

**Minutes of the Meeting of COUNCIL  
held remotely via video-conference on  
Thursday, 23rd September, 2021**

**PRESENT;** Councillor Paul Hinge (Chairman), Councillors Gareth Davies, John Adams-Lewis, Ellen ap Gwynn, Bryan Davies, Ceredig Davies, Clive Davies, Euros Davies, Gethin Davies, Ifan Davies (Vice-Chair), Marc Davies, Meirion Davies, Odwyn Davies, Peter Davies, Rhodri Davies, Dafydd Edwards, Endaf Edwards, Lloyd Edwards, Elizabeth Evans, Keith Evans, Rhodri Evans, Hag Harris, Catherine Hughes, Gwyn James, Alun Lloyd Jones, Gareth Lloyd, Lyndon Lloyd MBE, Dai Mason, Catrin Miles, Dan Potter, Ray Quant MBE, Rowland Rees-Evans, John Roberts, Mark Strong, Lynford Thomas, Wyn Thomas, Alun Williams and Ivor Williams

(10.00 am - 2.05 pm)

**Procedure**

The Chairman of the Council, Councillor Paul Hinge welcomed all to the meeting and confirmed that the meeting was being webcasted.

**1 Apologies**

- a) Councillor Steve Davies, Elaine Evans, Matthew Woolfall-Jones and Maldwyn Lewis apologised for their inability to attend the meeting.

**2 Disclosure of personal / prejudicial interests**

- a) Councillor Elizabeth Evans declared a personal and prejudicial interest in relation to minute 11 below and left the meeting during this item.
- b) Eifion Evans, Chief Executive declared a personal and prejudicial interest in relation to minute 13 below, in accordance with the Code of Conduct for Local Government and withdrew from the meeting during this item.

**3 Personal matters**

- a) Councillor Paul Hinge congratulated Josh Tarling who is currently competing in the Junior World Cycling Championship. On Tuesday he competed in the time-trial as a first time junior, winning the silver medal. He also competed in the European event two weeks ago winning 2 gold medals: one in the Team Pursuit and one in the Omnium. He also held the yellow jersey for 2 of the three days of racing at the Junior 'Tour of Wales' cycling competition;
- b) Councillor Paul Hinge congratulated Finlay Tarling a member of the Welsh Youth Cycling Team winning the Team Pursuit, The Maddison Race and the Circuit Race during the 3 day event at the UK School Games'
- c) Councillor Paul Hinge congratulated Lowri Richards a member of the Welsh Youth Cycling Team winning the Team Pursuit at the UK School Games;
- d) Councillor Paul Hinge congratulated Griff Lewis on winning the second stage of the Junior 'Tour of Wales' cycling competition, and for winning the Junior Championship at the Welsh National Criterium Championship in Rhyl, picking up his Category1 licence
- e) Councillor Paul Hinge congratulated Ieuan Andy Davies on winning the veteran 50+ road cycling race at the Welsh National Criterium

