

Dorset Council – Complaint No. CCF492863767 and CCF492982025

Investigation in respect of an alleged breach of the Lyme Regis Town Council Code of Conduct

Investigation undertaken by Jacqui Andrews, Service Manager, Democratic and Electoral Services, Dorset Council

Background

Section 27 of the Localism Act 2011 requires relevant authorities to promote and maintain high standards of conduct by members of the authority and, under section 28, to have mechanisms in place to investigate allegations that a member has not complied with the Code of Conduct.

Following an initial review by the Complaints Team, and having received the views of Dorset Council's Independent Person, complaint numbers CCF492863767 and CCF492982025 were referred to me for investigation.

As this report will be considered in the public domain there is no requirement to maintain confidentiality, so I have dealt with both complaints in the same report as the allegations largely overlap.

It should be noted that whilst Ms Tara Webb was cited in the complaint from Councillor Bawden, Ms Webb has since been disqualified as a Town Councillor for non-attendance so allegations relating to her have not been investigated.

Introduction

In order to be able to carry out a thorough investigation of the complaint raised, I took the opportunity to review, in detail, the following:

- Lyme Regis Town Council Code of Conduct dated April 2021
- Lyme Regis Town Council Standing Orders adopted by Full Council on 18 May 2022
- Report of Nick Maton, Independent Person relating to the Full Council meeting on 15 February 2023
- Audio recordings of the following Lyme Regis Town Council meetings
 - Strategy and Finance Committee – 13 July 2022
 - Planning Committee – 4 October 2022
 - Full Council – 25 January 2023
 - Strategy and Finance Committee – 1 February 2023
 - Full Council – 15 February 2023

To supplement the information provided to me and available in the public domain on the Town Council website, I also met with the following people in order to seek their comments on a number of issues:

- Town Councillor Caroline Aldridge – 10 May 2023 – Appendix B
- Town Councillor Belinda Bawden – 23 May 2023 – Appendix C
- Town Councillor Cheryl Reynolds – 26 June 2023 – Appendix D
- Town Councillor Michaela Ellis – 26 June 2023 – Appendix E

The records of the meetings have been agreed as a correct record by those in attendance at the meetings.

I have also received a written statement from Town Councillor Phillip May that is attached at Appendix F. I invited Councillor May to make a submission as both Councillor Bawden and Councillor Aldridge felt that he may be able to offer more information about Councillor Ellis' visit to Councillor Sarson's house that was included in their complaints.

It is not my intention to set out everything said in the interviews, a record of which can be found in the appendices, but I refer to any issues within the main body of the report that I believe are pertinent to this investigation.

When undertaking my investigation, I have considered legislation and case law and, in particular, the following:

Article 10 of the European Convention on Human Rights (ECHR) provides the right to freedom of expression and information but subject to certain restrictions that are "in accordance with law" and "necessary in a democratic society". This right includes the freedom to hold opinions, and to receive and impart information and ideas. Article 10 protects expression, including speech, that might shock others but, again, is subject to certain limitations.

Heesom -v- Public Services Ombudsman for Wales (2014) confirmed that what was said by elected politicians was subject to "enhanced protection", and that the protection "extends to all matters of public administration and public concern including comments about the adequacy or inadequacy of performance of public duties by others" but do not extend to "gratuitous personal comments". It was confirmed in this case that, in the political context, a degree of immoderate, offensive, shocking, disturbing, exaggerated, provocative, polemical, colourful, emotive, non-rational and aggressive language, that would not be acceptable outside that context, is tolerated. It was said that "politicians ..." are "expected and required to have thicker skins and have more tolerance to comment than ordinary citizens".

Freedom of expression - The right to freedom of expression is not absolute and restrictions may be imposed to ensure that the conduct does not fall below a minimum level that would endanger public confidence in democracy. If a Councillor is making a gratuitous personal comment and/or simply engaging in offensive abuse, it is unlikely that this would be considered acceptable under the enhanced protection of freedom of expression given by Article 10 of the ECHR.

Respect - R(Mullaney) -v- Adjudication Panel for England (2009) – the High Court stated “The concept of respect is perfectly capable of being applied by a reasonable person. The definition of respect.....is straightforwardly stated as ‘failure to treat others with respect will occur when unfair, unreasonable or demeaning behaviour is directed by one person against another’. The circumstances are also relevant and can include the place where the behaviour occurred, who observed the behaviour, the character and relationship of the people involved, and the behaviour of anyone who prompted the alleged act of disrespect”.

Complaint No. CCF492863767

A complaint was received from Town Councillor Belinda Bawden alleging:

“At the Full Council on Weds 15 February, Cheryl Reynolds was in the chair as Deputy Mayor, since the Mayor decided to delegate instead of chairing the most controversial meeting of the year - a petition and a large number of complaints had been received about the town council's decision not to allow the Hix Oyster & Fish House to lease a wedge of land in our public gardens and a large public attendance was expected.

Cheryl had a script and chaired the meeting well. However, she went off-script when she questioned me aggressively about whether I was for Lyme Regis or Dorset Council in the discussion of the requested contribution to the cost of harbour dredging. I said I was simply trying to suggest a more conciliatory approach. After the vote was taken, Cheryl ignored me as she had throughout the meetings on the votes but on this occasion, I pointed out that I had not voted in favour so the result wasn't unanimous. Cheryl then spat out the same question in an even more malicious tone. Again, I said I was suggesting negotiating rather than outright rejection of a discussion.

This incident was minor in comparison with previous behaviour towards me and others, in particular, Cllr Brian Larcombe. Cheryl, Michaela and in a much more infrequent but equally pungent manner, Tara Webb, display aggression, disdain and vociferous opposition for the sake of it, as they seem to operate out of spite and malice against me and Brian, rather than ever listening with an open mind or showing any respect.

I was not particularly upset by this incident but several other councillors told me they thought it was appalling, entirely unnecessary and typical of Cheryl's relentless attacks on me in town council meetings. An independent observer submitted a report concluding that Cheryl Reynolds breached the Code of Conduct by asking the questions which were designed to intimidate and belittle me, in the tone and with the ferocity she did.

I would request that you consider additional evidence of coercion, intimidation and bullying over the past few weeks as Cheryl and Michaela sense they might not win a second term as Mayor and Deputy. Also that my previous complaint and all the evidence I submitted last year is reconsidered to illustrate the sustained nature of

their bullying, truth-twisting and deliberate manipulation of the democratic process to suit their own political ambitions.”

Complaint No. CCF492982025

A complaint was received from Town Councillor Caroline Aldridge alleging:

“I would like to raise formal complaints against two members of Lyme Regis Town Council. The Mayor, Michaela Ellis and the Deputy Mayor Cheryl Reynolds.

The most immediate area of my concern is recent behaviour relating to the forthcoming Mayoral Election on 5th April 2023. A member of Council, David Sarson, expressed an intention to stand for Mayor and, on the afternoon of the 20th February, received an uninvited and unannounced visit from Michaela Ellis, who hammered on his door and berated him for having the temerity to stand against her as she believed she was entitled to an unopposed second term in office. She raised her voice to him on his doorstep asking him to withdraw his intention, in front of neighbours, and reduced his wife to tears. I was at a meeting at 6.30pm on Friday 20th February, Michaela arrived still bright red with anger and shaking – she was asked if she was OK and she said no. She recovered herself in due course but, from her demeanour, I could see that emotions were high at her meeting with David. On Wednesday 22nd February Cheryl Reynolds asked to speak at close of business of the Human Resources Committee – she read out a prepared, and to my mind, aggressive statement, which she subsequently circulated to Councillors, stating that it was custom for the Mayor and Deputy to have a two year term – it had always been the tradition and should be supported and that Councillors should stop discussing any other option NOW. As a result of this there were some email exchanges between Councillors and someone who had expressed an intention to stand as Deputy Mayor stood down, apologizing and saying he had not known this tradition.

I asked for clarification on the rules on this and the Town Clerk confirmed that there was no such rule to prevent another candidate standing. Cheryl Reynolds subsequently wrote to all of Council informing them that she had telephoned David Sarson and offered to stand down as Deputy Mayor next year so he could take that role – she was annoyed that he had refused that offer out of hand.

I greatly admire David for sticking to his guns and continuing to stand for Mayor despite attempts to frighten and humiliate him and his wife. Surely an annual election is the opportunity for Councillors to express a view on the good work of elected officials and decide if they want to continue to support them.

I find it quite disgraceful that our two most senior members of Council should behave in this way – effectively bullying people who have every right to stand for positions and combining this with misinformation which some new Councillors are likely to believe.

This is not the first time that these two Council members have tried to influence in a way that I believe is against the Nolan principles and is in their own interests rather

than in that of the town they serve. As a single woman of XX living alone I have become quite frightened for my own safety and am particularly concerned about being visited at home or accosted in the street.

I will refer to one other incident where this type of behaviour has been displayed. This relates to the debate about the Mark Hix decking in the Council's grounds. The Town Clerk had been instructed to establish from Hix how much he would be willing to pay to lease the area of the gardens on which he had illegally built some decking during the Covid lockdown. This information was to be brought back to the Strategy and Finance Committee. In the interim Mark Hix submitted retrospective planning application for the Decking which went to the Town Council Planning Committee on 4th October 2022. Four Councillors were on the Committee including me and Cheryl Reynolds. Cheryl tried to stop the application being considered because it was on Town Council Land and there was an email on the Dorset Council website claiming, erroneously, that the Council was "amenable" to the plans. The Chair took advice from the Deputy Town Clerk and we debated the application – refusing it by 3 votes to 1 abstention. Cheryl Reynolds, who abstained, asked for a recorded vote (something she does regularly if she feels the vote will not go her way and which seems to intimidate some Councillors into abstaining or changing their vote.) As a result of this the three Councillors who voted against were publicly named in the local papers and were the target of a very professional PR exercise carried out by Mark Hix through local and national press, an online petition, his own customer base and social media. When this issue was raised at a subsequent full Council on 14 December I asked that Council should support Planning Committee in its decision which we considered to be in the best interests of the town since we had been "named and shamed" for doing so. Michaela, the Chair, then stood up and publicly berated us saying that we should not have taken a view since the structure was on our land. She refused to accept the role and status of Planning Committee.

Subsequently there was a special Council meeting on 25th January concerning the Hix decking where it was agreed that the Council did not want the encroachment on its land and the decking was to be removed by 31st March. Again Cheryl Reynolds asked for a recorded vote.

Following on from this Mark Hix and his supporters brought a petition to the Open Forum of the Council meeting of 15th February. Cheryl Reynolds chaired the meeting and was obviously nodding enthusiastically in support of the Hix supporters (as reported to me by members of the public in the audience). Although there was a Council decision that the decking be removed she highlighted more than once the possibility of a rescinding motion if six Councillors supported it. At the end of this meeting there was a formal request for the Hix decking to have an extension beyond 31 March – this was defeated but, I believe, again Cheryl requested a recorded vote I can't check this as the minutes are not yet available. Subsequent to this Cheryl has send round a request for interested Councillors to support a rescinding motion and, I believe, has been active in support on social media. Surely as Councillors we should be supporting an agreed decision not undermining in this way?

