SIG, Elected Members requested a Shoreline Management Plan Explorer Demonstration session to provide them with an opportunity to feedback their thoughts on the useability of the upcoming SMP-Explorer.

Please accept this meeting invite if you would like to participate in this opportunity and a Zoom link will be added on the morning. Please do not attend if you have already been shown the Demo and provided feedback through your local SMP lead.

Please note that this session is only for feedback on the accessibility of the features of SMP-Explorer from Lead and Deputy Member Representatives - if you have any queries relating to direct feedback on SMPs in general, or on the content that will be included please email these through to the Secretariat to be followed up separately.

Kindest regards  
Beccy

- "You described Cllr Turner's interventions as disruptive. Could you specify how his comments diverged from the stated purpose of the meeting, and detail any attempts made to redirect the discussion?"

Cllr Turners comments related to the local concerns that he has around the SMP which, clarified in the above statement, were not a focus of the meeting which was solely for feedback on the useability of the SMP-Explorer online tool. His comments were also personally directed at Nick Hardiman, the EA representative, which were totally inappropriate. I interjected repeatedly to reaffirm the purpose of the session and to stop the inappropriate comments – this is all relayed in my original statement.

- "You noted that Cllr Turner's behaviour had been a consistent issue at meetings. Are there documented instances prior to June 5 where similar concerns about his conduct were formally addressed either with him directly or through official channels?"

I am not aware of any documented instances in the SIG files, however, conversations were had with the Chair around concerns of Cllr Turner's behaviour, and we are discussing the options as to how best to proceed that were to be followed up after the SIG quarterly meeting prior to the events that occurred within this meeting.

## 2. On Managing Disruptive Behaviour:

- "Following the incidents described by you, what specific actions have you or the SIG taken to address Cllr Turner's conduct directly with him? Have there been formal discussions or correspondence regarding his behaviour?"  
Considering the seriousness of the comments made, the complaints received and the damage to the LGA Coastal SIG's reputation it was felt that the only appropriate action was to take this directly to Tendring District Council as he was at these meetings as their representative and acting in his position as a Councillor.
- "In light of the SIG's experiences, have there been any revisions to the terms of engagement or code of conduct for meeting participants to better manage such situations in the future?"  
Yes. Our previous Terms of Reference were reviewed and taken to the following September meeting, and now include details of what immediate and following action will be taken. These were passed unanimously by Member representatives. I have included these below in the format as they were taken to the meeting to enable amendments to be easily seen:

### LGA COASTAL SPECIAL INTEREST GROUP TERMS OF REFERENCE

**DRAFT proposed 14 SEPTEMBER 2023**

**Last updated September 2021**

***Please note that highlighted parts of this document are the proposed changes and additions to our existing Terms of Reference for LGA Coastal SIG members to comment and feedback on.***

## 1. VISION

The Vision of the Coastal Special Interest Group ("the Group") is:

- 1.1 To be the go-to voice of our unique coastal, estuarine and maritime communities to make them thriving and resilient for the future.

## 2. OBJECTIVES

The Objectives of the Group are:

- 2.1 To increase awareness and debate at a national level of the environmental, economic and social issues that directly or indirectly impact coastal, estuarine and maritime communities;
- 2.2 To act as a focus for liaison between member local authorities and other bodies representing coastal, estuarine and maritime interests;

- 2.3 To secure improved cross-departmental co-ordination with Government on coastal, estuarine and maritime issues with a view to ensuring consistency in policy and the provision of resource;
- 2.4 To work in partnership with other organisations with complementary aims to support coastal, estuarine and maritime communities;
- 2.5 The Groups' annual Strategic Priorities to deliver these objectives are to be reviewed each March meeting for agreement as deliverables within the Group's Forward Workplan at the September Annual General Meeting.