- Championship in Rhyl;
- f) Councillor Paul Hinge congratulated Gruff Lewis on winning the time-trial at the Welsh National Championship in Newcastle Emlyn, and he is now the Welsh National Time Trial Champion Councillor Ellen ap Gwynn also congratulated him on winning the sprint at Borth in the Tour de Britain held recently, and Councillor Dai Mason also paid tribute to him;
  - g) Councillor Ellen ap Gwynn congratulated Gwenallt Llwyd Ifan on winning the Chair at the National Eisteddfod;
  - h) Councillor Ellen ap Gwynn congratulated Lleucu Roberts on winning the Daniel Owen Memorial Prize and the Prose Medal at the National Eisteddfod;
  - i) Councillor Ellen ap Gwynn congratulated Katie Hall, a Tregaron Day Care Assistant on being awarded the Social Care Star Award for her excellent care of Bryntirion residents;
  - j) Councillor Ceredig Davies extended his condolences to the family of Mr William Edwards a former Councillor who passed away recently;
  - k) Councillor Ceredig Davies extended his condolences to the family of Mr John Davies who passed away recently;
  - l) Councillor Ray Quant congratulated Councillor Dan Potter on being awarded a Medal for 40 years voluntary service with the RNLI;
  - m) Councillor Ray Quant congratulated Councillor Marc Davies on being awarded a Medal for 20 years' service as a retained fire service officer;
  - n) Councillor Ray Quant thanked the Fire Service and the Police Authority for their excellent service in responding to a fire in Borth, He thanked the Local Authority for their prompt action organising road closures and diversions and arranging alternative accommodation which fortunately was not required, and he thanked James Davies for his prompt action in alerting services to the incident;
  - o) Councillor Gareth Lloyd congratulated Dion and Cara on organising a successful fund raising event raising funds for the Cancer Ward in Glangwili;
  - p) Councillor Catherine Hughes congratulated Zara Evans, a former pupil at Ysgol Henri Richard, who is representing Wales in the triple-jump in Derby on Saturday.

**4 A verbal update by the Leader of the Council in relation to COVID-19**  
 Councillor Ellen ap Gwynn gave a verbal update in relation to COVID-19 in Ceredigion.

She noted that the infection figure had increased since she last reported to Council in June from 12.4 to 376.9 per hundred thousand in Ceredigion, and that the rate for all of Wales had increased from 22.5 to 559.9 per hundred thousand. The majority of cases are among pupils of school age, and whilst no School in Ceredigion has closed, some staff in neighbouring schools in Carmarthen are teaching remotely, and one school in Powys has had to close.

Pupils between the ages of 12 and 15 will receive a letter from Hywel Dda University Health Board shortly inviting them to get their vaccines from 4 October onwards, and will be able to attend either the Llanbadarn or the

Cwmcou Mass Vaccination Centres. Students have returned to Aberystwyth University and The University of Wales Trinity St David, Lampeter Campus, and both are monitoring the situation closely in relation to COVID-19 cases.

The Health Service is under immense pressure at the moment as has been reported. In addition Care Services are also under significant pressures, with increased demand for care packages and a reduction in the availability of staff both within the central team and with contract providers. The Council is currently advertising for additional staff, and the Leader asked that if anyone is aware of someone that may be looking for a career in caring to apply now as there is an urgent need for their service.

There are currently 7 homes that are in the red category, with positive cases having all been identified amongst staff. There are some voids currently within the care homes, however until the Welsh Government changes its rules enabling people to go into specific parts of the homes that are in the red category, we cannot support the hospitals in enabling discharge from hospital. We hope that we can influence the Welsh Government on this matter.

The mobile library is still available for click and collect, and the town libraries are still open. There is a limit on the number of people that can enter at any one time and for a limited period only, and the computers are unavailable at present.

The road closures as part of the Safe Zones have now come to an end. The Council will be consulting the opinion of everyone regarding the operation on streets during the summer which will include the public, businesses etc. Many of the businesses have been grateful for the opportunity to operate outdoors but we need to understand the views of a wide range of people.

**5 To confirm the Minutes of the Meetings of the Council held on 17.06.2021**

It was **RESOLVED** to confirm as a true record the Minutes of the Council meeting held on 17<sup>th</sup> June 2021.

**6 To consider the following motion submitted under Rule 10.1 of the Council's Rules of Procedure:**

*Proposer: Cllr. Ifan Davies*

*Seconder: Cllr. Ray Quant*

*Council notes that:*

*The Independent Group requests that Ceredigion County Council call on Welsh Government to legislate that:*

- 1. Any subsidy directly or indirectly obtained through any government schemes for carbon management:
  - a) is retained as carbon credit for the benefit of Wales' economy and people,*
  - b) and that each County has a percentage gain of any credit generated in the said County which can be offset against the public services and goods of that said County,**

