

Minutes of a Meeting of the **ETHICS & STANDARDS COMMITTEE**
held remotely by videoconference on
18 November 2020

PRESENT:

Mr Hywel Wyn Jones (Chair), Mrs Caroline White, Ms Carol Edwards, Mr John Weston and Mr Rif Winfield (Independent Members);
Councillor Odwyn Davies and Councillor Dai Mason (Elected Members)
Councillor Gill Hopley (Town and Community Council representative)

IN ATTENDANCE:

Ms Elin Prysor (Monitoring Officer)
Mrs Lisa Evans (Scrutiny and Standards Officer)

(10am – 12.15pm)

S1 Apologies

Councillor Julian Evans apologised for his inability to attend the meeting.

S2 Disclosure of Personal Interests / Prejudicial Interests

Councillor Gill Hopley declared a personal and prejudicial interest in applications received for New Quay Town Council and withdrew from the video conference during consideration of these items accordingly.

S3 Minutes of the meeting held on 05 August 2020

It was RESOLVED to confirm as a true record of the minutes of the meeting of the Committee held on 05 August 2020.

Matters Arising

None.

S4 Applications for dispensation

(i) Councillor Elizabeth Evans, Ceredigion County Council

An application for dispensation dated 22 September 2020 was received from Councillor Elizabeth Evans to speak only on the Aberaeron Coastal Defence Scheme (to include Aberaeron harbour and Pwll Cam, Aberaeron). Councillor Evans mother lives in Market Street, Aberaeron. Her home directly overlooks the car park adjacent to Pwll Cam. Councillor Evans family also own a building at No 18 Market Street, Aberaeron – she has no income from it nor does she have any part ownership of the property.

Councillor Evans was present at the meeting to present her application and answered questions regarding her application.

Councillor Evans was requested to leave the video conference for the Committee to consider her application.

It was RESOLVED to grant Councillor Evans with dispensation to **speak only** on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; and the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise; (regulation 2 (d) and (f) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

(ii) Councillor Elizabeth Evans, Aberaeron Town Council

An application for dispensation dated 22 September 2020 was received from Councillor Elizabeth Evans to speak only on the Aberaeron Coastal Defence Scheme (to include Aberaeron harbour and Pwll Cam, Aberaeron). Councillor Evans mother lives in Market Street, Aberaeron. Her home directly overlooks the car park adjacent to Pwll Cam. Councillor Evans family also own a building at No 18 Market Street, Aberaeron – she has no income from it nor does she have any part ownership of the property.

Councillor Evans was present at the meeting to present her application and answered questions regarding her application.

Councillor Evans was requested to leave the video conference for the Committee to consider her application.

It was RESOLVED to grant Councillor Evans with dispensation to **speak only** on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; and the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise; (regulation 2 (d) and (f) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

(iii) Councillor Dan Potter, Ceredigion County Council

An application for dispensation dated 30 October 2020 was received from Councillor Dan Potter to speak only on issues discussed regarding the harbour at the Harbour Users Consultative Committee for New Quay which are held prior to the season and following (March and October). Councillor Potter owns New Quay marine a boating business which repairs boats in the harbour. He is also employed by Ceredigion County Council annually to undertake the swimming area as a Safe Swim area contractor. Councillor Potter also leases two mooring from Ceredigion County Council and owns a shed outside the lifeboat station and the old coast guard station in Paragon. He also receive £40 a week as a coxswain of New Quay Lifeboat /RNLI.

Councillor Potter was present at the meeting to present his application and answered questions regarding his application.

Councillor Potter was requested to leave the video conference for the Committee to consider his application.

It was RESOLVED to grant Councillor Potter with dispensation to **speak only** on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; and the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise; (regulation 2 (d) and (f) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

(iv) Councillor Dan Potter, Ceredigion County Council

An application for dispensation dated 30 October 2020 was received from Councillor Dan Potter to speak and vote on issues discussed regarding the harbour and beach at New Quay. Councillor Potter owns New Quay marine a boating business which repairs boats in the harbour. He is also employed by Ceredigion County Council annually to undertake the swimming area as a Safe Swim area contractor. Councillor Potter also lease two mooring from Ceredigion County Council and owns a shed outside the lifeboat station and the old coast guard station in Paragon. He also receive £40 a week as a coxswain of New Quay Lifeboat /RNLI.