### 3. KEY ACCOUNTABILITIES

The key accountabilities of the Group are:

- 3.1 Raising the profile of the challenges, issues and opportunities faced by coastal, estuarine and maritime communities;
- 3.2 Representing the best interests of local authority members across all opportunities, with a primary focus for those located in England as in-house expertise allows;
- 3.3 Acting as a discussion forum for issues raised, with a view to reaching a consensus of opinion where required and preparing discussion papers or inviting presentations on issues of specific interest to coastal, estuarine and maritime communities;
- 3.4 Liaising with other Special Interest Groups, LGA Boards and Executive of the LGA, and delivering for coastal, estuarine and maritime communities by developing and maintaining strong collaborative partnerships;
- 3.5 Making representations to Government, in so far as they are consistent with and will not conflict with or undermine LGA policy as a whole or damage the interests of other member authorities, to ensure that issues affecting coastal, estuarine and maritime communities are reflected in Government policy and the result is an adequate distribution of funding/resources;
- 3.5 Maintaining an annual Workplan formed around the Groups' Strategic Priorities to be agreed each year, normally at the March meeting;
- 3.6 To uphold the Nolan Principles of Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

### 4. MEMBERSHIP

- 4.1 Membership of the Group shall be open to all those authorities with an interest in coastal, estuarine and maritime issues who are also members of the LGA or are associate members of the LGA (i.e. Local authorities in Wales). A minimum of 5 local authorities are required to maintain the status as an LGA Special Interest Group;
- 4.2 Membership of the Coastal Special Interest Group is through a subscription basis for local authorities. Subscription fees will be reviewed prior to each election by a Subscriptions Working Group chaired by a Lead Member Representative. Subscription fees were reviewed in September 2022 and agreed at the December meeting as:
  - Unitary
  - County
  - Borough/District

Any local authorities who wish to join the LGA Coastal SIG but are unable to meet the set subscription fees should write to the Chair outlining their position and any fee reductions will be at the Chair's discretion;

- 4.3 There are no fees for external organisations as they are considered as "partners", essential in the delivery of the Groups objectives;

- 4.4 The host lead authority is exempt from subscription fee payments;  
Each member authority may nominate one Councillor to represent the authority at any meetings of the Group, who shall be the councils "Lead" Member Representative. Each member authority may nominate a deputy or "sub" Councillor to represent the authority at any meetings of the Group at which the nominated representative cannot attend. The Lead and Deputy Member Representatives hold the right to vote on matters such as Chair and Vice Chair elections, with one vote per local authority permitted. Should either the Lead or Deputy be unavailable, the council should nominate another Elected Member to attend meetings on their behalf on an *ad hoc* basis. Member representatives may be portfolio holders for related issues in their home authorities or have experience/knowledge of, and special interest and commitment to, coastal issues;
- 4.5 Each member authority may nominate one officer to represent the authority at any meetings of the Group, who shall be the councils "Lead" Officer representative. Each member authority may nominate a deputy or "sub" officer to represent the authority at any meetings of the Group at which the nominated representative cannot attend. Should either the Lead or Deputy be unavailable, the council will nominate another Elected Member to attend meetings on their behalf on an *ad hoc* basis. Officer representatives must have responsibility for and experience/knowledge of, coastal issues;
- 4.6 All representatives to the Group are expected to uphold the uphold the Nolan Principles of Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership. Where any representative fails to uphold these principles, a complaint will be submitted to the relevant authority at the Chairs discretion.