We have had discussions on the Council about improving behaviours and an Awayday on Behaviour and Governance. I have been in with other Councillors to discuss with the Town Clerk what we can do to deal with this. The difficulty is that it

is hard to find a moderator and, more importantly, several Councillors have expressed the view that it is a waste of time, they can't change their behaviour and they won't attend, which makes it a pointless exercise. Unfortunately behaviour seems to be deteriorating further with issues such as rudeness and interrupting in meetings, not bothering to attend meetings at all or coming into a meeting for a few minutes to vote on one item and then leaving.

The Town Clerk tells us he has no power over this it is for Committee Chairs and individuals to impose discipline but this is not working. I would welcome the opportunity to discuss these issues both because I want the best for the Council's work in the Town – including encouraging new people to come forward.”

Findings

The Town Council's Members' Code of Conduct was approved on 22 April 2021. A copy of the Code is attached to this report at Appendix A.

The paragraphs that I have taken into account as being relevant to this complaint are:

General principles of Code of Conduct

Respect (paragraph 1)

Bullying (paragraph 2)

Disrepute (paragraph 5)

Leadership

I have set out the issues reported and my findings in numbered paragraphs below.

1. Mayoral Election – visit by Councillor Ellis to the house of Councillor Sarson, and a statement made by Councillor Cheryl Reynolds following a Human Resources Committee meeting, subsequently followed by an email exchange between Councillors.

The Independent Person who initially considered the complaints was of the view that “the alleged attempts to prevent a mayoral election were sufficient to warrant an investigation regardless of any supposed custom and practice”.

Whilst it is entirely a matter for individual Councillors if they choose to observe what is perceived by some as tradition/custom/expectation, the Standing Orders of the Town Council are very clear in that the role of the Mayor is voted upon annually and, whilst those wishing to put themselves forward for election may be expected to “canvass” for support, there should be no attempt to stifle the clearly documented democratic process for election of the Mayor.

Whilst a complaint did not come directly from Councillor Sarson, it is alleged that the visit to his house was unexpected and uninvited and that Mrs Sarson was left very upset by the exchange. Councillor Ellis does not deny that she went to visit Councillor Sarson who was seeking to be selected as Mayor for the 2023/24 year, and says that she called at his home address when passing as she wanted to

explain the “tradition” of allowing a Mayor a second year in office. Councillor Ellis says that she was not aggressive but merely wanted to ensure that Councillor Sarson understood the tradition/custom of Mayors being “entitled” to a second term.

It is reported that Councillor Sarson pointed out at a later meeting that Councillor Ellis’ visit to his home had greatly upset his wife, but it is alleged that Councillor Ellis did not take this opportunity to apologise for any upset caused, whether this was intentional or not. Councillor Ellis says that she did not see Councillor Sarson’s wife when she went to his home address.

Unfortunately, the reports of this exchange have come from people who did not directly witness what was said. Councillor Sarson did not wish to raise a formal complaint himself about the visit by Councillor Ellis to his home.

2. Planning Committee – 4 October 2022

When listening to the audio recording of the meeting, Councillor Reynolds can clearly be heard to say “I give up, I’m not listening to you Belinda” (24m11s). Whilst this is not terribly respectful or polite, having taken into account rulings in earlier case law, I am of the view that it is not sufficient to constitute a breach of the Code. The same is true of the interruptions by Councillor Reynolds. Whilst her tone of voice is robust, again, I am of the view that this is not sufficient to reach the high bar required following the Heesom case referenced above to find a determination of breach of the Code.

3. Full Council – 25 January 2023

Concerns were raised about conduct of members at the meeting of Full Council when Mr Hix’s use of Town Council land was discussed. I have listened to the audio recording of this meeting, and there were clearly tensions that could be heard, and many officers and Councillors were using forthright language which I believe was as a result of general frustrations with differing views on this matter. Councillor Ellis was alleged to have raised her voice in this meeting but, having listened to the audio recording, I don’t believe that she did so to any greater extent than other Councillors in the meeting, and I’m of the opinion that there was not a breach of the Code.

4. Full Council 15 February 2023

Following a number of comments made to the Monitoring Officer about behaviours at Lyme Regis Town Council meetings, he requested that Mr Nick Maton, one of Dorset Council’s Independent Persons, attend the Full Council meeting on 15 February 2023.

In his report, a copy of which is attached at Appendix G. Mr Maton notes that the meeting was chaired by Cllr Reynolds, in the absence of Cllr Ellis. He says that in recognition of the number of people wishing to speak, the Chair agreed to waive the normal period of 20 minutes which was set aside on the agenda for public participation. Mr Maton says that those speaking were allowed to do so without interruption and his observation was that they were treated with respect.

Mr Maton refers to an item on the agenda relating to a request from Dorset Council to Lyme Regis Town Council to contribute £45,000 towards the planned dredging of the harbour and associated costs. Mr Maton's opinion is that the behaviour of Cllr Reynolds towards Cllr Bawden was contrary to the Lyme Regis Councillor Code of Conduct and, in particular, the general conduct obligation to treat other councillors with respect. He states that he believes "her behaviour crossed the line beyond what is acceptable and at that point becomes a personal attack on Cllr Bawden.". In his report, Mr Maton notes the intervention of the Town Clerk which he believes demonstrated that "others also found this behaviour to be inappropriate". He states that he did not witness Cllr Reynolds either withdrawing her remarks or offering an apology for what she had said.

Although this was not stated at the Full Council meeting, Councillor Reynolds indicated during our discussions that the purpose of the question was to ascertain whether or not Councillor Bawden should have been taking part in the vote as she was a Dorset Councillor as well as a Town Councillor. Councillor Reynolds was of the view that Councillor Bawden should have abstained from voting due to a possible pecuniary interest – she said that historically this is what Town Councillors had done when they also sat on the principal council.

It is clear that the matter of disclosure of pecuniary interests is entirely a matter for the individual Councillor. The recording of the meeting is only available in audio, and obviously this does not afford me the benefit of viewing any body language displayed during the discussions. However, I have noted that in her original complaint, Councillor Bawden states "I was not particularly upset by this incident but several other councillors told me that they thought it was appalling.....".

On balance, having only had the benefit of the audio recording of the meeting, and taking into account Councillor Bawden's statement that she was not particularly upset by this comment, I do not believe that Councillor Reynolds' questions amounted to a "personal attack" and therefore I conclude that there was no breach of the Code.

However, Mr Maton was in attendance at the meeting and may be able to offer further evidence to the Sub-Committee which may lead them to a different conclusion.

5. General comments

It was suggested that Councillor Reynolds regularly requests recorded votes and this was seen by the complainants as being intimidatory. I have noted that the Town Council's Standing Orders enable any Councillor to call for a recorded vote and, indeed, anyone attending the meeting would be able to see how any Councillor voted as this is done by a show of hands. Councillor Reynolds says that she sometimes asks for a recorded vote so that local residents can see that she had voted in the way in which she had advised them she would. I do not believe that this amounts to a breach of the Code.

It was suggested that both Councillor Ellis and Councillor Reynolds' actions or tone were often intimidatory and/or aggressive. I asked Councillor Bawden if she had

ever raised this with either Councillor. She said that she hadn't raised this directly with them as she felt it should be obvious to the Councillors that this was the case. Councillor Reynolds in particular stated that she spoke very loudly due to a hearing difficulty, and she said "I speak my mind", but that it was never her intention to intimidate others. Having listened to a number of audio recordings of meetings, I believe that Councillor Reynolds is often forthright and robust – this may be a different approach to that which other Councillors may adopt but I am of the opinion that this is not a breach of the Code.

Conclusion 1:

In my opinion, having considered all the evidence available to me and taking into account relevant case law, whilst Councillor Reynolds is often very direct and robust in her intonation, I am of the opinion that she is not in breach of the Code of Conduct.

With regard to the Full Council meeting on 15 February 2023, as stated above, I only have the benefit of the audio recording of the exchange. Whilst Councillor Reynolds may be considered to be brusque in her questioning of Councillor Bawden, I am of the opinion that this would not be sufficient to amount to a "personal attack" and therefore, in my opinion, Councillor Reynolds is not in breach of the Code of Conduct in respect of her questions to Councillor Bawden. However, I fully accept that I do not have the benefit of having seen the body language exhibited at this meeting.

The Sub-Committee is able to read the report of Mr Maton, the Independent Person, at Appendix G. As he was present at the meeting he may be able to offer a perspective that was not available to me as Investigating Officer, and I will invite him to attend any subsequent Sub-Committee meeting to address the Members, and answer any questions.

If, having considered evidence from Mr Maton, the Sub-Committee conclude that Councillor Reynolds' questioning did amount to a "personal attack" then they may wish to conclude that Councillor Reynolds is in breach of the Lyme Regis Town Council Code of Conduct, specifically paragraph 1.1 regarding Respect that states:

As a councillor:

1.1 I treat other councillors and members of the public with respect.

Respect is cited in the Code as meaning "politeness and courtesy in behaviour, speech and in the written word". The Code recognises that "Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack".

Conclusion 2:

The issue with regard to the visit by Councillor Ellis to Councillor Sarson's home address in February 2023 is a little more complex.

Councillor Sarson had originally made a complaint via Councillor May but asked for this to be withdrawn as he wanted to foster good working relationships with all Councillors.

Whilst I note that Councillor Ellis says that she doesn't usually go to fellow Councillors' homes to discuss Council business, that fact that this is a "one-off" does not change my view that this was discourteous to Councillor Sarson.

I am also of the view that when Councillor Ellis was advised that Councillor Sarson's wife had been upset by her alleged conduct when she visited their home, regardless of whether or not she felt that her conduct was upsetting and regardless of whether or not she saw Councillor Sarson's wife, having been told that Mrs Sarson had been upset, Councillor Ellis could have taken the opportunity to apologise to Councillor Sarson for any distressed caused, even if this was unintentional.

However, the evidence provided in respect of this complaint is largely hearsay from third parties with the exception of Councillor Ellis who said that she did not raise her voice to Councillor Sarson but passionately described the tradition of appointing to the role of Mayor.

As the evidence provided to me is hearsay from third parties, I am unable to conclude a breach of the Code in this instance.

Conclusion 3

I have spoken to a number of Town Councillors in respect of the complaints received, and whilst I do not disbelieve the allegations that have been cited, I am of the opinion that the claims are not sufficient to amount to a breach of the Code of Conduct when taking into account case law on these matters, particularly Heesom - v- Public Services Ombudsman for Wales (2014), as they do not reach the high bar necessary for a breach determination.

Many of the issues raised by all parties to these complaints, clearly demonstrate that there are difficult relationships between the Councillors, and behaviours at the Town Council are having a far-reaching impact on the reputation of the Town Council.

