

Minutes of the Meeting of COUNCIL
held at Neuadd y Cyngor, Penmorfa, Aberaeron and remotely on
Thursday, 20th October, 2022

PRESENT: Councillor Ifan Davies (Chair), Councillors Bryan Davies, Catrin M S Davies, Clive Davies, Euros Davies, Gareth Davies, Gethin Davies, Marc Davies, Meirion Davies, Rhodri Davies, Steve Davies, Amanda Edwards, Elaine Evans, Elizabeth Evans, Eryl Evans, Gwyn Wigley Evans, Keith Evans, Rhodri Evans, Wyn Evans, Keith Henson, Paul Hinge, Geraint Wyn Hughes, Hugh R M Hughes, Chris James, Gwyn James, Ceris Jones, Maldwyn Lewis, Gareth Lloyd, Ann Bowen Morgan, Caryl Roberts, John Roberts, Mark Strong, Wyn Thomas, Matthew Vaux, Alun Williams and Carl Worrall.

(10.50am - 12.50pm)

Procedure

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

1 Code of Conduct for Councillor Ann Bowen Morgan

Elin Prysor, Monitoring Officer addressed the Council on the statutory requirement for all Members to make a Declaration of Acceptance and an undertaking to comply with the Code of Conduct, confirming that Councillor Ann Bowen Morgan, making the statutory Declaration of Acceptance of Office today received comprehensive training on the Council's Code of Conduct on Monday 10th October 2022.

This is in order for Members to perform their functions with an understanding of the Principles of Public Life, their duties and responsibilities under the code, and also the consequences for failing to do so.

2 Declaration of Acceptance of Office and an Undertaking to comply with the Code of Conduct

Councillor Ann Bowen Morgan verbally accepted the Declaration of Acceptance of Office and the undertaking to comply with the Code of Conduct which had been signed and countersigned by the Proper Officer.

The Chairman, Councillor Ifan Davies, and Group Leaders Councillors Bryan Davies, Gareth Lloyd and Elizabeth Evans extended their welcome to her.

3 Apologies

Councillors Endaf Edwards and Sian Maehrlein apologised for their inability to attend the meeting.

James Starbuck, Corporate Director apologised for his inability to attend the meeting.

4 Disclosure of personal / prejudicial interests

Councillors Bryan Davies, Gareth Davies and Rhodri Evans declared a personal and prejudicial interest in relation to minute 9 below and withdrew from the meeting during discussions.

5

Personal matters

- a) Councillor Ifan Davies congratulated Ceredigion, the Council and its Officers for all their hard work ensuring that the Eisteddfod was a huge success, noting the huge praise received for Pentref Ceredigion and the 200 plus activities organised during the week. He paid tribute to Tregaron Town Council and all those involved in decorating their towns and villages to welcome everyone to Ceredigion. His words were re-iterated by the Leader of the Council, Councillor Bryan Davies and Group Leaders Councillors Gareth Lloyd and Elizabeth Evans;
- b) Councillor Ifan Davies congratulated Rali Bae Ceredigion, which had been a huge success. This was reiterated by Councillor Bryan Davies who emphasised the importance of such events to the economic development of Ceredigion;
- c) Councillor Bryan Davies welcomed Councillor Mark Strong back to his first meeting of Council following a period of sickness absence;
- d) Councillor Marc Davies congratulated Mrs Elizabeth Edwards of Ciliau Aeron on celebrating her 100 birthday;
- e) Councillor Marc Davies congratulated Josh Tarling on winning a Gold Medal in the Under 21 TT (Time Trial) World Championship held in Australia on 21 September this year;
- f) Councillor Ceris Jones congratulated Gerwyn, Glenys, Andrew, Ann and Gwenan Owen from Dihewyd for winning first place throughout Britain with 'First Milk' for the quality of their milk;
- g) Councillor Ceris Jones congratulated Anni Grug Lewis-Hughes for achieving a distinction grade in a tap-dancing examination recently;
- h) Councillor Euros Davies' congratulations, read by Councillor Ifan Davies were extended to Emyllt Ellis-Griffiths on being selected Ambassador for the Royal Welsh Show in 2024, noting that a lunch to launch the 2024 Show sponsored by Ceredigion had been held recently;
- i) Councillor Gareth Davies congratulated Tomi Morgan who at the age of 65 came on as a substitute during the second half of a football match scoring a hat-trick within 11 minutes for Penparcau FC;
- j) Councillor Rhodri Evans congratulated Llanddewi Brefi yn winning the best decorated village for the Eisteddfod;
- k) Councillor Gwyn Wigley Evans congratulated Llangwryfon Young Farmers' Club on winning the Field Day for the 8th time;
- l) Councillor Keith Henson congratulated Sioned Harries, who plays number 8 for the Wales Ladies Rugby Team, noting that she will be playing against Australia during the early hours of Saturday;
- m) Councillor Carl Worrall congratulated Helen Pearce from Bow Street and Pamela Worrall from Penparcau on being selected for the international shore-angling fishing championships in Tunisia this year;
- n) Councillor Matthew Vaux congratulated Cross-Inn Women's' Institute on celebrating 100 years;
- o) Councillor Eryl Evans congratulated David Davies from Silian on being selected President of Grassland Association;
- p) Councillor Hugh Hughes congratulated Ronnie Davies who has retired after 30 years as Manager of the Borth Lifeboat, and 56 years of service to the Borth Lifeboat and the RNLI;