## 5.0 MEETINGS AND LEADERSHIP

- 5.1 The Group shall meet quarterly throughout the year, with at two meetings being held by video conference, one via hybrid facilities (where possible) and one as in-person only with the September meeting acting as the Groups' Annual General Meeting (AGM). A 'Field Meeting' of the Group will be held in an agreed coastal location, usually hosted by a local authority member. The 'Field Meeting' will be serviced by the host authority and a financial contribution, not exceeding £1000, will be provided to the host authority from the Group's budget;
- 5.2 The Senior Officer's Group "SIGSOG" shall normally meet within two weeks prior of the date of the next Group meeting. Three meetings per year will be held by video conference and one in-person (if possible);
- 5.3 The Chair and Vice Chair will be elected in separate ballots by the Group, each of which will serve for a maximum period of 3 years, before elections will be undertaken; the next election is due September 2025. In the event of extraordinary circumstances such as resignation, death, loss of seat etc of the incumbent the election process will be triggered and undertaken as soon as is practicable;
- 5.4 The elections will normally take place at the September Annual General Meeting to allow for a possible change over of post for commencement in the January of the year following the election;
- 5.5 The Chair and Vice Chair should be drawn from different geographical regions of England when possible;
- 5.6 The Chair will be responsible for chairing the Group's meetings and to represent the interests of the national Group at other fora and to lead any deputations, as required by the interests of the Group. In the absence/non availability of the Chair, the Vice Chair will assume these responsibilities. Neither the Chair nor



- Vice Chair are permitted to use their role for local gain. In addition, the Chair/Vice Chair may from time to time be invited to attend the Senior Officers Group meeting to provide a Members input upon the work stream;
- 5.7 The Chair/Vice Chair must each have a dedicated Officer support. The Officer supporting the Chair will be from the Chair's Council and act as Lead Officer to the Group and will also chair the Senior Officers Group. The officer supporting the Vice Chair will be from the Vice Chair's Council & will participate in the Senior Officers Group and will chair the Senior Officers Group and act as Lead Officer to the Group if the Vice Chair becomes the Chair of the Group or in the absence of the Lead Officer;4.8
- 5.8 The LGA will provide secretarial support to the Group, where requested by the lead authority, including the co-ordination and despatch of agendas, reports on areas of LGA policy and taking of minutes when the Group meeting is held at the LGA officers. The LGA will not undertake to support the 'Field Meeting' in the taking of minutes, but will coordinate and dispatch the agenda papers. The responsibility for the production of the minutes for the 'Field Meeting' will be that of the host authority;
- 5.9 Each member authority shall have one vote on any matter upon which a decision is required. In the event that there is an equality of votes the person presiding at the meeting as the Chair shall have a final and casting vote.

## 6. SUB-GROUP

- 6.1 From time to time the Group shall consider whether it would be expedient for detailed consideration of an issue to be undertaken by a Sub-Group ("working group or Task & Finish Group depending upon the nature of the issue);
- 6.2 The Group shall decide the membership and responsibilities of any Sub-Group at the time that the decision is taken to set up the Sub-Group;
- 6.3 The Group shall also engage with other external Bodies to assist in consultation and development of the Group's work programme;
- 6.4 Where appropriate, a "Sub-Group" will be chaired by a Member Representative who will be supported by an Officer Representative. Where these roles are more permanent in nature, the Member Representative will be elected as the "Member Champion" and Supported by at least one "Officer Lead";
- 6.5 As a Member Champion, the Member is expected to undertake regular meetings (at least twice per year) with the Officer Lead(s), Chair the Sub-Group meetings (where applicable), keep updated with relevant matters relating to the purpose of the Sub-Group, attend applicable external meetings and act as a representative of the national Group. Where the Member Champion is unable to attend external meetings, the Chair/Vice Chair should attend in their place and be appropriately briefed;
- 6.6 As an Officer Lead, the Officer is expected to regularly update the Member Champion (at least twice per year) with relevant information, support their role as Chair by organising the agendas of meetings and general administration of the Sub-Group, attend applicable external meetings and act as a representative of the national Group. Where the Officer Lead is unable to attend external meetings, the Lead Officer should attend in their place and be appropriately briefed;
- 6.7 Member Champions and Officer Leads are not permitted to use their roles within the Group for local gain;
- 6.8 Member Champions and Officer Leads are elected by the Chair through an application process when such roles become available and are accountable to the Chair and wider Group. When either role intends to step down, the Chair should be informed

immediately with a suggested notice period of one month to allow for smooth transition to new representatives in order to maintain progress in these work areas;

- 6.9 Where Member Champions/Officer Leads do not deliver 5.5 and-5.8, the Chair reserves the right to replace Member/Officer representatives, particularly where a lack of engagement occurs over a period of time greater than 3 months;
- 6.10 For Sub-Groups relating to the Group's work themes, a minimum of two meetings shall be held each year with one meeting set to provide a forum for agreement of the Sub-Group's workplan. External partner organisations should be permitted to attend the meetings of Sub-Groups (where appropriate) to support the objectives of the Group.