*c) and also, that any third-party sale or lease of carbon credit outside Wales cannot be activated unless Wales is carbon neutral and where there is a 10% surplus of credit.*

Councillor Ifan Davies gave an outline of current situation noting that the Welsh Government has set a target for Wales to be carbon neutral by 2050 and for the public sector to be 95% carbon neutral by end of the decade. It was noted however, that there is currently a crisis in rural Wales with companies from other countries purchasing farms in rural areas to be entirely planted with trees in order to access the carbon management grants. Councillor Davies stated that he was aware of four farms have been purchased recently for this purpose, three in Carmarthenshire and one in Ceredigion.

Councillor Davies stated that as farmers we realise the need to plant trees on our farms, which are planted on poor quality land, with the remaining land retained for food production. This recent development will impact on our community, our culture and our Welsh language. Our young people will not be able to remain here, and this is comparable to the flooding of Tryweryn. Wales is not for sale for carbon credits.

We need to draw the attention of Welsh Government to the real danger facing rural areas. Our carbon footprint in Ceredigion is very good, however the unintended consequences of the policy is that if credits are transferred outside Wales we will not be able to produce meat, milk, cheese and other food products and we will have to import such things.

Councillor Ray Quant noted that it is a pleasure to second this Motion, noting that this is a high level strategic statement to the Welsh Government on behalf of Ceredigion County Council.

During the discussion, Members noted that they supported the Motion stating that purchasing carbon credits could be seen as a way for large corporations to offload their responsibilities, whilst our self-sufficiency and ability to meet our own needs is reduced. Members noted that the Welsh Government provide grants to farmers to grow trees, and that this funding is being provided to these large corporations. Members also noted that that surplus carbon credits could attract businesses to the area. It was also noted that Carbon can also be trapped effectively in land, and that planting trees everywhere is not the only answer.

Councillor Ellen ap Gwynn noted that she would raise this matter with the Welsh Government.

Following a vote, it was **RESOLVED** unanimously to agree the motion as presented.

**7 Report of the Corporate Lead Officer for Democratic Services in relation to the Diversity in Democracy Declaration**

Councillor Ellen ap Gwynn, Leader of the Council and Cabinet Member for Policy, Performance and Partnerships, presented the report noting that the

WLGA has been taking steps to advance gender equality and diversity in local democracy and ensuring that the barriers and challenges to attracting more diverse councillors are removed. These barriers may include tie commitments and meeting times, political and organisational culture, childcare and other caring responsibilities, public criticism and online abuse, remuneration and impact on employment and lack of diverse role models and incumbency.

The WLGA Council unanimously agreed that all Local Authorities should sign up to the Diversity in Democracy Declaration providing a clear, public commitment to improving diversity, agreeing the following Declaration:

*This Council commits to being a Diverse Council. We agree to:*

- *Provide a clear public commitment to improving diversity in democracy*
- *Demonstrate an open and welcoming culture to all, promoting the highest standards of behaviour and conduct*
- *Consider staggering council meeting times and agreeing recess periods to support councillors with other commitments; and*
- *Set out an Action Plan of activity ahead of the 2022 local elections.*

Members acknowledged that there is a lack of diversity currently within the Council and encouraged people from all backgrounds to stand at the next election. They also acknowledged the challenges, and the difficulty in persuading individuals to stand at the Council elections in the current climate, and it was noted that the Council would try to attract different cohorts via the social media platforms.

Following a vote, it was **RESOLVED** to:

- (i) endorse the Diversity Declaration as agreed by the WLGA Council as follows:

This Council commits to being a Diverse Council. We agree to:

- Provide a clear public commitment to improving diversity in democracy
- Demonstrate an open and welcoming culture to all, promoting the highest standards of behaviour and conduct
- Consider staggering council meeting times and agreeing recess periods to support councillors with other commitments; and
- Set out an Action Plan of activity ahead of the 2022 local elections;

- (ii) approve that the Democratic Services Committee, in conjunction with the Group Leaders agree upon and deliver on an action plan leading up to the 2022 local elections with the aim of improving diversity in democracy.