- q) Councillor Hugh Hughes congratulated Pete Davies who has retired following 40 years of service on the Borth RNLI Lifeboat;
- r) Councillor Hugh Hughes congratulated Professor Alun Hubbard from Borth who recently appeared on 'Frozen Planet 2' for this continual support to the debate on climate change;
- s) Councillor Wyn Evans thanked Geraint Lloyd for his services to Radio Cymru, noting that he will be missed.

6 Minutes of the Meetings of the Council held on 3 March 2022 and 8 July 2022 and Special Meeting of the Council held on 8 July 2022

It was RESOLVED to confirm as a true record the Minutes of the Council meetings held on 3 March 2022 and 8 July 2022 and the Special Meeting of the Council held on 8 July 2022, subject to the following amendments:

- a) The report to Council on 8 July 2022 on the Village Green was presented by Councillor Clive Davies, not Councillor Bryan Davies;
- b) To note that item z, Personal Matter for the meeting of Council dated 3 March 2022 should read Griff Lewis not Gruff Lewis.

7 To appoint Members to the following roles:

It was **RESOLVED** to confirm the following nominations and appointments of Members:

Nominations for consideration by the Hywel Dda University Health Board	Councillor Rhodri Evans Councillor Keith Henson
Appointment of additional Member to the Corporate Joint Committee Standards Committee	Councillor Caryl Roberts
Appointment of 2 Members to the Transforming Towns Placemaking Grant Local Panel	Councillor Clive Davies Councillor Matthew Vaux

8 Report on Local Authority Representatives on School Governing Bodies and the Management Board of Ceredigion PRU

Councillors Wyn Thomas and Bryan Davies presented the report to the Council noting that Councillor Ann Bowen Morgan has been nominated as Local Authority representative on the Governing Body of Ysgol Bro Pedr School, and that Councillor Wyn Thomas has been nominated as Local Authority representative on the Pupil Referral Unit Management Board.

It was unanimously **RESOLVED** to confirm Councillor Ann Bowen Morgan as Local Authority representative on the Governing Body of Ysgol Bro Pedr School, and Councillor Wyn Thomas as Local Authority representative on the Pupil Referral Unit Management Board.

9 Report on authorising a procedure for determining an application to register land as a Village Green

Councillor Clive Davies presented the report to Council noting that a previous report was presented to Council on 8 July 2002 providing the background on an application to Register Land for a Village Green at Erw Goch field

adjoining Hafan y Waun, Waunfawr, Aberystwyth. During the meeting it was resolved to instruct a Barrister to act as an independent assessor. The report presented to Council today includes an initial report produced by Katherine Barnes, Barrister which sets out the course of action proposed by the Independent Assessor.

Members noted their disappointment that there had been no discussion or attempts to mediate with applicants. It was noted that it is in the interest of residents and the public to ensure the correct process is followed from the outset and not to prejudice future decisions without independent Barrister advice. It was clarified that the role of Ceredigion as Landowner and decision-making body are completely separate and that the roles of Officers are also separated in order to ensure that processes are fair and transparent.

It was noted that it was for the Landowner's / their legal representatives to consider discussions with the Community.

Following discussion it was **RESOLVED**:

- (a) To authorise the independent barrister assessor to consider as a preliminary issue, and by way of written representations (unless the barrister subsequently considers that a hearing or inquiry would be more appropriate), whether the doctrine of statutory incompatibility prevents registration of the Land as a Town or Village Green;
- (b) To authorise the independent barrister assessor to write a report setting out her recommendation as to whether the Landowner's statutory incompatibility defence succeeds. The report is to be shared with the parties, and made publicly available;
- (c) That if the independent barrister assessor's report referred to at (b) advises that the statutory incompatibility defence succeeds, such that recommendation made to the Registration Authority is that it should not register the Land as a Town or Village Green, that the Application shall at that stage be considered by the Registration Authority for decision;
- (d) That if the independent barrister assessor's report referred to at (b) advises that the statutory incompatibility defence fails, she shall go on to hold a public inquiry to examine the remaining issues.
- (e) That following the public inquiry, the independent barrister assessor shall provide the Registration Authority with a report which sets out her analysis of the evidence and recommendation as to whether the Land should be registered as a Town or Village Green. The Application shall then be considered by the Registration Authority for decision.