## **7. WORK PROGRAMME**

- 7.1 The Group shall determine its annual priorities and Work Plan through consultation with members and sub-groups. It should be brought to the Group for approval at a meeting, normally in September at the Annual General Meeting with the review beginning at the end March;
- 7.2 The Group shall keep the work plan for the year under review and treat it as a living document whereby they may amend, alter, add to or make deletions from the work plan and programme as circumstances dictate;
- 7.3 The Chair, under consultation with the Lead Officer, may appoint Member Champions or Officer Leads to help deliver the work programme. These roles may require the support of a Sub-Group (see Section 6 above) or may be delivered without the support of a Sub-Group depending upon the nature of the issue.

## **8. REPORTING**

The Group will at all times communicate with, advise, and influence the work of the LGA. In particular the Group will: -

- 8.1 Report to the LGA Executive through the presentation of an Annual Report due in June of each year. The Annual Report will report on progress since the preparation of the previous Annual Report and identify the issues that need to be pursued further by the LGA. This Report will be made available through the Group's website to aid transparency;
- 8.2 Provide copies of reports of the Group's meetings for information to the LGA Executive and others as requested;
- 8.3 Authorise the Chair or Vice Chair of the Group to approve draft reports, prior to consideration by the Group, in order to meet specific time constraints set;
- 8.4 Utilise its website to post relevant reports and other information approved by the Group.

## **9. FINANCE**

- 9.1 The Group will agree a suitably qualified and experienced officer from one of the local authorities participating in the Special Interest Group to act as its Treasurer with funds held by their local authority. They will provide the necessary advice on the Group's finances, costs of work plans, setting of subscription fees etc and will provide the Group with regular reports thereon. They will be responsible for collecting subscriptions fees, normally in November; it is the member local authority's responsibility to raise purchase order numbers to support this process in a timely manner;
- 9.2 All travelling and subsistence allowances incurred by Councillors/Officers representing member authorities at the quarterly meetings of the Group shall be the responsibility of the member authority concerned;

- 9.3 Any Councillor/Officer specifically requested by the Group to represent the Group at other fora and meetings will be entitled to claim and recover reasonable expenses from the Group's budget. Any person attending such fora and meetings will be required to report to the Group meeting at the earliest practicable opportunity;
- 9.4 An agreed honorarium will be paid annually to the Chair and Lead Officer of the Group in recognition of their roles and demand on their time;
- 9.5 Any external funding to the Group should be shown on the bi-annual and annual treasury reports under the heading of "External funding". The sources of funding must be inline with the LGAs rules for Special Interest Groups and must not influence the delivery of work by the Group.

## 10. REVIEW

- 10.1 These terms of reference and their operation shall be subject to periodic review by the Group, with a minimum review time of 3 years.

### 3. Concerning the Quarterly Meeting on June 29, 2023:

- "You reported a conversation with the police regarding whether Cllr Turner's comments could be considered criminally offensive. What prompted this conversation, did you provide the reference number and police officers name to the investigating officer and what was the evidence of the outcome?"  
I have already reported the detail I wish to provide in my original statement but will also add that the contact was not initiated by anyone within the LGA Coastal SIG team.
- "You described Cllr Turner making culturally insensitive remarks during the meeting. Can you provide more context on how the meeting's chair and other participants responded to these remarks at the time?"  
I have already reported this in my statement, but I cannot state strongly enough how shocked attendees were by the comments which could be clearly seen by those with their cameras still on – a large proportion of cameras turned their cameras off in disgust.
- "Has there been any follow-up with Cllr Turner about the specific remarks made during this meeting, especially regarding cultural sensitivity and the potential impact of such statements?"  
No contact has been initiated with Cllr Turner. As previously stated, considering the seriousness of the comments made, the complaints received and the damage to the LGA Coastal SIG's reputation it was felt that the only appropriate action was to take this directly to Tendring District Council as he was at these meetings as their representative and acting in his position as a Councillor.