## **8 Report of the Corporate Lead Officer for Democratic Services in relation to the Edinburgh Declaration**

Councillor Ellen ap Gwynn, Council Leader and Cabinet Member for Policy, Performance and Partnerships presented the report noting that a letter had been received from Julie James MS, Minister for Climate Change inviting

Local Authorities to join the Welsh Government in supporting the 'Edinburgh Declaration: the greater inclusion of the role of local authorities and cities within the post-2020 global biodiversity framework - ensuring transformative change for nature over the coming decade'.

The Edinburgh Declaration sets out commitments to implement the post-2020 global biodiversity framework locally, ensuring people who live in local authorities across Wales can live in harmony with nature and protect valuable local ecosystems for future generations.

Members acknowledged the importance of biodiversity and local ecosystems, however there was concern that there was a lack of detail in the letter from the Minister, and that it had not considered unintended consequences such as the impact on planning decisions.

Following a vote, it was **RESOLVED** to approve that the Council's signs up to pledge its support for the Edinburgh Process and Declaration.

**9 Report of the Corporate Lead Officer for Policy, Performance and Public Protection in relation to the Revised Concerns and Complaints Policy and Procedures including a report from the Corporate Resources Overview and Scrutiny Committee**

Councillor Ellen ap Gwynn, Leader of the Council and Cabinet Member for Policy, Performance and Partnerships presented a report to the Council, noting that the Council's Complaints Policy and Procedures have been updated to incorporate vast operational changes that have taken place since the last review in 2015 which includes the centralisation of the Complaints and FOI Service, and to ensure compliance with the requirements of the Complaints Standards Authority introduced under the Public Service Ombudsman (Wales) 2019 Act, giving the Ombudsman authority to investigate without a referral from a complainant.

These requirements are contained within the Council's Complaints Procedures document, which includes reporting bi-annually to the Cabinet Committee of Elected Members, and reporting information on complaints performance to the Governance and Audit Committee at least twice a year.

Councillor Ellen ap Gwynn thanked the Officers for their work in producing the report and revising the policy accordingly.

Councillor Ivor Williams, Chairman of the Overview and Scrutiny for Corporate Services noted that the committee reviewed the report at its meeting of 7 July 2021, recommending that it is referred to Council for approval.

Following a vote, it was **RESOLVED** to approve the revised Concerns and Complaints Policy and Procedures 2021, and its implementation and publication.

**10 Report of the Corporate Lead Officer for Legal and Governance in relation to the use of the Regulation of Investigatory Powers Act 2000 ('RIPA')**

Councillor Ray Quant Deputy Leader of the Council and Cabinet Member for Legal and Governance, People and Organisation and Democratic Services presented the report noting that the Investigatory Powers Commissioner's Office (IPCS) had recently carried out a review of the ways in which data is handled by the public authorities, including any data obtained under the Investigatory Powers Act (IPA) 2016 and the Regulation of Investigatory Powers Act (RIPS) 2000.

The RIPA Policy PART II Directed Surveillance, Covert Human Intelligence Sources and Communications data Corporate Policy & Procedures Document has been revised, and these changes together with a Draft RIPA Social Media were consider by the Council's Overview and Scrutiny Coordinating Committee on 15 September 2021 who resolved to recommend to Council to approve.

Councillor Ray Quant thanked Officers for their hard work in preparing the documents, and their presentation to the Overview and Scrutiny Co-ordinating Committee.

Following a vote, it was **RESOLVED** to

1. Approve the changes made to the Council's RIPA Policy (as per Appendix 1 of the report); and
2. Approve the draft RIPA Social Media Policy (as per Appendix 2 of the report).