Councillor Potter was present at the meeting to present his application and answered questions regarding his application.

Councillor Potter was requested to leave the video conference for the Committee to consider his application.

It was RESOLVED to grant Councillor Potter with dispensation to **speak and vote** on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; and the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise; (regulation 2 (d) and (f) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

(v) Councillor Dan Potter, New Quay Town Council

An application for dispensation dated 30 October 2020 was received from Councillor Dan Potter to speak and vote on issues discussed regarding the harbour and beach at New Quay. Councillor Potter owns New Quay marine a boating business which repairs boats in the harbour. He is also employed by Ceredigion County Council annually to

undertake the swimming area as a Safe Swim area contractor. Councillor Potter also lease two mooring from Ceredigion County Council and owns a shed outside the lifeboat station and the old coast guard station in Paragon. He also receive £40 a week as a coxswain of New Quay Lifeboat /RNLI.

Councillor Potter was present at the meeting to present his application and to answer any questions regarding his application.

Councillor Potter was requested to leave the video conference for the Committee to consider his application.

It was RESOLVED to grant Councillor Potter with dispensation to **speak only** on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; and the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise; (regulation 2 (d) and (f) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

(vi) Councillor Dan Potter, New Quay Town Council

An application for dispensation dated 5 November 2020 was received from Councillor Dan Potter to speak and vote on matters relating to a proposed project that the Digital Development Officer at Ceredigion County Council is attending a meeting of the Town Council to discuss. The project proposes the adoption of technology which provides the ability to retrieve data such as footfall, level of use, shopping habits and behaviours; which can be used to influence the decision making of local businesses to operate more efficiently (opening times, staffing levels etc). The aim is to support local business and promote the local economy, particularly given the ongoing circumstances and uncertainty where greater levels of information will play an important role in allowing businesses, as well as the tourism sector, in facing the challenges in responding to Covid. Councillor Potter owns New Quay marine a boating business which repairs boats in the harbour, this proposal could benefit me as the proposed scheme could benefit the local economy.

Councillor Potter was present at the meeting to present his application and answer any questions regarding his application.

Councillor Potter was requested to leave the video conference for the Committee to consider his application.

It was RESOLVED to grant Councillor Potter with dispensation to **speak and vote** on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; and that the nature of the members' interest is such

that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; (regulation 2 (a) and (d) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

(vii) Councillor Jennifer Davies, New Quay Town Council

An application for dispensation dated 5 November 2020 was received from Councillor Jennifer Davies to speak and vote on matters relating to a proposed project that the Digital Development Officer at Ceredigion County Council is attending a meeting of the Town Council to discuss which can help the Council and the economy of New Quay by collating information. Councillor Davies runs New Quay Heritage Centre as a volunteer on behalf of NQTC.

It was RESOLVED to grant Councillor Davies with dispensation to **speak and vote** on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; and that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; (regulation 2 (a) and (d) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

(viii) Councillor Julian Evans, New Quay Town Council

An application for dispensation dated 5 November 2020 was received from Councillor Julian Evans to speak and vote on matters relating to a proposed project that the Digital Development Officer at Ceredigion County Council is attending a meeting of the Town Council to discuss. Councillor Evans is the Chair of New Quay Memorial Hall which could benefit from the collation of data that the Digital Officer could provide. He is also a trustee of New Quay Community library.

It was RESOLVED to grant Councillor Evans with dispensation to **speak and vote** on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; and that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; (regulation 2 (a) and (d) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

S5 Any other applications for dispensation received since the agenda was published

(i) Councillor Brett Stones, New Quay Town Council

An application for dispensation dated 15 November 2020 was received from Councillor Brett Stones to speak and vote on matters relating to a proposed project that the Digital Development Officer at Ceredigion County Council is attending a meeting of the Town Council to discuss. Councillor Stones owns a gift shop and a take away food business in the town.

