

**TENDRING DISTRICT COUNCIL – Cllr Noel Galer (NG) and Melvin Kenyon, Investigator (MK). 10am, 27<sup>th</sup> October 2023. Zoom.**

**Preamble**

MK began the interview with the following preamble. “My name is Melvin Kenyon, and I am an independent, external investigator for the Monitoring Officer of Tendring District Council, Lisa Hastings, who has asked me to assist her in this matter.

“It is my normal practice to record interviews and I would like to do that now with your permission. I will use the recording to produce a summary of our conversation rather than trying to make written notes as we talk.

“I will send the draft summary to you for comment before it is finalised and, when you and I have agreed the summary, that will then form the record of our conversation. The recording will be destroyed once the summary has been agreed by us both and it will not be shared with anyone else without your permission in the meantime. Could you please confirm that you consent to this?”

NG gave his consent.

MK continued. “For the benefit of the recording it is now Friday 27<sup>th</sup> October at 10am. This is a conversation between Melvin Kenyon and Cllr Noel Galer of Great Yarmouth Borough Council concerning a Standards Complaint raised by Cllr Ernest Gibson of South Tyneside Council against Cllr Nick Turner of Tendring District Council on 16<sup>th</sup> August 2023.

“Cllr Gibson alleged in his Complaint that Cllr Turner breached the Tendring District Council Code of Conduct at two separate meetings relating to the work of the LGA Coastal Special Interest Group that took place in June this year.

“I am conducting this interview under the powers given to the Monitoring Officer by the Localism Act 2011 which places councils under a duty to promote and maintain high standards of conduct.

“I will be guided in my investigation by the provisions of the “Tendring District Council Members’ Code of Conduct” and by that Council’s “Complaints Procedure” which sets out the Arrangements for dealing with Standards Allegations under the Localism Act 2011. Both these documents can be found on the Council’s website. You should refer to those documents if you wish to further understand what I am doing and how complaints are handled in any detail.

“Once my fact-finding is complete I intend to produce a written report about the complaint. Cllr Gibson and Cllr Turner will each be sent a draft copy of the report so that they can identify any matters with which they disagree or which they believe require further consideration. Having considered comments on the draft report, I will then issue a final version with findings, conclusions, and recommendations, to the Monitoring Officer for her action in line with the Council’s Arrangements. Parts of what you say today may be included in the draft and final reports.

“If the Complaint were to go on to be considered at a hearing of the Council’s Standards Committee or a Sub-Committee, as provided for in the Arrangements, please be aware that, in

theory, the summary of today's conversation may be submitted as evidence and, in theory at least, you may be called as a witness.

"If you provide me with information of a private or sensitive nature (usually GDPR-type information), I will ask the Committee or Sub-Committee that it be kept confidential. However, there is no guarantee that my request will be followed, and such information may end up in the public domain. Please treat our conversation today as confidential at this stage. Please also be aware that my role includes having to play the part of Devil's Advocate.

"Do you understand what I have said and are you content with it? Do you have any questions about anything I have just said?"

NG confirmed that he had understood what MK said and was content with it.

### **Role**

In response to a question from MK, NG said, "I have been a Conservative councillor in Great Yarmouth since 2018 and represent the East Flegg ward. The ward is made up of three parishes to the north of Great Yarmouth, two of which are on the coast whilst the third is inland but close to the coast. I have been through three electoral processes.

"I have long been involved with coastal matters and with local coastal charities and groups. I have been appointed to a number of outside bodies that relate to coastal and water management matters.

"Amongst those is the LGA Coastal Special Interest Group [SIG]. This is my first year attending the SIG. Probably the most important issue for Great Yarmouth right now is the water quality issue. We are quite a big tourist destination here in Hemsby and we receive a lot of visitors who go on to visit other parts of the borough and elsewhere within Norfolk. Tourism is extremely important to the economy of the borough and the surrounding area. Around 90% of our economy is tourism so a collapse in tourism for whatever reason would have very significant impact on people's jobs. Water quality is a very important aspect of that.

"The SIG brings together councillors from many local authorities up and down country who have a shared interest in coastal matters. It is also attended by experts and representatives of external bodies and government agencies who might not otherwise get together, communicate, and share knowledge and experience. I believe it is a unique forum. Some of its decisions and policies will be put forward to civil servants, agencies such as the Environment Agency and DEFRA, and Parliament. The SIG also provides them with feedback. It acts as a local link to Government."

### **Quarterly Meeting of the SIG on 29<sup>th</sup> June 2023**

Asked about the Complaint NG said, "I don't think I attended the meeting on 5<sup>th</sup> June to discuss the SMP Explorer tool. I was, though, present at the Quarterly Meeting of the SIG which was held virtually on 29<sup>th</sup> June."

MK outlined the nature of the Complaint and asked NG to tell him what, if anything, he recalled about Cllr Nick Turner's alleged behaviour at that Quarterly Meeting. NG replied, "I was aware of somebody, who I couldn't identify by name, who seemed not to be under the control of the Chair, and was not really behaving in a professional manner. They were perhaps not being politically correct or even being fully respectful of everybody's views and religions and so on. But I couldn't

identify Cllr Turner as the person in question. Nor could I really give you an example of things that were said. I can't remember anything specific. I just recall an overall feeling that they had perhaps gone a bit too far in what they said.

"I see so much variation in the behaviour of councillors. I myself tend to be quiet and considered and miss the moment sometimes when others dive in and say things that might not be correct. I try to contribute in a meaningful way. However, the behaviour of the councillor was not so bad that I was shocked. Maybe my trigger is not as sensitive as that of others and nothing much surprises me. Probably for that reason I didn't spot what others have spoken about.

"A lot of councillors are in their later years and do not necessarily improve at that age. I myself tend to be somewhat accommodating of people. I think it is fair to say that what was acceptable a generation or two ago is less acceptable now. But I did not hear what might be called overt racism from the councillor concerned and I do in any event think that we tend to be over-sensitive at times these days. I tend to be inclined to put certain comments down to ignorance and age and outmoded attitudes. It appears in any event that if this person is stepping back from the SIG then the matter has resolved itself naturally and is unlikely to happen again.

"I don't think that what was said affected my opinion of the SIG. I think it affected my opinion of the individual in that I might not have taken their views or opinions seriously in future. As I said, I am tolerant of individuals. Some are succinct whilst others ramble on. I think the Chair ought to have stepped in and told them that they had said enough, but the Chair didn't do that. I think the councillor's contribution was a waste of time if anything.

"I don't recall any comments being made about Germans."

**Discussion ended at 10.20am**