In the Heesom case it was confirmed that what was said by elected politicians was subject to "enhanced protection", and that the protection "extends to all matters of public administration and public concern including comments about the adequacy or inadequacy of performance of public duties by others" but do not extend to "gratuitous personal comments". It was confirmed in this case that, in the political context, a degree of immoderate, offensive, shocking, disturbing, exaggerated, provocative, polemical, colourful, emotive, non-rational and aggressive language, that would not be acceptable outside that context, is tolerated. It was said that

“politicians ...” are “expected and required to have thicker skins and have more tolerance to comment than ordinary citizens”. However, in my opinion, the determination given in the Heesom case should not be viewed as a “green light” enabling poor behaviours.

I feel compelled to highlight that the Code of Conduct adopted by the Town Council clearly states in the opening paragraph “It is important that as councillors we all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to”.

All Town Councillors may wish to reflect on how their conduct in meetings has a wide-reaching effect and is damaging to the reputation of the Council as a whole and is likely to undermine public confidence in democracy and trust in the Town Council. The general principles set out in the Code include the statement “I lead by example and act in a way that secures public confidence in the role of councillor”. All Town Councillors have agreed to abide by the Code when signing their Declaration of Acceptance of Office, and the obligation to abide by the Code applies throughout a Councillor’s term of office.

Chairmen of Committees, the Town Clerk and individual Councillors may wish to consider whether timely and firm intervention when behaviours are slipping below an acceptable level could prevent some of the behaviours that have been complained about.

I have been told that a number of Councillors have stated that they “do not like” certain behaviours displayed at Committee meetings but do not challenge these directly but, instead, complain privately outside of the meetings. Constructive challenge is all part of a healthy democracy – behaviours will not change unless people are speaking out when they are concerned that behaviours are falling below a minimum expected standard.

I have read a number of articles, and subsequent public comments, about the conduct of councillors at Lyme Regis Town Council and whilst specific Councillors are not named in the majority of the online reports, it is clear that the way in which meetings are conducted are often viewed by local residents negatively and the impact of this is far reaching. I set out below a number of comments made in the local media, Lyme Online:

- Public calls for Lyme Regis Town Council to be scrapped amid infighting. Article refers to comments made as part of the Community Governance Review process where the Council was described as a “laughing stock” whilst others complained about claims of bullying. Several respondents went as far as to say the town council should be abolished. [Lyme Online article - 21 February 2022](#)
- April 2023 – Lyme Online - Lyme Regis Town Council targeted in April Fool’s joke when a sign was placed on the door of the Guildhall that read “For Sale – Council Chamber. No longer fit for purpose. No reasonable offer refused”. [\(Lyme Online article - 3 April 2023\)](#)

I would also add that during the public consultation in respect of the Community Governance Review looking at governance arrangements for all town and parish councils in the Dorset Council area, Lyme Regis received a number of responses citing poor behaviours at the Town Council. ([starting on page 76 - responses to Community Governance Review about Lyme Regis Town Council](#))

As well as comments made in the local media and received as part of the Community Governance Review, in his report to the Strategy and Finance Committee of 13 October 2021, the Town Clerk highlighted 2 of the most serious risks to the Council as being the deteriorating relationships between some members and the increase in members acting as advocates for external organisations rather than representing the council interests. The Town Clerk was quoted in Lyme Online as having said that the behaviour of some members was “adversely affecting the well-being, participation and decision-making roles of other members”. The Town Clerk also recognised that the impact of behaviours on the reputation of the Council and cited a positive and constructive atmosphere in the Council with little conflict from the elections in 2019 but said that since the beginning of 2021 he reported “the behaviour of some Councillors, along with associated tension inside and outside the Council Chamber has become a distraction and has created a negative public perception about the Town Council.”

Neither the Town Clerk, Lyme Online nor the public respondents to the Community Governance Review name any particular Councillors but it is clear that there is a perception locally that the behaviours of some Councillors are detrimentally impacting on the public view of the Town Council and, in my view, behaviours appear to be falling a minimum acceptable level and endangering public confidence in democracy. This is something that the Town Council may collectively wish to address but to have an effective discussion to agree a way to move forward I suggest that it is necessary for all Councillors to participate.

It is clear from my discussions with various Town Councillors that there is a great deal of energy, skill and enthusiasm that can be used in a positive way in representing Lyme Regis and its residents. There also appears to be a willingness from all Councillors that I have spoken to work together to improve the culture of the Town Council, and I hope that the Town Councillors can commit to work together with officers to improve the culture of the organisation.

Jacqui Andrews
Service Manager, Democratic and Electoral Services
6 July 2023

Appendix A

Lyme Regis Town Council

Councillor Code of Conduct

April 2021



Introduction

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Pursuant to section 27 of the Localism Act 2011, all councils are required to have a local Councillor Code of Conduct.

This code cannot cover every eventuality. Its purpose is to identify the standards expected of members. It does not replace the general requirements in law.

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or

joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the code. The fundamental aim of the code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority’s requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

The monitoring officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the monitoring officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their clerk, who may refer matters to the monitoring officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the monitoring officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council while continuing to adhere to other aspects of this code of conduct.

6. Use of position As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local

authority's own policies regarding their use.

8. Complying with the Code of Conduct As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with the monitoring officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the monitoring officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from the monitoring officer.

10. Gifts and hospitality As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value,

which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the monitoring officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the monitoring officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact the monitoring officer for guidance.

Corruption

Members must be aware that it is a serious criminal offence for them corruptly to receive or be given any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the member to demonstrate that any such rewards have not been corruptly obtained.

Members should report to the town clerk any corrupt offer that is made to them.

Members have a duty to raise any issues where they have reason to believe fraud or corruption of any kind is involved. The member or officer should also notify the town clerk who will then advise on notification to any regulatory agency such as the police or external audit in appropriate cases.

Use of Financial Resources

Members must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money for the council, the local community, and any public or charitable funds, and to avoid legal challenge to the council.

Relationships

Staff

- a. Mutual respect between employees and elected members is

essential to good local government.

The Local Community and Service Users

- a. Members should always remember their responsibilities to the community they serve and should conduct themselves in a courteous, efficient and impartial manner to all groups and individuals within that community.

Contractors

- a. All relationships of a business or private nature with external contractors, or potential contractors, should be made known in writing to the town clerk. Orders and contracts must be awarded on merit and in accordance with the town council's Standing Orders and Financial Regulations, normally by fair competition against other tenderers. No special favour in the tendering process should be shown to businesses run by, for example, friends, partners or relatives. No part of the local community should be discriminated against.
- b. Members who have previously had or currently have a relationship in a private or domestic capacity with a contractor should declare that relationship in writing to the town clerk.

Media

- a. All members must comply with the requirements of the Local Government Act 1986 which prohibits councils from publishing any material which seems designed to affect public support for a political party.
- b. Matters surrounding council publicity and relationships with the media are dealt with in the PR/Communications Policy and Procedure.

Appointment and other Employment Matters

Members involved in appointments should ensure that these are made on the basis of merit. It is unlawful for a member to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. To avoid any possible accusation of bias, members should not be involved in an appointment where they are related to an applicant or have a close personal relationship outside work with him or her.

Similarly, members should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, or with whom they have a close personal relationship outside work.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B

Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the monitoring officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the monitoring officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the monitoring officer with the reasons why you believe it is a sensitive interest. If the monitoring officer agrees they will withhold the interest from the public register.

Non-participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a cabinet member in exercise of your executive function, you must notify the monitoring officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Dispensations

6. On a written request made to the council's proper officer, the council may

grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in as outlined in appendix B if the council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the council's area to allow the member to take part; or it is otherwise appropriate to grant a dispensation.

7. Dispensations can be requested and may be granted by the proper officer up to 12 noon on the day of the meeting that the request relates to, except in special circumstances at the town clerk's discretion.

Disclosure of Other Registerable Interests

8. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

9. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
10. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

11. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

12. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Sanctions

13. Any breach of this code should be subject to the process as set out at Dorset Council (DC). Currently, any breach should be referred to DC's monitoring officer. The monitoring officer, in conjunction with DC's chief executive or nominated director will make a decision about whether a complaint should be investigated or not. If the complaint relates to a pecuniary interest, then the complaint will be referred immediately to the police.
14. If a complaint is investigated, the investigation is undertaken by DC's monitoring officer who submits his report to DC's chief executive or nominated director for a decision.
15. If DC's chief executive or nominated director's assessment is that a breach of the Lyme Regis Town Council code has occurred, the case will be referred back to the town council to decide whether any sanction should be imposed against the councillor concerned.
16. The sanctions available to the council are limited. They are:
 - Censure
 - Apology
 - Training
 - Reprimand
17. There are no legal sanctions that the council can impose on a member who breaches the Code of Conduct. However, members can voluntarily agree to accept sanctions determined by the council, which are assessed as commensurate with any breach of the code. The voluntary sanctions, which can be imposed in addition to those outlined in paragraph 6.4, individually or in any combination, are:
 - a. Restriction for a period not exceeding six months of that member's access to the premises of the authority of that member's use of the resources of the authority, provided that those restrictions are reasonable and

proportionate to the nature of the breach, and do not unduly restrict the person's ability to perform the functions of a member

- b. Partial suspension of that member for a period not exceeding six months
 - c. Suspension of that member for a period not exceeding six months
 - d. That the member submits a written apology in a specified form
 - e. That the member undertakes such training as the council specifies
 - f. That the member participates in such conciliation as the council specifies
 - g. Partial suspension of the member for a period not exceeding six months or until such time as the member submits a written apology in a form specified by the council
 - h. Partial suspension of the member for a period not exceeding six months or until such time as the member has undertaken such training or has participated in such conciliation as the council specifies
 - i. Suspension of the member for a period not exceeding six months or until such time as the member has submitted a written apology in a form specified by the council
 - j. Suspension of the member for a period not exceeding six months or until such time as the member has undertaken such training or has participated in such conciliation as the council specifies
18. The council may direct that the sanction imposed, or a combination of sanctions, shall commence on such date, within a period of six months after the imposition of that sanction, as the committee specifies.
19. The sanctions to be imposed upon a member will be considered by the council's Human Resources Committee and recommended to the Full Council for resolution. Any sanctions will not take effect until a resolution of the Full Council has been made. Any sanctions resolved by the council will be published on the website.
20. If a member has a complaint about another member, they should discuss the matter in the first instance with the mayor. If a member considers that the behaviour of another member is such that it requires further investigation, he/she can then refer the matter to DC's monitoring officer.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in

the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.

Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on Local Government Ethical Standards. If the Government chooses to implement any of the recommendations, this could require a change to this code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals' process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the monitoring officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the code on an annual basis to ensure it is still fit for purpose.

Teams Meeting with Councillor Caroline Aldridge, Lyme Regis Town Council

Date: 3.00pm Wednesday 10 May 2023

I explained to Councillor Aldridge that the purpose of the meeting was to gather information to enable me to understand that facts as she saw them, and to enable me to formulate my report and any conclusions for consideration by the Audit and Governance Sub-Committee.

I set out the parts of the Lyme Regis Code of Conduct that I would be considering as part of my investigation being Respect, Bullying, Disrepute and Leadership. I also summarised the relevant legislation and case law that I would take into consideration when reaching my conclusions that would be submitted to members for their consideration.