**11 Report of the Corporate Lead Officer for Economy and Regeneration in relation to Phosphates on the River Teifi Special Area of Conservation**

Councillor Rhodri Evans, Cabinet Member for Economy and Regeneration presented the report outlining the situation in relation to Phosphates within the River Teifi Special Area of Conservation (SAC) and seeking delegated powers to determine planning applications that would adversely affect the integrity of the SAC. It was noted that a report was presented and approved by Cabinet on 13 July 2021.

Ceredigion County Council, as a 'competent authority' under the Habitats Regulations is legally requires to assess the potential impacts of projects and plans, on internationally important sites which include the Teifi SAC and catchment areas. Where there is a 'Likely Significant Effect', the council must carry out an 'Appropriate Assessment' in order to determine, with scientific certainty, that there would be no 'Adverse Effect on Integrity' on the designated site from the plan or project, either alone or in combination with other plans and projects.

It was noted that the LPA currently have 45 applications that cannot be determined due to the above issue, which consequently need to be refused however the Corporate Lead Officer for Economy and Regeneration does not currently have delegated powers to refuse, and the Local Members cannot request that applications are presented to the Development Control Committee for determination, as there is insufficient information to support a proposal and a resolution to approve would result in an illegal decision.

Members noted their concerns regarding the impact on planning applications and the knock-on effects on trade-people such as builder, electricians and plumbers; the impact on important developments such as Cylch Carol, the Wellbeing Centres and social housing; the lack of detail provided by Dŵr Cymru regarding the method of sampling; concern that this may be extended to include coastal areas where there may be an effect on the marine environment; concern regarding private sewerage work which have not been adopted by Dŵr Cymru and the costs which are passed on to residents and the lack of timescale provided by the Welsh Government for providing guidance on how these decisions should be made.

It was noted that The Leader of the Council and the Chief Executive have met with Dŵr Cymru and Natural Resources Wales, however very little information was forthcoming. Russell Hughes-Pickering, the Corporate Lead Officer for Economy and Regeneration has set up a Nutrients Management Board, which will be Chaired by Councillor Rhodri Evans. This board will be able to look into these concerns in detail.

Following a vote, it was **RESOLVED** to approve the granting of delegated powers to the CLO Economy and Regeneration in consultation with the cabinet member to determine planning applications that do not comply with the phosphates directive (pursuant to the Conservation of Habitats and Species Regulations 2017), and have been received after the 1st June 2021. All applications that fall under this category and were received prior to the 1st of June 2021 would be held in abeyance until a time when there is clear guidance for determination of applications.

## **12 Report of the Corporate Lead Officer for Legal and Governance in relation to changes to the Council's Constitution**

Councillor Ray Quant Deputy Leader of the Council and Cabinet Member for Legal and Governance, People and Organisation and Democratic Services presented the report noting that the proposed changes have been considered and approved by the Cross Party Working Group, to include:

- Changes relating to the Ethics & Standards Committee and Governance and Audit Committee to reflect the requirements of the Local Government and Elections (Wales) Act 2021 ('the 2021 Act');
- An amendment to the Constitution fee to reflect that copies of the Constitution may be provided for a charge representing no more than the cost of providing the copy;
- Amendments relating the a guide to the Constitution;
- Reference to the Council's Anti-Slavery Statement / Policy;
- An explanation and amendments of delegation in relation to Channel and CONTEST;
- Amendments to delegations to the Corporate Lead Officer for Policy, Performance and Public Protection to reflect legislative changes in relation to wild animal and travelling circuses, smoking regulations, dangerous trees and litter;
- The removal of reference to Education of Regional Working (ERW);