It was RESOLVED to grant Councillor Stones with dispensation to **speak and vote** on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; and that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; (regulation 2 (a) and (d) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

(ii) Councillor Marc Rees, New Quay Town Council

An application for dispensation dated 15 November 2020 was received from Councillor Marc Rees to speak and vote on matters relating to a proposed project that the Digital Development Officer at Ceredigion County Council is attending a meeting of the Town Council to discuss. Councillor Rees owns a car park opposite the Sup Shack in New Quay.

It was RESOLVED to grant Councillor Rees with dispensation to **speak and vote** on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; and that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; (regulation 2 (a) and (d) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

(iii) Councillor Steve Hartley, New Quay Town Council

An application for dispensation dated 15 November 2020 was received from Councillor Marc Rees to speak and vote on matters relating to a proposed project that the Digital Development Officer at Ceredigion County Council is attending a meeting of the Town Council to discuss. Councillor Hartley owns a boating business taking people out to see the wildlife of Cardigan Bay. He also own a caravan park in Gilfachredda called Frondeg Caravan Park.

It was RESOLVED to grant Councillor Hartley with dispensation to **speak and vote** on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; and that the nature of the members' interest is

such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; (regulation 2 (a) and (d) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of **12 months**.

S6 Recruitment of Independent Members

The Scrutiny and Standards Officer presented the report on the recruitment of 2 new independent members to the Committee. The current Chair Mr Hywel Wyn Jones and Mr Rif Winfield were appointed initially on 27/9/2011 and reappointed on 27/9/2017. Their respective terms of office will expire on 26/9/2021. These members are not now eligible for reappointment. Consequently it is now necessary to recruit two new independent members to the Ethics and Standards Committee to maintain the Committee's composition, as set out in the Constitution, and as required by legislation.

The Committee AGREED to recommend to Council:

- 1) The job description, person specification and criteria subject to the following amendments:
 - Live and/or work in the area is amended to Live and/or work in Ceredigion; and that this requirement is elevated to essential;
 - Removal of the Linguistic skills level table.
- 2) Membership of the Selection Panel as follows:
 - Chairman of the Council
 - 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.
- 3) Professor John Williams is nominated as the independent/Lay Panel Member

S7 WELSH GOVERNMENT CONSULTATION – Regulations to establish corporate joint committees

It was reported that the Welsh Government is currently consulting on the draft regulations which will establish four regional Corporate Joint Committees across Wales. Members of the Ethics and Standards Committee were requested to consider questions 8 (a) (b) and (c) of the consultation document.

It was AGREED that members and staff of a CJC should be subject to a Code of Conduct and that the code should be similar to that of Principal

Councils and that all co-opted members be covered by a code i.e. those with and without voting rights. This will form part of the corporate response to the consultation.

S8 Update on Monitoring Officer matters

A BBC report titled 'Covid: Councillor 'reckless' for 5G masts claims' published on 29th September was circulated to Members of the Committee for information.

The Monitoring Officer provided an overview of a further BBC report titled 'Penketh Parish Council chair apologises for abusive outburst'.

It was AGREED to note the content of the reports.

S9 Update on Adjudication Panel for Wales matters

It was reported that there have been a number of changes within the Adjudication Panel for Wales (APW). The Committee considered the documents which have been updated, namely:

- Presidential Guidance: Anonymity
- Presidential Guidance: Disclosure
- Presidential Guidance: The role of the Monitoring Officer in APW proceedings

It was AGREED to note the content of these document.

The Chairman provided an overview of the decision report of the Adjudication Panel for Wales in relation to Councillor Neil McEvoy, Cardiff City Council and informed Members that the report was available on the APW website.

S10 Update on the Public Services Ombudsman matters

There had been no new Code of Conduct Casebooks published since the last meeting.

S11 Training

It was agreed that opportunities to deliver training via video conferencing or pre-recorded training be explored by officers and Town/Community Councils asked if they have any specific training requests in relation to the code and hosting remote meetings.

S9 Any other Business

It was reported that the Monitoring Officer and Scrutiny and Standards Officer are currently undertaking a review of the Council's Hearings Procedure and the updated APW documents would be incorporated.

Confirmed in the Meeting of the Ethics & Standards Committee held on 19 May 2021

CHAIRMAN: _____

DATE: _____