At this point, Councillor Aldridge said that there have been cases where rude and unpleasant behaviour is extended to people in the public gallery and I confirmed that the case law I was referring to wouldn't class certain behaviours to members of the public in the same way and Councillor Aldridge confirmed that she would provide examples as we discussed her complaint. I confirmed that whilst a certain level of behaviour would be protected, this would not apply to personal attacks on another Councillor.

Cllr Aldridge and I then spoke about each element of her complaint in turn.

20 February 2023

Councillor Aldridge confirmed that she wasn't a witness to the unannounced and uninvited visit made by Councillor Ellis to the house of Cllr Sarson on 20 February 2023. She was advised about the visit by another Councillor and at a later date Councillor Sarson referred to this at a Council meeting. She wasn't aware of anyone else that saw it but understood that neighbours may have done. She suggested that Councillor May could be aware of any witnesses.

Councillor Aldridge believes Councillor Sarson raised this issue at a meeting of the Human Resources Committee. She was told that at the end of the meeting Councillor Reynolds asked to speak, and made a statement that she felt Councillor Ellis had been treated badly and it was at this meeting that Councillor Sarson stood up and said that Councillor Ellis had visited his house and reduced his wife to tears. Following this meeting, Councillor Reynolds wrote to all Councillors telling everyone "this must stop NOW" when referring to discussions about the appointment of the next Mayor of the town. Councillor Aldridge felt that the email from Councillor Reynolds was aggressive in its tone.

Councillor Aldridge confirmed that she sought advice from the Town Council, as part of the email exchange where Councillor Reynolds wrote to everyone saying that discussions about the Mayoral selection process should stop, asking what the correct process for selection of the Mayor was. She confirmed that the advice given that the Mayor was selected annually was shared with all Lyme Regis Town

Councillors. Cllr Aldridge felt that both Cllr Ellis and Cllr Reynolds used their position to bully people who had every right to stand for positions and combined this with misinformation which she felt less experienced councillors were likely to believe. Councillor Aldridge understands that Councillor Ruffle withdrew his nomination for Deputy Mayor believing that the tradition referred to by Councillor Reynolds was part of the formal process. However, at the meeting where the Mayor and Deputy were selected, Councillor Ruffle was content that his name was included in the nominations. Councillor Aldridge felt that his confusion around the process may have “ruined his chances” of being elected.

At the meeting where the Mayor was selected, Councillor Ellis stood up and said why she felt she should be selected as Mayor again and Councillor Sarson addressed the Council stating why he felt he should be selected as Mayor. The process ran smoothly without incident.

4 October 2022 – Planning Committee

A retrospective planning application was received from Mr Mark Hix for the erection of decking on an area of land owned by the Council that was considered by the Planning Committee on 4 October 2022.

Cllr Aldridge alleges that Cllr Reynolds tried to stop the application being considered because it was on Town Council land and, having sought advice from the Deputy Town Clerk, the Chairman proceeded with the debate on the application that was refused by 3 votes to 1 abstention. Cllr Reynolds, who abstained, asked for a recorded vote. I pointed out that the Town Council Standing Orders did allow any Councillor to ask for a recorded vote and Councillor Aldridge agreed that this was perfectly in order but she wondered why a recorded vote was requested but acknowledged that this was not actually a breach of the Code.

The result of the vote was published in the local papers and was subsequently reported on social media and in the national newspapers with the way in which each Councillor voted being publicised. Cllr Aldridge suggest that Cllr Reynolds “often seeks a recorded vote if she feels the vote will not go her way and which seems to intimidate some councillors into abstaining or changing their vote”.

14 December 2022

Councillor Aldridge said that the decision on Mr Hix application had received national publicity, and, at a subsequent Full Council meeting on 14 December, Cllr Aldridge asked councillors to support the decision of the Planning Committee which they felt was in the best interests of the town. Cllr Aldridge says that Councillor Ellis said that the Councillors who took the planning decision should not have made that decision because they knew the Finance and Strategy Committee were considering this and said that the Planning Committee shouldn't have taken a view on it. Councillor Aldridge said that Councillor Ellis refused to recognise that the Planning Committee reported back to Dorset Council. Councillor Aldridge said that as a fairly new Councillor she was looking for support from the Council in respect of the planning decision. Councillor Aldridge felt that in refusing to acknowledge this, Councillor Ellis was showing a lack of respect putting her own personal views ahead of supporting decisions made by fellow Councillors in the best interests of the town.

15 February 2023

A petition was brought to the Open Forum section of the Full Council meeting supporting Mr Hix's application for the decking to remain. Councillor Aldridge says that this meeting was chaired by Councillor Reynolds who was alleged to be "nodding enthusiastically" in support of the petition supporters. Councillor Reynolds was said to have reminded Full Council of the possibility of rescinding the motion if 6 councillors supported this. Councillor Aldridge said that after the meeting a number of public attending the meeting said they hadn't felt able to speak out against the application because of the loud and strong positive support for Mr Hix. She felt that the mood of the room, supported by Councillor Reynolds, was generally supportive of the application and Councillor Aldridge accepted that there was little that could be done about this as it wasn't related to Councillor conduct.

Councillor Aldridge expressed general concerns about behaviours. I referred to the paragraph in the Code of Conduct under the heading Leadership that says "Holders of Public Officer should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs" and I asked if Councillor Aldridge or other Councillors try to challenge poor behaviours when they occur. Councillor Aldridge said that fellow Councillors do try but their challenges are often quashed when Councillors Ellis or Reynolds are chairing, and Councillor Aldridge cited the example when she sought Council's support for the decision of the Planning Committee. Councillor Aldridge also gave an example of her experience with an organisation of Lyme Forward prior to becoming a Councillor when she, and other members of the public, raised certain governance issues about the organisation with the Council. She said that Councillor Reynolds has links with the organisation and whenever concerns were raised at the Tourism Committee meetings she "shut down" the discussion saying it was "the same old trouble makers" and refused to have any discussion. Councillor Aldridge described Councillor Reynolds as a "strong outspoken lady" and said that trying to call out this behaviour was difficult. Councillor Aldridge says that both she and Councillor May both regularly try to challenge. However, Councillor Aldridge feels that others are intimidated by Councillor Reynolds' approach and are more sensitive to this.

I explained that having listened to a number of meetings I have heard incidents where the language/tone used by Councillor Reynolds is fairly robust but I also noted that often the responses back are fairly robust too and that to find a breach of the Code I would need to identify where actions were beyond what might seem acceptable as part of the "rough and tumble" of a political organisation.

Councillor Aldridge spoke about the possibility of having an AwayDay on Behaviour and Governance and alleges that Councillor Reynolds has said "there's no point because our behaviour isn't going to change so why bother". Councillor Aldridge advised that the town clerk has previously tried to find a mediator/moderator to work with the Town Council but, to date, has not found anyone who can undertake this piece of work. Councillor Aldridge expressed concern that the reports in the local press do not help the Town Council in finding people willing to stand when vacancies arise which is detrimental to the Council in trying to pull together an effectively working Council.

Councillor Aldridge spoke about whether the Town Clerk is able to intervene when poor behaviours are being displayed. I explained that I wasn't aware of any statutory powers for a Town Clerk to intervene in Member conduct and it was difficult to comment without being at the meeting but that the Town Clerk can advise on process matters and advise if these are being misinterpreted.

Councillor Aldridge accepted that the code of conduct complaints process offers little in way of sanctions but felt that any finding of breach may help other Councillors in challenging future behaviours.

Councillor Aldridge said that she felt there may be other avenues to be investigated to improve general behaviours by raising issues of governance and it may be that reinforcing or reviewing standing orders and articles may offer an opportunity to support clear rules about conduct and behaviours.

Jacqui Andrews
Service Manager, Democratic and Electoral Services
17 May 2023

Teams Meeting with Councillor Belinda Bawden, Lyme Regis Town Council

Date: 3.00pm Tuesday 23 May 2023

I explained to Councillor Bawden that the purpose of the meeting was to gather information to enable me to understand that facts as she saw them, and to enable me to formulate my report and any conclusions for consideration by the Audit and Governance Sub-Committee.

I set out the parts of the Lyme Regis Code of Conduct that I would be considering as part of my investigation being Respect, Bullying, Disrepute and Leadership. I also summarised the relevant legislation and case law that I would take into consideration when reaching my conclusions that would be submitted to Members for their consideration.

We first discussed the incident at the Full Council meeting on 15 February 2023 when Councillor Reynolds challenged Councillor Bawden asking “Shouldn’t Lyme Regis come first for you?” and later said “I’ll ask you again, are you a Lyme Regis Councillor or a Dorset Councillor?”. The incident was commented on by Mr Nick Maton, an Independent Person, who attended the meeting at the request of the Monitoring Officer. Councillor Bawden felt that this wasn’t one of the worst incidents that she had experienced and was, in fact, very minor.

Councillor Bawden said that it was difficult as even listening to the recording, it wasn’t easy to get a full sense of the malice that is being directed at Councillors. Councillor Bawden felt that even if a comment wasn’t being directed at someone specifically, both Councillor Reynolds and Councillor Ellis’ conduct creates such a difficult atmosphere with unnecessary personal aggression – she felt it was difficult to put the impact in to words. Councillor Bawden was pleased that Mr Maton, who is independent of both Dorset Council and Lyme Regis Town Council, had raised the inappropriateness of the comments made.

Councillor Bawden said that for the last 3 years the majority of the other Councillors have complained in private discussions about the conduct displayed by Councillors Reynolds and Ellis, and Councillor Bawden says that she has urged them to raise their concerns at the time at which the behaviour happens.

I pointed out the paragraph headed “Leadership” in the Lyme Regis Code of Conduct that all Lyme Regis Town Councillors have signed up to that says that they should be “willing to challenge poor behaviour when it occurs”. I asked, if other Councillors do not challenge what are perceived to be poor behaviours, would Councillors Reynolds and Ellis be aware that their tone or actions were considered as offensive by others? I explained that having listened to the audio recordings of a number of meetings, I can hear robust and direct language, but I may perceive this differently if I was actually attending the meetings and had the benefit of seeing the body language.

Councillor Bawden said that mostly other Councillors do not challenge the behaviours. Councillor Bawden felt that the perceived poor behaviours have generally been directed both at herself and Councillor Larcombe. She said that when Councillor Larcombe was elected as Mayor in 2019 it is alleged that Councillor Ellis said publicly that she would oppose everything that he did, and she feels this is what Councillor Ellis has done, opposing for the sake of it and in an aggressive way. Councillor Bawden says that Councillor Larcombe has tried to challenge but generally other Councillors just look uncomfortable and then complain privately afterwards. Councillor Bawden says she has urged people to challenge. She also says that she feels the Town Clerk could be more robust at times but says he maintains that Member behaviour is the role of the Mayor, not the officers. When Councillor Aldridge and Councillor May joined the Council they have intervened at the time and Councillor Bawden feels that behaviours haven't been so obviously directed at her since they joined the Council.

At one point she says that both she and Councillor Larcombe were considering their futures with the Council due to the alleged bullying. However, both were urged by people both in and outside the town council to remain and felt that they wished to continue to represent their residents and work for the community.