- Amendments regarding Notices of Motion which has also been approved for recommendation to Council by the Democratic Services Committee;
- Amendment to the call-in procedure which has also been approved for recommendation to Council by the Democratic Services Committee;
- Amendments to clarify the voting procedures;
- Amendments relating to Regulatory Committees referencing voting procedures;
- Reference to the Socio-Economic duties;
- Delegation to the Corporate Lead Officer Economy and Regeneration relating to Phosphates in Special Areas of Conservation;
- Amendments to Housing to include the introduction and delegations for the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and Renting Homes (Fees etc.)(Wales) Act 2019 ;
- Amendment to the wording, removing the restriction on a Local Authority's Monitoring Officer being he Head of Democratic Services as per Local Government and Elections (Wales) 2021 Act, to be amended from May 2022;
- Amendment to name of Porth Cymorth Cynnar;
- Amendments to delegations to the Corporate Lead Officer Customer Contact to confirm the responsibility for Cyber resilience;
- Amendment to the wording, replacing the word 'salary' with 'remuneration' in relation to the Chief Executive in accordance with the Local Government and Elections (Wales) Act 2021 which came into force from 20<sup>th</sup> March 2021), and amendment of title from 'Head of Paid Services' to 'Chief Executive';
- Amendment to reflect a requirement to consult on decision making processes and performance in accordance with the Local Government and Elections (Wales) Act 2021.

A number of minor amendments were also noted related to stylistic and formatting changes, and corrections relating to names of committees.

Following a vote, it was **RESOLVED** to:

1. note the contents of the Report
2. approve the changes to the Constitution, as recommended by the Council's Cross-Party Constitution Working Group and as listed in Proposals 1-20 of the Report; and
3. authorise the CLO Legal and Governance / Monitoring Officer to update the Council's Constitution.

### **13 Report of the Corporate Director in relation to the Review of Chief Executive post remuneration**

Councillor Ray Quant, Deputy Leader of the Council and Cabinet Member for Legal and Governance, People and Organisation and Democratic Services presented the report noting that Phases 1 and 2 of the Council restructure had been agreed by Council in 2018 and 2019. It was noted that as a result of this restructure, there are now 3 fewer roles at Senior Management level. Phase 3 of the restructure relates to addressing the level of remuneration of the Chief Executive by means of introducing a new pay structure and

applying a four point range to ensure consistency with all other Chief Officer Pay ranges within the Council. It was stated that the proposals had been presented and approved by the Independent Remuneration Panel for Wales on 1<sup>st</sup> June 2021.

Councillor Ellen ap Gwynn thanked Caroline Lewis, Corporate Director for leading on the final element of the restructuring process, also thanking the Chief Executive and all Senior Officers for all the additional work done during the recent challenging times.

It was noted that measures had been put in place to ensure that moving forward, a dual pay structure would be maintained if an Officer did not accept a pay award to ensure that this situation did not arise again.

Following a vote, it was **RESOLVED** to:

1. accept the proposal to amend the Chief Officer post remuneration and range as indicated and as approved by the Independent Remuneration Panel;
2. approve to implement the changes to the remuneration range for the post of Chief Executive, with effect from 1<sup>st</sup> April 2021.

**14 Report of the Corporate Lead Officer for Democratic Services in relation to the Nomination of a County Council representative to the Hywel Dda Community Health Council**

Councillor Alun Williams explained his reasons for standing down from this role, in order to continue providing the COVID-19 vaccine, and thanked the local Community Health Council and the other Members of the Executive Group for all their hard work. It was noted that this group advocates for patient complaints and are responsible for holding the Hywel Dda Health Board to account. In addition to this they have worked hard to ensure the reinstating of the bowel cancer screening, the breast cancer screening and they were the first Health Board in Wales to provide i-pads on all hospital wards.

Following a vote, Councillor Gareth Davies was nominated to represent Ceredigion County Council on the Hywel Dda Community Health Council.

**15 The Governance and Audit Committee Annual Report 2020/21**

Councillor Rowland Rees-Evans, Chair of Audit Committee, presented the report to the Council noting the work undertaken during the year.

***He thanked Officers for their hard work throughout the year, and thanked the Members of Audit Committee for their contribution.***

The content of the report was noted by Council.

**Confirmed at the Meeting of the Council held on 21 October 2021**

**CHAIRMAN:**