10 Report on the Recruitment of Lay/Independent person to the Governance & Audit Committee

Councillor Matthew Vaux presented the report to Council noting the statutory requirement in accordance with the Local Government and Elections (Wales) Act in relation to the recruitment process of lay members. It was noted that one of the Lay / Independent Members has resigned and that it was necessary to appoint one replacement member. It was noted that the

Council is required to approve membership of a Shortlisting Selection Panel and recommended that the Panel includes the Chair of Council or Vice Chair of Council; the Chair of the Governance and Audit Committee, the Vice Chair or other independent member of the Governance and Audit Committee; a Councillor member of the Governance and Audit committee and an independent lay member of the community, to be nominated by the Monitoring Officer.

The Monitoring Officer, Elin Pryor confirmed that since presenting the report Professor John Williams has agreed to be an external representative of the Panel.

Following discussion it was **RESOLVED**:

1. to approve commencement of the recruitment process for one (replacement) independent / lay member to the Governance and Audit Committee,
2. to approve the proposals for the Shortlisting Selection Panel,
3. to approve the Role Description and Person Specification (Appendix A),
4. to note the need to appoint a replacement Vice-Chair to the Governance and Audit Committee.

11 Report on the Recruitment of Lay/Independent Member to the Ethics and Standards Committee

Councillor Matthew Vaux presented a report to Council noting that the term of Office for the current Chair, Mrs Caroline White will expire on 29 July 2023 and that it is now necessary to recruit a new independent member to the Ethics and Standards Committee as set out in the Standards Committee (Wales) Regulations 2001.

Following discussion it was **RESOLVED** to approve:

- 1) the role description, person specification and criteria (as set out in Appendix 1)
- 2) Membership of the Selection Panel as follows:
 - Chair of the Council (in absence Vice Chair);
 - Independent/Lay Panel member (nominated by the Monitoring Officer)
 - Chair and Vice Chair of the Ethics and Standards Committee (or other independent members nominated by the Monitoring Officer as necessary)
 - Town and Community Council representative nominated by One Voice Wales.

12 Report on the Guide to the Constitution and changes to the Council's Constitution

Councillor Matthew Vaux presented the report to Council, noting that the Guide to the Constitution and the proposed amendments had been considered by the Constitution Working Group at its meetings dated 12th September 2022.

Following discussion it was **RESOLVED** to:

1. Approve the Constitution Guide as amended (at Appendix 1);
2. Approve the changes to the Constitution (at Appendices 2-11); and
3. Authorise the Monitoring Officer to update the Council's Constitution to reflect the above changes.

13 Annual Report of the Democratic Services Committee

Councillor Elizabeth Evans, the current Chair of the Democratic Services Committee presented the report on behalf of Ceredig Davies, Chairman of the Committee for the previous 5 years. She noted that she had spoken to Ceredig Davies and that he had expressed his thanks to the Democratic Services' Team for their support.

Councillor Elizabeth Evans referred to the work of the committee, and drew attention to the terms of reference, asking that Members submit any items that they wish to discuss to the Committee for consideration.

The content of the report was noted by Council.

14 Annual Report of the Ethics and Standards Committee

Councillor Matthew Vaux presented the report to Council noting that the Chair of the Committee is unable to attend due to the cancellation of the previous meeting during the period of mourning for Queen Elizabeth II.

It was noted that the Local Government and Elections (Wales) Act 2021 requires an additional section be included in the report which relates to the role of Political Group Leaders. This does not apply to this report; however, the Committee is working towards this requirement for the 2022-23 report.

The Monitoring Officer, Elin Prysor noted that the Committee had approved 16 applications for dispensation and refused 1. Of those, 8 were presented by Members of Ceredigion County Council and 9 by Members of Town and Community Councils. During the year the Committee has also been involved with developing Hearing Procedures and recruitment.

The content of the report was noted by Council.

15 Report on the appointment of Interim Corporate Lead Officer for Porth Cynnal and Statutory Director of Social Services

Councillor Bryan Davies presented the report to Council and acknowledged the contribution of Sian Howys the current Corporate Lead Officer Porth Cynnal and Director of Social Services and wishes her well on her retirement.

It was noted that due to the statutory requirement to appoint a qualified and experienced Social Worker to this role, a proposal to appoint a 6 month interim Corporate Lead Officer – Porth Cynnal via a recruitment agency was accepted by the Leader the Council along with both Opposition Group Leaders.

On 3 October 2022 a Panel under the chair of Councillor Bryan Davies interviewed Ms Audrey Somerton-Edwards and resolved to engage with her

services for a period of 6 months whilst an extensive recruitment exercise is carried out.

The content of the report was noted by Council.

16 Appendix B relating to the above report (EXEMPT)

It was decided not to exclude the public and the press from the meeting as the document was not discussed in public.

Confirmed at the Meeting of the Council held on 24 November 2022

CHAIRMAN: _____