Councillor Bawden doesn't believe other Councillors have been willing to challenge poor behaviour despite having spoken about it and written to her saying that they don't believe the behaviours were acceptable. Councillor Bawden says that there have been some 'off the record' meetings about behaviours and discussions about having facilitated meetings to discuss this, but the Town Clerk hasn't been able to find a facilitator at reasonable cost. She also says that Councillor Ellis expressed the view this year that it wasn't necessary as there wasn't a problem anymore, but she doesn't agree with this and suggests that other Councillors, particularly Councillors Aldridge and May both agree that there is still a problem, as does the town clerk.

Councillor Bawden spoke about an informal meeting of the Council when Councillor Sarson raised the issue of Councillor Ellis' visit to his house and he said that she had shouted and upset his wife and brought her to tears. Councillor Bawden says that Councillor Ellis denied that she raised her voice and said that she had merely spoken to him as she was passionate about the town but Councillor Bawden was of the view that it was because she didn't want Councillor Sarson to stand against her for the role of Mayor. Councillor Bawden said this meeting was the opportunity for all Councillors to raise concerns. She felt that even if Councillor Ellis disputed that she had raised her voice or felt that it was appropriate to go to his home, Councillor Ellis could have apologised for upsetting Councillor Sarson's wife, yet she chose not to. Councillor Bawden said that another incident was raised by a Councillor in respect of Councillor Reynolds' behaviour towards him in previous years and Councillor Bawden was pleased that the Councillors were now being challenged to their face rather than people complaining about their behaviours informally to others.

Councillor Bawden suggested that a number of fellow Councillors had stood for election in 2019 as the Town Council was, in her words, previously dysfunctional. The behaviour had allegedly previously been dreadful so in the early days of the new council, the new councillors understood that there might have been a certain acceptance of poor behaviour as being 'normal'.

When Cllr Brian Larcombe was elected as Mayor in 2019, Cllr Reynolds resigned with a lengthy statement accusing him, the Deputy Mayor, Cllr Jeff Scowens, and her brother, Dorset Councillor, Daryl Turner, of organising a 'witch-hunt' against her because she had stood against her brother for Dorset Council. There was then a period when the new council settled in, got on well together and was dubbed the 'Happy Council' by the local newspaper, Lyme Online. However, Cllr Reynolds was returned unopposed to the council in February 2020, which is the date the town clerk has specified as when Member behaviour became an issue again and the top risk in the annual risk register.

Councillor Bawden felt that the continuing poor behaviour currently was not only undermining democracy in Lyme but also impacting on the relationship between Dorset Council and the Town Council. She feels that both Councillors Reynolds and Ellis demean and belittle her as Dorset Council Ward Member and she finds it very frustrating that other Councillors who say they find their behaviour unacceptable don't complain about it. However, she understands that they probably don't want the poor behaviours directed at them. Councillor Bawden says Councillor Reynolds and Ellis's bullying behaviours have at times ruined her life and make her feel miserable much of the time.

I asked again if Councillor Bawden felt that Councillor Reynolds and Councillor Ellis recognised that others considered that their behaviour was inappropriate or unacceptable? I suggested that some people are more outspoken, direct or brusque than others and I wondered whether sufficient challenge had been made by fellow Councillors that they would understand their behaviours weren't considered appropriate. Councillor Bawden said that when the Town Council had an away day the year before last to discuss behaviours Councillor Reynolds came with a pre-prepared statement, and that Councillor Ellis blamed poor behaviours on another former Councillor (Councillor Reynolds' niece, former Councillor Tara Webb). Councillor Bawden felt that Councillors Reynolds and Ellis must know that their behaviour isn't considered appropriate even though they tried to blame poor behaviours on another Councillor. Councillor Bawden feels very frustrated as she feels there is a lot of energy lost in meetings, and said that Councillor Reynolds openly declares she doesn't abide by the Code of Conduct but speaks her mind. Councillor Bawden says that Councillor Reynolds said she reserves the right to disagree with a Town Council decision and to go to the Press and social media to say so. Councillor Bawden says that Councillor Reynolds doesn't seem to recognise the need to support Town Council decisions.

Councillor Bawden referred to a previous complaint that had been raised against her and was dismissed by the Monitoring Officer as false with no evidence to support the accusations. Councillor Bawden wasn't sure whether Councillor Ellis and others believed the accusations against her and chose not to listen to the evidence provided identifying the claims as false and unsubstantiated but said they didn't ask her any questions or speak to her about it but used the complaint as a "weapon" to divide the Council. She felt Councillor Reynolds knew exactly what she was doing by agreeing and amplifying the false allegations inside and outside the council chamber. Councillor Bawden also felt that this wasted a great deal of member and officer time.

Councillor Bawden also referred to the incident relating to the Hix planning application. She felt that this was very badly handled with Councillor Reynolds and Ellis changing their minds and opposing the Council decision for what she felt was just “for the sake of it” and for personal gain. I asked Councillor Bawden what she felt they would have gained from supporting Hix’s application. She suggested that they possibly felt public opinion was on their side and that it would make them more popular, although Councillor Bawden said Councillor Ellis was more guarded in meetings. However, Councillor Ellis told the press the Council were divided when, in fact, the Council hadn’t made a decision on the matter and were waiting for financial figures to enable them to do so. Councillor Bawden felt that Councillors Reynolds and Ellis has gone “slightly rogue” in misrepresenting the Council’s position when speaking to the press, including the BBC local radio. Councillor Bawden said that she had asked the office to put out a press release setting out factually the Town Council’s position but they chose not to and Councillor Bawden said that she wasn’t sure if there was pressure being applied by any Councillors behind the scene.

Councillor Bawden referred to the Planning meeting of 4 October 2022 and said that Councillor Reynolds had gone out of her way to try to stop any debate of the planning application with a request not to discuss the planning application due to “pre-determination” then with many interruptions. In that meeting, Councillor Reynolds accused her of interrupting. Councillor Bawden didn’t feel that she had interrupted but apologised anyway and said that after the meeting there was a report in Lyme Online but the fact that she had apologised was not reported. Councillor Bawden was pleased that the local paper did attend meetings and report on them but said that the reporting wasn’t always fully representative of the full context of council debates.

I said that I would have another look at press reports but my recollection was that when the local papers reported on poor behaviours they didn’t “name names”. Councillor Bawden then raised the issue of recorded votes and said that the local press did then report names setting out how individual councillors had voted. Councillor Bawden made particular reference to the recorded vote on the Hix application and said that there was a great deal of abuse against individual councillors on social media and in the press generated by the Hix public relations team for the way in which they had voted. Councillor Bawden’s perception is that whilst there is nothing wrong with a recorded vote, she feels that the way Councillor Reynolds had requested this recently has been to create targets. I did point out that the Standing Orders of the Town Council does allow one Councillor to ask for a recorded vote, and it would be for the Town Council to review their Standing Orders if they felt more than one Councillor should support a call for a recorded vote.

Councillor Bawden said that she has requested live-streaming of Council meetings as she believes this may assist in ensuring better behaviours at meetings. She felt that in recent months Councillor Reynolds had used a recorded vote as a weapon of aggression to “expose” people and she believed that this did influence how Members may vote leading them to abstain if they were concerned about future aggression.

Councillor Bawden says that she had learnt a huge amount from being on Dorset Council and seeing how a Member-led council should work and she can see a contrast with how Lyme Regis Town Council was working. She felt some

disappointment that training wasn't considered mandatory and that not all Councillors understood fully what their role was, not only as community representatives but also being responsible as employers of the staff and scrutineers required to challenge. Councillor Bawden felt that if they questioned something with the staff they were met with hostility from other Councillors. She said that she genuinely feels that some Councillors don't understand all the responsibilities that come with the role. She felt it was difficult as you can't compel Councillors to undertake training, but training could be very beneficial to help Councillors to understand their role eg in audit and scrutiny. Councillor Bawden says that the Town Clerk is organising some governance training but she isn't confident that there will be good attendance. She also feels that the charges for DAPTC training are often a barrier to people attending events. Whilst she's always been able to attend training that she has requested, she feels that she doesn't want to be the only one using the training budget as that's unfair to others. Councillor Bawden is also keen that Councillor attendance and training records are shown on the website and also their membership of outside bodies.

Councillor Bawden feels that potentially Lyme Regis could be a really effective Town Council if Councillors Reynolds and Ellis could be persuaded to be constructive instead of spoiling nearly every meeting. She feels that when they are not present there is a completely different atmosphere. Councillor Bawden says that 2 years in a row the Town Clerk has pinpointed in his risk report that February 2020 is the point at which things started to go wrong and she says that this ties in with when Councillor Reynolds returned to the Council, and Councillor Bawden feels that this enabled Councillor Ellis' opposition and poor behaviours to be amplified. The risk report didn't actually refer to any Councillors by name.

Councillor Bawden says that she has so much time for Councillor Reynolds in so many ways, and said that she has so many good ideas and could be a force for good, but she feels that when it doesn't suit Councillor Reynolds to work with her fellow Councillors she will turn them in to enemies.

Councillor Bawden believes unless the issues of bad behaviour are out in the open nothing will change and that is why she felt compelled to make a Code of Conduct complaint.

Councillor Bawden referred to the pre-prepared statement read out by Councillor Reynolds following a Human Resources meeting relating to the upcoming Mayoral election and said that she understood that Councillor May walked out as he was shocked at the poor behaviour evidenced and how quickly the Members in the room descended into unpleasant arguments. She said that he had previously made it very clear that he was determined to be completely independent and for his judgement not to be clouded by any historic issues. Councillor Bawden said that she had appreciated when both Councillor Aldridge and Councillor May had challenged behaviours at the time that they happened in meetings. Councillor Bawden felt that other Councillors don't stand up to poor behaviours as they should, except for Councillor Larcombe who has been the main target of the worst of the bullying behaviour and false accusations.

I raised the issue of the reputation of the Council in the public, and commented on the number of submissions received during the Community Governance Review process that felt the Council should be disbanded as it was dysfunctional. Councillor Bawden was aware of the comments and said it was very embarrassing. When she was canvassing last year for the Dorset Council election she said that a number of people commented negatively on the actions of the Town Council. She said that she found it difficult as some residents believed the alleged lies that Councillors Reynolds and Ellis had perpetuated about her, or that the whole Council was argumentative and dysfunctional. Councillor Bawden said she was appalled by the Community Governance Review comments and said that many people were deterred from standing due to the Town Council's reputation. She was also embarrassed when she saw the number of spoilt ballot papers at a by-election insulting the Town Council, and Councillor Bawden referred to the low turnout at a recent by-election.

Councillor Bawden expressed a wish that Lyme Regis Town Council worked more proactively in the community to show more leadership as she said the Town Council has so many good people with lots of ideas and energy, and the financial ability to fund projects. She recognised that the Town Council did fund a lot of community activity but felt there were other ways of supporting and working with the community like the other Town Councils locally do, being more proactive.

