

Minutes of the **Extra Ordinary meeting of the Full Council** of Buckingham Town Council held on Monday 11th April 2022 at 7pm in the Council Chamber at Cornwalls Meadow, Buckingham

Present: Cllr. M. Cole JP
Cllr. F. Davies
Cllr. M. Gateley Town Mayor/Chair
Cllr. J. Harvey
Cllr. S. Hetherington
Cllr. A. Mahi
Cllr. H. Mordue
Cllr. L. O'Donoghue
Cllr. A. Ralph
Cllr. A. Schaefer
Cllr. R. Stuchbury
Cllr. M. Try
Cllr. R. Willett

Via Zoom: Cllr. R. Ahmed
Cllr. A. Osibogun

Also present: Mr. P. Hodson Town Clerk
Ms. C. Molyneux Deputy Town Clerk
Ms. P. Cahill Committee Clerk

Public Session

A member of public attended and informed the Council that she 'spoke from the heart'. She told Councillors that she was angry and hurt.

Cllr. Gateley thanked her for attending and sharing her feelings with the Council.

A second member of public attended the meeting via Zoom. She informed the Council that she felt that the delay and leniency in dealing with this matter by Buckinghamshire Council was appalling. Cllr. Schaefer asked if she could offer advice regarding moving forward. She responded that she could recommend training providers for specific training regarding The Equalities Act.

The Town Clerk informed the Council that a number of Buckingham residents had contacted the Town Council and that permission would be sought to share this information.

797/21 Apologies for Absence

Members received and accepted apologies from Cllr. Collins and Cllr. Whyte, and from Cllr. Ahmed and Cllr. Osibogun for not being physically present.

798/21 Declarations of Interest

There were none.

799/21 Determination of Code of Conduct Complaint MO2-002451

- 799.1 Members received a decision from the Hearings Sub-Committee of Buckinghamshire Council.
- 799.2 Members received correspondence from Buckinghamshire Council.
- 799.3 Members received and discussed a written report from the Town Clerk.
- 799.4 Members noted the Social Media Policy.
- 799.5 Members noted the Social Media extract from the Staff Handbook.

Recommendations (BTC/132/21):

- 1.1 Equalities training be arranged for Members by the Town Clerk at the earliest date possible as part of Buckingham Town Council's ongoing good practice;
- 1.2 Members be offered appropriate social media training;
- 1.3 Members note the Buckingham Town Council Media policy which was reviewed and agreed on the 14th March 2022 - 741/21 Appendix C;
- 1.4 Members note item 43 of the Council Handbook – Social Media Policy which was reviewed and agreed by the Resources Committee on the 10th January;
- 1.5 Members decide what, if any, action to take against Cllr. Collins.

Councillors thanked the members of the public for their input.

Cllr. Cole PROPOSED that the Council not accept the recommendation regarding the whole council and its officers, although we do accept its findings regarding Cllr. Collins. Cllr. Harvey seconded with the suggested amendment that the matter is kept open to allow the Town Clerk to seek further legal advice on powers under the legislation and Standing Orders. Cllr. Cole accepted the amendment.

The Town Clerk explained that the Agenda did not give Councillors the opportunity to accept or reject the decision by Buckinghamshire Council, but to discuss it. He informed Councillors that he has spoken to the Monitoring Officer and to NALC; Buckingham Town Council have no power to add to the outcome. The only option would be a prolonged legal approach which could take months and would be very costly.

Cllr. Cole withdrew his proposal and subsequent support for Cllr. Harvey's proposed amendment. Cllr. Harvey accepted.

For information: Code of Conduct complaints section from Buckingham Town Council Standing Orders:

14. Code of conduct complaints

- a Upon notification by Buckinghamshire Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the Council.
- b Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d) below.
- c The council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by Buckinghamshire Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

Cllr. Harvey stated that Standing Order 14 d is incorrect and PROPOSED that this is an agenda item on the next Full Council meeting. The Town Clerk suggested that it would be more appropriate to discuss this at the next Resources Meeting. Councillors AGREED. **ACTION COMMITTEE CLERK**

Councillors voted on the recommendations:

- 1.1 Unanimously agreed.
- 1.2 Unanimously agreed.
- 1.3 Noted.
- 1.4 Noted.
- 1.5 Cllr. Shaefer PROPOSED an amendment: we strongly recommend and encourage Cllr. Collins to avail herself of the training. Cllr. Harvey seconded.

A vote was taken on the amended motion and the results were:

For: Cllrs. Cole, Davies, Gateley, Harvey, Hetherington, Mahi, Mordue, O'Donoghue, Ralph, Schaefer, Stuchbury and Willett.

Abstentions: None

Against: Cllr. Try

ACTION TOWN CLERK

800/21 Motion – Proposed by Cllr. Jon Harvey:

Discrimination, abuse and hate undermines the spirit and the wellbeing of our civil society here in our town. Buckingham Town Council reaffirms its policy of being against all forms of discrimination (including racism) and for inclusion, diversity, and parity of esteem. Consequently, the Town Council pledges to be forever committed to making sure all members of our community are and feel included and respected, while simultaneously opposing proactively all forms of discrimination. To this end, the Town Council will actively seek out ways in which we might do this.

Cllr. O'Donoghue seconded the motion. Cllr. Try asked where the words are going? Is it a press release, a change of Standing Orders? Cllr. Gateley pointed out that this is a reaffirming statement which would be a positive thing for The Town Council to do in the light of the hurt. Councillors unanimously **AGREED**.

801/21 Chair's Announcements

The Town Clerk will be convening a meeting of the Diversity Group at the earliest opportunity after Easter.

Cllr. Gateley had the honour of attending the declaration of the new High Sheriff of Buckinghamshire and shared an extract from the statements made by the Sheriff and Under Sheriffs:

*I will do right as well to poor as to rich in all things pertaining to my office;
I will do no wrong to any person for any gift, reward, promise, nor for favour and I will treat all people equally, respecting the differences and diversity of our communities;
I will support and encourage all who give of their time, skills and commitment for the benefit of others;
I will lay aside all private prejudices and political interests;
I will promote the peace, well-being and prosperity of this County and all its people.*

802/21 Date of the next meetings:

Special meeting Interim 9th May 2022
Annual Statutory Meeting and Full Council 30th May 2022
Interim Full Council 27th June 2022

Meeting closed at: 20:27

Signed Date

Town Mayor