### 4. General Questions on SIG Operations and Cultural Sensitivity:

- "Could you elaborate on the training or guidelines provided to SIG members, including Cllr Turner, regarding cultural competence and respectful communication?"

SIG members are council representatives and therefore are expected to abide by their local authorities' codes of conduct. It is not the place nor responsibility of the LGA Coastal SIG to provide training to Members regarding cultural competence and respectful communication. Our Terms of Reference have been amended to now provide clear guidance on what is expected, this had not previously been included as it was felt that it was not required as all Members are expected to uphold the Nolan Principles and has only now been amended as the result of Cllr Turner's behaviour.

- "How does the SIG ensure that all members, especially those with long tenures like Cllr Turner, understand and adhere to updated codes of conduct and meeting expectations?"

All Members attend as Councillor representatives of their council, no one may attend without being nominated by their council to whom they are responsible and are therefore expected to adhere to the Nolan principles. The LGA Coastal SIG Terms of Reference are shared with all Member representatives and reviewed frequently via our meetings to which all representatives are invited and therefore are provided with papers.

- "During the discussions with the investigating officer, you mentioned that comments like those made by Cllr Turner might be more acceptable coming from councillors of a certain generation. Could you elaborate on what you meant by this? Additionally, how do you ensure that your evaluations of council members' contributions are free from age-related biases and focus solely on their behaviour and professional conduct?"

I think this has been misunderstood. Sometimes we hear that people try to ignore or brush aside such comments from Councillors of a certain generation as they may once have been seen as acceptable however we do not accept this and expect all to adhere to the Nolan principles as they are representing their councils (and their codes of conduct) and their communities. There is no place for such bias or unhelpful comments.

I assume from "how do you ensure that your evaluations of council members' contributions are free from age-related biases and focus solely on their behaviour and professional conduct" there is an underlying tone that I have a bias here which I certainly do not. I highly value all of our councillors no matter their age, background, gender or race. The wealth of experience and knowledge that all our Councillors bring is invaluable and supports the work that I look to deliver on their behalf. This did include Cllr Turner, with whom I have had numerous conversations and support from which I am very grateful for and am greatly saddened by the situation that we are now in.

- ~~"In your role, you emphasized the need to balance the resilience of communities with environmental conservation, stating that 'some communities will have to be rolled back from today's coastline.'~~ How do you balance these priorities when making decisions that affect both local communities and marine ecosystems? ~~Additionally, given your alleged awareness of Cllr Turner's views on climate change, how do you ensure that your professional interactions remain unbiased and focused on the objective needs of the communities and ecosystems you serve?"~~  
My role is to support all coastal communities and engage with our Member and Officer representatives in order to support their progression to become thriving and resilient. I would not be able to do this as successfully as I do if I held any bias. Everyone is entitled to their opinions and my role is to provide them with the resources and information that they need to deliver the best outcomes for their communities, it is not my place to tell people what they should believe.

#### **5. Impact and Future Measures:**

- "What measures have you already implemented in the SIG to prevent recurrence of the issues raised in your statement concerning Cllr Turner's alleged conduct?"  
Please see above response to the second point on "Managing Behaviour".

#### **6. Wider Community**

- What steps were taken to engage with the widerCommunity before the Complaints were made?  
The wider community engaged with the Secretariat in the first instance to raise their complaints, including one where we nearly lost all representation from an organization. These were all responded to, and those who provided complaints were given the option to submit their complaints either directly to Tendring District Council or as part of the LGA Coastal SIG complaint. Once the investigation began, an email to all those present was sent on behalf of the investigator with a request to get in touch with him directly.

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