Councillor Bawden says she is very open and inclusive, particularly as ward member, and believes that the conduct of Councillors Reynolds and Ellis is creating division. She feels that items she has sought to add to an agenda for discussion and debate have been prevented from coming forward by a sub-committee of committee chairs and items are rejected at this point so do not get added to an agenda for discussion and debate. The Town Clerk does not agree that items have been rejected. Councillor Bawden feels that items have been rejected by Councillors Ellis and Reynolds, for example in the informal meeting last August over which objectives to prioritise for consultation with the community, because they have been raised by her.

Councillor Bawden spoke about the impact on her personally but also on how the Councillors worked together in a much more positive atmosphere when Councillors Ellis and Reynolds enable it or are not present. She was concerned about how the Council was perceived in the town, and how this impacts on democracy, and also how it impacts on the relations with Dorset Council. She felt that the personal animosity influenced others.

Councillor Bawden feels that there is potential for Lyme Regis to be a very effective Town Council but is concerned that unless something changes with Councillors undertaking appropriate training to be more respectful to each other, to fulfil their roles and to challenge poor behaviours when they happen then the Town Council will not improve its public reputation, and that she will continue to feel unsafe in Council meetings and in the town. Councillor Bawden fully accepts that recorded votes can be called but she feels that the way in which they are being used is intimidating. She says that once the Code of Conduct complaint is in the public domain she is likely to be subjected to further abuse/intimidation, but she felt compelled to submit her complaint as she feels it's important to enable the Town Council to move forward

and operate effectively without being constantly hampered by wasting time and energy in dealing with mistrust and poor behaviours.

Jacqui Andrews
Service Manager, Democratic and Electoral Services
30 May 2023

Meeting with Councillor Cheryl Reynolds, Lyme Regis Town Council

Date: 11.45 am, Monday 26 June 2023

I explained to Councillor Reynolds that the purpose of the meeting was to gather information to enable me to understand that facts as she saw them, and to enable me to formulate my report and any conclusions for consideration by the Audit and Governance Sub-Committee.

I asked Councillor Reynolds about the Planning Committee on 4 October 2022, when she requested a recorded vote in respect of the planning application from Mr Hix. It had been alleged that Councillor Reynolds often sought a recorded vote if she felt that votes would not go the way that she wanted them to, and there had been a suggestion that Councillor Reynolds called for a recorded vote to intimidate some Councillors into abstaining as the local press regularly print the names of Councillors and how they vote if there is a recorded vote. I did point out to Councillor Reynolds that I had read the Town Council's Standing Orders and noted that these permit any Councillor to request a recorded vote. I invited comment on this allegation. Councillor Reynolds said the Planning Committee had delegated authority to comment directly to Dorset Council in respect of planning applications, and she sought a recorded vote as people don't always read the minutes of the Committee or come to meetings. She also said that she regularly called for a recorded vote so that residents could see that she had voted in the way in which she had told them she would. Councillor Reynolds said that anyone attending any meeting could see how Councillors had voted as this was usually by show of hands, and she felt that a recorded vote simply showed this in written form.

I advised Councillor Reynolds that, at the request of the Monitoring Officer, Mr Nick Maton, who was one of Dorset Council's Independent Persons appointed under the Localism Act 2011, attended the Full Council meeting on 15 February 2023 following a number of complaints about conduct at meetings generally.

At this meeting, Mr Maton refers to an incident that formed part of Councillor Bawden's original complaint submission. Mr Maton's report says that Councillor Reynolds challenged Councillor Bawden during a discussion about a request from Dorset Council to contribute towards dredging of the harbour asking "Shouldn't Lyme Regis come first for you?" . Mr Maton said that later as part of the debate when Councillor Bawden indicated that she hadn't supported the proposal that Councillor Reynolds had noted as "unanimous", Councillor Reynolds said to Councillor Bawden "I'll ask you again, are you a Lyme Regis Councillor or a Dorset Councillor?". At this point the Town Clerk intervened advising Councillor Bawden that she didn't need to respond.

I advised Councillor Reynolds that Mr Maton felt that her behaviour towards Councillor Bawden was contrary to the Code of Conduct and, in particular, the general conduct obligation to treat other councillors with respect. Whilst Mr Maton felt that her original comment could be classed as "ill-judged and an unnecessary question" but could potentially be explained as a "robust challenge", he believes that

Councillor Reynold's second comment crossed the line beyond what is acceptable and at that point was a personal attack on Councillor Bawden.

Councillor Reynolds confirmed that she had chaired the Full Council meeting on 15 February 2023, but didn't agree that she had "spat out" her question to Councillor Bawden as had been alleged. Referring to Mr Maton's comment that by asking the same question again it became a personal attack on Councillor Bawden, Councillor Reynolds said that she hadn't received an answer when she first asked the question to Councillor Bawden. Councillor Reynolds didn't believe that Councillor Bawden should be participating on a vote to give Dorset Council funding as she was a member of Dorset Council, and Councillor Reynolds believed that this would amount to a pecuniary interest. Councillor Reynolds felt that Councillor Bawden should have not voted at all. She did not agree that asking her question of Councillor Bawden amounted to a personal attack. Councillor Reynolds said that in the past Dorset Councillors did not vote in these circumstances.

I asked Councillor Reynolds about a statement she made following the close of an HR meeting, and subsequently confirmed in an email to all members about the selection of the mayor. The allegation is that someone intending to stand for deputy mayor stood down apologising to Councillor Reynolds who it is alleged gave misleading information suggesting that a 2nd year in the role of mayor was a "given". The allegation is that her verbal statement was aggressive and that the tone of her following email was also aggressive and that she used her position to bully people who were less experienced or less well-versed in process – it was suggested that Councillor Reynolds provided "misinformation" leading to people stepping aside thinking that the 2nd year was part of the formal process. Councillor Reynolds advised that the Councillor who withdrew his application had come and asked her about this before the meeting and had also spoken to the Town Council office to check that this was the usual tradition.

Councillor Reynolds confirmed that she did make a statement following the close of the formal HR meeting but said that she was clear that it was "tradition" for a mayor to have a 2nd year. Councillor Reynolds said that the only time she can recall a mayor not having a 2nd year was when the mayor chose to stand down. Councillor Reynolds didn't agree that her email was "aggressive" but set out the tradition of a 2nd mayoral year that she felt should be afforded to Councillor Ellis.

I raised the allegation that during the period when there were various meetings about Mr Hix's use of council land that Councillor Reynolds, together with Councillor Ellis, misrepresented the Town Council's position to the local press saying the Council was divided on the issue. Councillor Reynolds said that the Town Clerk had been instructed by the Council to obtain some financial figures in respect of the land in question. Councillor Reynolds said that she did not speak to the local press, but she did put information on Facebook. Councillor Reynolds said that the press often attended and recorded meetings, and when they weren't in attendance they often asked for recordings of meetings. She confirmed that the press were in attendance at this meeting.

I asked Councillor Reynolds about an allegation that she had openly stated that she didn't abide by the Code of Conduct but spoke her mind. Councillor Reynolds said

that she didn't say that she didn't abide by the Code of Conduct but that she was clear that she spoke her mind. She also pointed out that due to a hearing problem she always speaks loudly. Councillor Reynolds says that she always says what she thinks but keeps all her comments for council meetings and does not discuss issues either before or after a meeting, as many others do.

I asked Councillor Reynolds about a comment that items brought forward by Councillor Bawden for adding to agendas had been rejected by both Councillors Ellis and Reynolds, because they had been raised by her. I repeated an example of an exercise where the Council were considering which objectives to prioritise for consultation with the community. Councillor Reynolds categorically denied this and said that all items on an agenda were determined by officers and the Chairman of that particular meeting. Councillor Reynolds confirm that she was only involved in agenda setting for the TCP meeting of which she is the Chair, and this is undertaken with an officer. Councillor Reynolds said that nothing has ever been withheld and, as Deputy Mayor, she had never determined items to be included on other meeting agendas. She said that this allegation was absolutely untrue.

I raised the issue of a report written by the Town Clerk in October 2021 when he highlighted 2 of the most serious risks to the Council as being the deteriorating relationships between some members and the increase in members acting as advocates for external organisations rather than representing the Council's interests. The Town Clerk was quoted in the local media as saying that the behaviour of some members was "adversely affecting the well-being, participation and decision making roles of other members". The Town Clerk cited a positive and constructive atmosphere in the Council with little conflict from the elections in 2019 but said that since the beginning of 2021 there had been a deterioration. I advised Councillor Reynolds that 1 of the complainants believed that the start of the breakdown was after her election in February 2020 and invited Councillor Reynolds to comment on this. Councillor Reynolds felt that the Town Council had been fractured for many years. She said that 9 or 10 years ago there was a group of 5 councillors who split the Council down the middle and that she felt the Council was in the same position now and had continued to be fractured since this time.

I asked Councillor Reynolds what she felt could be done to improve the situation? Her view was that many Councillors don't attend meetings and often don't read agenda papers or minutes ahead of meetings that they do attend. Councillor Reynolds was of the view that members should get together outside of formal meeting to talk through the problems that they were experiencing as a cohort of members to try to find a way forward. Councillors Reynolds said that she had suggested this previously but it hadn't happened.

I referred to comments alleging that Councillor Reynolds' way of conducting herself in meetings was "aggressive" and that she was "outspoken creating a difficult atmosphere at Council meetings" that some may find intimidating. Councillor Reynolds did not agree that her conduct was aggressive. She reiterated that she spoke loudly due to tinnitus and that she always spoke her mind. Councillor Reynolds said that Councillor Bawden often says she is scared so won't attend Council meetings but then turns up. Councillor Reynolds also said that Councillor Bawden refuses to sit on the Councillor benches and because she is quietly spoken

people often have difficulty hearing what she says, and she has been asked to join the other Councillors on the benches but refuses.

I referred to a suggestion from the complainants that they, or anyone who has spoken out against Councillor Reynolds' conduct may be subjected to intimidation and/or abuse and asked for an assurance that Councillor Reynolds would treat fellow councillors professionally and with respect as required under the Code of Conduct. Councillor Reynolds said that she always did treat fellow councillors with respect. She said that she "says it like it is", as that's the way she is but she certainly doesn't see this as intimidation, although acknowledged that "intimidation" was about how actions made someone feel, and not always about whether they were intended that way. Councillor Reynolds said that she has previously suggested an away day, or as most had agreed an away day didn't work, a discussion about conduct after the close of meetings, but this never happens as the meetings often run until late into the evening and no-one seemed interested in that.

Councillor Reynolds spoke about the Dorset Council election that she had stood in when Councillor Bawden was elected. Councillor Reynolds said that she had actually felt relieved not to have been elected as, after submitting her nomination paper she had been diagnosed with a serious and rare medical condition that had, in fact, prevented her from campaigning properly due to the severity of her symptoms. Councillor Reynolds had congratulated Councillor Bawden on her election at the count and said she felt great relief as she realised she wouldn't have been able to undertake the role properly as she would have wanted to due to ill health.

