



**MINUTES OF A MEETING OF THE
AUDIT & GOVERNANCE STANDARDS
SUB-COMMITTEE
HELD ON 21st NOVEMBER 2018**

PRESENT: Councillors R Claymore, C Cooke, J Faulkner and M Summers and R Claymore (reserve)

ATTENDEES: Mr C Cooke Snr (the Councillor's Representative), Mr S Orton (the Independent Person), Angela Wakefield (the Legal Adviser to the Sub-Committee), Stuart Evans (the Independent Investigator) and Councillor R Bilcliff.

The following officers were present: Jo Hutchison (Democratic and Elections Officer) and Ryan Keyte (Head of Legal & Democratic Services) and Jo Hutchison (Democratic and Elections Officer)

1 APPOINTMENT OF CHAIR

RESOLVED that Councillor Summers be appointed as Chair.

(Moved by Councillor Faulkner and seconded by Councillor Summers).

2 APOLOGIES FOR ABSENCE

There were no apologies for absence.

3 DECLARATIONS OF INTEREST

For openness and transparency Councillor C Cooke reported that the Councillor's Representative was a relative, however, he did not consider that this affected his impartiality nor amounted to a conflict of interest.

Accordingly the reserve, Councillor Claymore, was not required and therefore she did not take any part in the meeting.

4 EXCLUSION OF THE PRESS AND PUBLIC

The Chair reported that representations had been received to hold the meeting in public.

Accordingly the Chair proposed that, in this instance, the following motion to exclude the Press and the Public not be moved.

That in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012, and Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

(The above motion was not moved)

5 STANDARD COMPLAINT AGAINST COUNCILLOR

Report of the Deputy Monitoring Officer and Head of Legal and Democratic Service to bring before for the Sub Committee a complaint in respect of the conduct of Councillor Bilcliff.

The following decisions were unanimous and made in consultation with the Independent Person.

RESOLVED that:

- Councillor Bilcliff was acting in his official capacity;
- Councillor Bilcliff gave the impression of acting as a Councillor according to the Livingstone test;
- Councillor Bilcliff breached the following principles of the Members' Code of Conduct:
 - Principle 5** – Councillor Bilcliff had not exercised independent judgement as he had propagated the views of those who would seek to undermine confidence in the democratic system;
 - Principle 6** – Councillor Bilcliff did not adequately respond to advice from the Monitoring Officer and acted dismissively;
 - Principle 7** – Councillor Bilcliff had not been accountable for his decision to post the meme online;
 - Principle 10** – Councillor Bilcliff did not engage with Council officers, particularly the Monitoring Officer and devalued and undermined the work of Council staff and officers;
 - Principle 11** – Councillor Bilcliff did not treat Tamworth Borough Council staff that were part of the democratic process with respect;
 - Principle 12** – by virtue of the breaches of the above principles, Councillor Bilcliff had failed to provide leadership in the manner prescribed by the Members' Code of Conduct
- Having found a breach of the Code of Conduct, the Sub-Committee made the following decisions that:

- a) the findings in respect of the member's conduct be published;
- b) the Sub-Committee report its findings to full Council for information;
- c) it be recommended to full Council that Councillor Bilcliff be issued with a formal censure or be reprimanded.

Chair