At the end of our meeting, Councillor Reynolds had prepared a statement which she read to me, a copy of which is attached to this meeting record. Councillor Reynolds expressed concerns that Councillor Bawden may receive preferential treatment as a member of the authority that employs me as the investigating officer. I gave an assurance that I would consider the complaint and all the information I had received without any bias. I also pointed out that I was not the decision maker in respect of whether or not there had been a breach of the Code of Conduct. My role was to investigate the matter, pull together the evidence and I would reach a conclusion about whether, in my opinion, there had been a breach, but the final decision rested with members of an Audit and Governance Sub-Committee. Councillor Reynolds expressed concerned that Councillor Bawden was a member of the Audit and Governance Committee and whilst she was sure she would not be on the Sub-Committee hearing the case, she was concerned that she would be able to influence other members.

Jacqui Andrews
Service Manager, Democratic and Electoral Services
28 June 2023

Note prepared by Councillor Cheryl Reynolds and read out at the meeting on 26 June 2023.

1. I believe it is very wrong that complaints made against 2 councillors are on the same complaint form and delivered to both councillors, most unprofessional allowing each councillor to know each other's business. So why wasn't this separation done at the beginning? Do you not have a responsibility for protection of data and maintain confidentiality?
2. When the complaints were emailed, the questions asked of the complainants were attached to the bottom of the emails. I believe this was an oversight and again very unprofessional and again another breach of confidentiality.
3. The complainant councillor Caroline Aldridge makes reference to recorded votes and my seeking rescission. Both of these are in standing orders and a statutory requirement. These are not up for discussion, they are lawful and allowed, again very unprofessional to allow them to be included and to be allowed from the beginning. I have a copy of standing orders and suggest you also look at Dorset's standing orders on these two issues.
4. The complaint made by Councillor Caroline Aldridge regarding David Sarson has been withdrawn, he does not want this to go any further, why has she been allowed to as most of which she talks about his hearsay! Also, the original complaint was not from David Sarson but Philip May on his behalf - should that have been allowed? Surely a complaint must be from the complainants, this is third party involvement and again hearsay. My comments regarding Councillor Ellis being allowed a two-year term as mayor as it was tradition was after the end of an HR meeting. I had asked the chair Councillor Gill Stammers for permission to do this, to which she agreed.
5. As for the planning application about Mark Hix, we had been advised by the town clerk that we were the landowners and as such we should not comment on the application. This is perfectly legal to do and having checked with both Town Clerk and Deputy Mark Green who is in charge of the planning meetings is exactly what I did. John had spent half an hour with the Chairman Grahame Turner explaining this. Understanding pre-determination, I said this at the meeting and that is the reason I abstained from the vote. This was made into a huge issue by Councillors Aldridge and Bawden.
6. The recorded vote is to show the public who voted for what, again publicly legal and allowed. Not to intimidate but to show the public who voted for what as I had been asked by many residents to ensure the decking stayed. The online petition has over 10,000 signatures.
7. Being accused of "nodding enthusiastically" at the full council when every single person that came and spoke in the public forum was in favour of Mr Hix's decking is something I always do to encourage the speaker whatever they're

saying. Speaking at public meetings is always difficult and should be supported by the Chair.

8. Councillor Aldridge is the person that has come to me for help and advice regarding issues in the council and I have never declined her. Asking advice from someone she feels is so dreadful seems very odd to me when there are fourteen members on the council.
9. Eligibility- should someone internally from Dorset Council an organisation that the complainant Councillor Belinda Bawden belongs to and is paid by, be allowed to deal with this complaint and make decisions about me? If this is to go ahead surely an outside investigator should be appointed?
10. There is a history here with Councillor Belinda Bawden of which I have many emails and references from both the community support and food Bank of over a year ago. A longstanding vendetta. The meeting that Councillor Bawden accuses me of being "malicious" a word she has used on many occasions is ridiculous. Listening to the recording, it was a straightforward question and certainly with no malice in it whatsoever. I have asked many people to listen to this recording and they agree. As for it being asked again after she didn't answer my question and being "spat out" as she says in her words, again ridiculous comment just listening to the recording. However, her voting on this subject surely constitutes a pecuniary interest she is paid by Dorset Council, and this was a request for Lyme Regis town council to provide much more money for the harbour dredging. Previous Dorset councillors have always refrained from voting in these circumstances.
11. I never speak quietly. I have tinnitus in my left ear, my hearing is poor, and I have told everyone at council of that on many occasions and I always speak loudly. Speaking loudly often could appear aggressive I presume but it is not what I intend in any way. The acoustics in the Guildhall are dreadful and Councillor Belinda Bawden speaks very quietly and refuses to sit on the councillor benches. I have asked on many occasions for her to speak up, move closer which she refuses to do. Councillor Bawden goes on about my "relentless attacks". I am simply stating my position on an item that I have been asked by many residents of Lyme Regis, that is called "freedom of speech". I would never dream of intimidating or bullying but I am always forthright in my approach, I speak loudly because of the reasons listed above, I make sure everyone hears what I have to say as I have such trouble listening to people who speak so quietly almost as an excuse so that others cannot hear! I ask questions to get answers, if that appears to Councillor Bawden to be belittling and intimidate I suggest we look at Councillor Bawden's reasons for this!
12. Her excuses for not coming to meetings is quote she feels "unsafe", says she is not coming because of that and then turns up! You can check this with the Town Clerk John Wright. So, if she feels that unsafe why does she come?
13. Manipulators often played the victim role ("woe is me") by portraying themselves as victims of circumstances or someone else's behaviour in order to gain pity or sympathy or to evoke compassion and thereby get something from someone. They hold grudges. The victim puts others down and finds fault in people to gain

a sense of superiority. If you fall out of their graces, they will harbour their grievance against you and covertly seek to get revenge. When people are too busy blaming others for their problems, they don't find solutions themselves because they're not even looking for them.

14. So here we have a councillor who says all these things about me and yet she wants to work with me on residents' problems because she knows residents come to me with problems and I help. I have copies of the emails sent just recently, I suggest you read them and then tell me I am not correct.

Meeting with Councillor Michaela Ellis, Lyme Regis Town Council

Date: 11.00 am, Monday 26 June 2023

I explained to Councillor Ellis that the purpose of the meeting was to gather information to enable me to understand that facts as she saw them, and to enable me to formulate my report and any conclusions for consideration by the Audit and Governance Sub-Committee.

I asked Councillor Ellis about the allegation that she went to Councillor Sarson's house on the 20 February 2023 and "berated" him on his doorstep in a raised voice for considering standing for the position of mayor in the election to be held on 5 April 2023. I asked Councillor Ellis to tell me about her recollection of this visit.

Councillor Ellis said that this was a long time ago and she couldn't recall the incident in any detail. She said that she was passing Councillor Sarson's house on her way home from another errand and knocked on his door to explain to him the unwritten rule and tradition that if a mayor had undertaken a year in office, tradition was that they would be afforded a second year. Councillor Sarson was relatively new to the role so Councillor Ellis wanted to explain this tradition to him. Councillor Ellis said that when Councillor Sarson came to the door he said "if it's about the mayoral elections, I don't want to speak to you". Councillor Ellis said that she didn't raise her voice and wasn't aggressive. Councillor Ellis said that Councillor Sarson was telling her that people had been asking him to stand for mayor and Councillor Ellis wanted to explain the process. As the incident was a number of months ago, Councillor Ellis couldn't remember the precise details of the conversation.

I asked Councillor Ellis if she usually went to Councillors' homes to discuss Council business. Councillor Ellis confirmed that this usually wouldn't be the case, but she wanted to speak to him before the formal vote at Council. Councillor Ellis said that normally she would only discuss Council business with her fellow Councillors at Council meetings.

I said that I understood that at an informal meeting of the Full Council, Councillor Sarson raised the issue of Councillor Ellis' visit to his home and said that she had upset his wife. I asked whether she had considered that, even if her view of the incident was that she wasn't being aggressive, that it might have been appropriate to apologise for upsetting Councillor Sarson's wife even if this had not been her intention? Councillor Ellis advised that this was not an informal meeting of Full Council, but following the close of an HR meeting. Councillor Ellis said that at the end of the HR meeting, Councillor Reynolds asked if she could speak to everyone. Whilst Councillor Ellis can't remember the detail due to the length of time that has passed, she recalls Councillor Sarson and another Councillor speaking about her visit to his house. Councillor Ellis said that it was said at the meeting that she had upset Councillor Sarson's wife but she said that she didn't see his wife. Councillor Ellis said that after the visit to his house, both Councillor Sarson and his wife attended her Civic event and shook her hand and there was no animosity at all. Councillor Ellis reiterated that her intention was just to advise Councillor Sarson

about the “unwritten rule” about a Mayor having 2 years in the role as it was not in Standing Orders. Councillor Ellis confirmed that she understood that this was not an official “rule” of Lyme Regis Town Council but was merely custom and tradition.

I raised the allegation that Councillor Ellis had used her position to bully people who had the right to stand for the position of mayor and that it had been suggested that Councillor Ellis had provided misleading information about the mayoral selection process that less experienced Councillors may have believed ie that every Mayor had a right to stand for a 2nd year. I invited Councillor Ellis to comment on this. She said that she didn't feel that she had bullied anybody. She said that she had just tried to explain what she had heard over the many years that she had been a Councillor about the unwritten rule. Councillor Ellis said that she had made it clear it was tradition – and an unwritten rule that the mayor has a second year if they so wish.

I asked Councillor Ellis about the allegations that, together with Councillor Reynolds, she had misrepresented the Town Council's position regarding Mr Hix's use of council land to the local press saying the Council was divided on the issue when I understood that no decision had been taken as the Council were awaiting financial figures prior to making any decision. Councillor Ellis said that the Council had been approached by Mr Hix who had submitted a planning application for decking on Town Council land. She said that the Town Clerk had advised Members that they shouldn't be discussing the issue until the financial report was available. She said that either the Town Clerk or his Deputy had spoken to the Chairman of the Planning Committee and suggested that it was better that the Council didn't discuss the planning application because they were in a process with the Finance and Strategy Committee. Councillor Ellis said that whilst she doesn't sit on the Planning Committee, she understood that they decided they would make a decision that night about the planning application and submit their response to Dorset Council. Councillor Ellis said that she was asked at a subsequent Full Council meeting why she hadn't raised the decision made by the Planning Committee on this matter and she pointed out that the Planning Committee had delegated authority and reported directly to Dorset Council, and Full Council could not change their decision.

I asked Councillor Ellis about the allegation that items brought forward by Councillor Bawden for adding to agendas have been rejected by both Councillors Ellis and Councillor Reynolds because they had been raised by her, and cited an example of which objectives to prioritise for consultation with the community. Councillor Ellis said that when Members raise issues for things to go forward to the public, this is a Council decision, and not one for individual Councillors. She did not have an individual say on items going forward for public consultation and that this was a decision of Full Council.

To end the meeting I raised the suggestion from the complainants that they, or anyone who has spoken out against Councillor Ellis' conduct, may be subjected to intimidation and or abuse, and I sought an assurance that this wouldn't be the case and that she would treat fellow Councillors professionally and with respect as required under the Code? Councillor Ellis said that previously the complainants would not speak to her but since the complaints had been submitted they were very friendly towards her. Councillor Ellis said that she was on the Council not for herself

but for the town and the town's people. She said that she always does her best for the town and she has been very upset by the complaints as she has always just tried to act professionally and in the interests of the community.

Jacqui Andrews

Service Manager, Democratic and Electoral Services

27 June 2023

Statement made by Councillor Philip May, Lyme Regis Town Council

I have been approached by Jacqui Andrews, Service Manager for Democratic and Electoral Services, for my views on an allegation of an uninvited and unannounced visit by Councillor Ellis to the house of Councillor Sarson that has been raised by Councillors Bawden and Aldridge as part of their recent Code of Conduct complaints. I had originally submitted a complaint on behalf of Councillor Sarson in respect of this incident, but Councillor Sarson asked that this complaint be withdrawn to avoid further confrontation. However, I have been asked for my views as the issue has been raised by other Councillors as part of their complaints.

My principal concern is that it should be unacceptable for Councillors to visit another Councillor's home uninvited and with the intent to deliver an intimidating message (e.g. to tell them they should not stand for election as mayor), even if the strong delivery was "passion" and language allegedly merely "robust". Councillor Ellis does not deny this happened or that it was the style that the message was delivered. If our current code of Conduct would deem this acceptable then we urgently need to review it.

I am aware that some Councillors feel particularly vulnerable to receiving a similar visit to their homes at some point if this event goes unchecked.

In a full council discussion about what we'd like to do to address members' conduct organised by the Town Clerk following our Full Council meeting on 29th March 2023, the matter of the visit by Councillor Ellis to Councillor Sarson's house on 20th February 2023, was raised again. Councillor Ellis again did not deny that the visit took place, but defended her actions saying that her language had been "robust and not shouting". Also that her strength of delivery was to be regarded as "passion and not anger". In the same discussion, Councillor Ellis also did not respond to a request from Councillor Sarson for an apology for her actions.

Signed: Signature dedacted

Dated:23rd May 2023.....

Code of Conduct Report

Submitted following Lyme Regis Town Council Full Council Meeting held on 15 February 2023

Sponsor: Jonathan Mair, Director of Legal & Democratic (Monitoring Officer)

Author: Nick Maton, Independent Person

Date of Report: Thursday 16 February 2023

Purpose of the Report: To provide Dorset Council's Monitoring Officer with an assessment of the types of behaviour exhibited by councillors at the Lyme Regis Town Council (LRTC) Full Council Meeting held on 15 February 2023.

1. Summary of the Meeting

What follows is a bullet point summary, taken from my notes, of the LRTC Full Council Meeting held on 15 February 2023 (the meeting). These are my personal reflections and are not intended as an alternative to or substitute for the meeting minutes which, once approved, will be the definitive record.

- The meeting started promptly at 19:00 hours and was chaired by the Deputy Mayor, Cllr. Cheryl Reynolds, the Mayor, Cllr. Ellis having given her apologies.
- The public area of the council chamber was packed, with the majority of those attending interested in either commenting on or showing their support for two items;
 - A petition submitted by Seb Cope, and supported by 8,800 people, requesting the council to reconsider a resolution made at an extraordinary Full Council meeting held on 25 January 2023. This resolution relates to the council's position regarding the outside seating area at the Oyster and Fish House, owned by celebrity chef Mark Hix, and his wish to continue using it as part of his restaurant beyond the current permitted date of 31st March 2023.
 - Representations on the council's decision to increase charges for businesses on their use of the shelters at Marine Parade.
- In recognition of the number of people wishing to speak, the Chair agreed to waive the normal period of twenty minutes, which is set aside on the agenda for the public forum. The Chair asked people to still restrict themselves to three minutes each, although she allowed some discretion to this, which appeared to be appreciated.

- Although Mark Hix was present at the meeting, he did not speak. Instead supporters, one of whom had travelled from as far away as Reading, as well as many locals spoke on his behalf.
- All those who expressed their views were allowed to do so without interruption and, in my opinion, were treated with respect.
- Item 1 took a full hour, after which the vast majority of the public left the meeting leaving just three other people and myself.
- With the exception of Item 23 on the agenda, 'Harbour Dredging and Beach Replenishment – Request from Dorset Council for Contribution Towards Costs', which I will deal with under Section 2 of this report, I believe the remaining agenda items, whilst subject to different views and opinions, were debated in accordance with the LRTC Councillor Code of Conduct, adopted in April 2021.
- The meeting closed at 21:40 hours.

2. Behaviour Inconsistent with the Code of Conduct

At approximately 2 hours and 15 minutes into the meeting, Item 23 on the agenda was discussed. This related to a request from Dorset Council, for LRTC to contribute £45,000 towards the planned dredging of the harbour and associated costs, such as water quality testing.

As the ward councillor for Lyme and Charmouth on Dorset Council, Cllr. Bawden was asked for her views on the request from Dorset Council and the reported animosity it had created between officers from both councils. Cllr. Bawden said she was "Caught in the middle," whereupon she was immediately challenged by the meeting Chair, Cllr. Reynolds, who said, "Shouldn't Lyme Regis come first for you?"

Cllr. Bawden replied that she wasn't taking sides and wanted to, "Find a more conciliatory way forward."

The discussion moved on and eventually a proposition was put forward and seconded, to decline the request from Dorset Council for LRTC to contribute £45,000 towards the cost of the planned dredging work.

As Chair, Cllr. Reynolds initially recorded the vote on this proposal as unanimous before Cllr. Bawden corrected her, saying she had not voted to support the proposal.

Cllr. Reynolds then turned on Cllr. Bawden saying, "I'll ask again, are you a Lyme Regis Councillor or a Dorset Councillor?"

The Town Clerk, John Wright intervened at this point saying to Cllr. Bawden, "You don't need to answer."

Cllr. Bawden said, "It's a ridiculous question."

3. My Views on the Above Exchange

As an Independent Person, appointed by Dorset Council under the Localism Act 2011, I felt the above behaviour by Cllr. Reynolds towards Cllr. Bawden to be contrary to the LRTC Councillor Code of Conduct. In particular, the General Conduct obligation to treat other councillors with respect.

Cllr. Reynolds is entitled to 'express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner.' What Cllr. Reynolds is not allowed to do however, is to 'subject individuals, groups of people or organisations to personal attack.'

I felt the initial comment by Cllr. Reynolds to Cllr. Bawden, "Shouldn't Lyme Regis come first for you?" to be an ill-judged and unnecessary question. However, in the absence of any other follow up remarks, this could potentially be explained away as just a 'robust challenge'.

When Cllr. Reynolds goes back to Cllr. Bawden after the vote on the resolution and says, "I'll ask again, are you a Lyme Regis Councillor or a Dorset Councillor?" I believe her behaviour crossed the line beyond what is acceptable, and at that point becomes a personal attack on Cllr. Bawden.

The fact that the Town Clerk feels the need to intervene at this point saying to Cllr. Bawden, "You don't need to answer," leads me to believe that others also found this behaviour to be inappropriate.

The meeting concluded shortly afterwards but at no time before it ended, did I witness Cllr. Reynolds withdraw the remarks she made to Cllr. Bawden or apologise for what she had said.

4. Recommendations

It is my firm recommendation that the behaviour I have described above should not be tolerated and those responsible should be held accountable for their conduct.

I therefore ask you raise my concerns with the Town Clerk and the councillors involved, and to make a determination as to whether or not to treat this report as a Code of Conduct complaint, with a view to conducting an investigation.

Submitted for your attention and consideration.

Signature dedacted

Nick Maton

Independent Person

Response of the Independent Person to full report - 6 July 2023

Dear Jacqui,

Thank you for forwarding your report.

The Localism Act offers minimal guidance on the role of the Independent Person upon receipt of an investigator's report.

I have, therefore, made the following considerations;

1. Does the allegation(s) warrant investigation?
2. Has the investigation been thorough and proportionate?
3. What is my view, as a resident of Dorset not involved in the issue, of the conclusions of the investigator.

In respect of the first question, as the Independent Person consulted on submission of the complaint, I remain of the view that investigation was necessary, particularly given the apparently ongoing conflict within the Lyme Regis Town Council.

In respect of the second question, the primary parties have been interviewed, challenged, and given the opportunity to have their views heard and recorded. Those responses have been measured against the relevant legislation, codes of practice etc. I consider the investigation to be thorough and proportionate.

In respect of the conclusions within the report;

Conclusion 1. I agree that on the evidence available the conduct fails to meet the threshold. I believe that there is an issue where a councillor represents two authorities when the subject in question puts them in 'conflict' and the appropriate stance seems to be declaration and abstention. I do not see this matter as one of pecuniary interest given that Councillor Bawden has no personal financial involvement. I also sympathise with her approach of seeking negotiation. I also agree that in the absence of body language (and previous events) we may not appreciate the full impact of the words spoken.

Councillor Cheryl Reynolds "note read out at the meeting of 26 June" does concern me in that there is no willingness to accept any responsibility for deteriorating relationships with a deflecting answer to every point, and some frankly troubling and unsupported amateur psychology about victims.

Conclusion 2. I agree that it is not possible to conclude a breach of the code. I am, however, unconvinced by Councillor Ellis's account that she was "just passing" and I am concerned that this might be evidence of an unacceptable degree of aggression.

Conclusion 3. I agree with the Investigator. Whilst I note Heesom, I feel that there needs to be a hierarchy in interpretation. The thickness of the skin of a professional politician within the national government or opposition dealing, for example, with the future of the NHS must surely be considered considerably greater than that of a parish or town councillor perhaps considering a play park refurbishment. I therefore share the view of the investigator that this should not give carte blanche to

disrespectful behaviour which ultimately achieves loss of public confidence. The alleged conduct and the damaging perceptions of local councils by the public (there are a handful of such examples in Dorset) serve only to devalue the good work and commitment of the majority, and some councillors might reflect on how such bickering and complaining about one another rather than seeking mature resolution reflects on the body to which they have sought election.

Yours,
Rob Nichols
Independent Person for Dorset Council.

Response of Councillor Caroline Aldridge to full report-20 July 2023

One point I would like to raise is that quite a bit is made about politicians having to be prepared for some robust treatment, more than a normal citizen might think reasonable. Looking at the definitions I am not quite sure where it is clarified that Town Councillors (especially when they are not representing a political party) actually are politicians in this sense. Could you clarify?

Much is made about the need for equality and diversity, yet it seems to me that those who are not considered robust enough are excluded from acting as a Councillor - surely under the equality and diversity guidance adjustments should be made to accommodate them?

A second point was the suggestion that LRTC needed to ensure all Councillors were trained and introduced to the rules of good behaviour. I believe reference was made for the need for all to be involved. This is precisely our difficulty Councillors can't be compelled to attend such sessions and discussions and some refuse saying it's pointless as people won't change.

Finally the standard of the training on offer is questionable, most of our training is done by the Town Clerk and his staff, I did recently attend a session on Equality and Diversity, which was delivered by an external provider, but I did not think it was an acceptable level and there was no standard mechanism for feedback.

If any recommendations are made about LRTC undertaking such training it would be good to have the above issues addressed with as much force as possible.