

Minutes of the Meeting of CEREDIGION COUNTY COUNCIL
held remotely via video-conference on
Thursday, 9th December, 2021

PRESENT: Councillor Paul Hinge (Chairman), Councillors John Adams-Lewis, Ellen ap Gwynn, Bryan Davies, Ceredig Davies, Clive Davies, Gethin Davies, Ifan Davies, Marc Davies, Meirion Davies, Odwyn Davies, Rhodri Davies, Steve Davies, Dafydd Edwards, Endaf Edwards, Lloyd Edwards, Elaine Evans, Elizabeth Evans, Keith Evans, Rhodri Evans, Hag Harris, Catherine Hughes, Gwyn James, Alun Lloyd Jones, Matthew Woolfall Jones, Maldwyn Lewis, 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.

(10.00am - 12.25pm)

Procedure

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

1 Apologies

Councillors Euros Davies, Gareth Davies and Peter Davies MBE apologised for their inability to attend the meeting.

2 Disclosure of personal / prejudicial interests

There were no declarations of personal or prejudicial interest.

3 Personal matters

- a) Councillor Paul Hinge extend condolences to Councillor Gareth Davies, Mrs Julie Davies and their daughter Angharad following the sudden death of Daniel Davies.
The Council observed a minutes' silence.
- b) Councillor Paul Hinge congratulated Rev Andy John, from Aberystwyth on being elected Archbishop of Wales;
- c) Cllr Ellen ap Gwynn, Leader of the Council congratulated local farmers who had success at the recent Royal Welsh Agricultural Society's at the Winter Fair, including Ty Nant Farm in the Welsh Black native breed cattle and in the poultry section;
- d) Councillor Catherine Hughes congratulated Theatr Felinfach and their staff on bringing the '*Nól a Mlan*' pantomime back this year.

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 that the infection figures for Ceredigion is rising and that there has been a total of 6,746 cases since the start of the pandemic. The current rate is 283.4 per hundred thousand with a positivity rate of 12.3%.

At a local level, the infection rate is at 281.6 per hundred thousand in Cardigan and Aberporth; 351.8 cases per hundred thousand in Beulah, Troed-yr-aur and Llandysul; 197.8 cases per hundred thousand in New Quay

and Penbryn; 424.6 cases per hundred thousand in Lampeter and Llanfihangel Ystrad; 239.5 cases per hundred thousand in Aberaeron and Llanrhystud; 415.7 cases per hundred thousand in Rheidol, Ystwyth and Caron; 239.1 cases per hundred thousand in Aberystwyth South; 67.9 cases per hundred thousand in Aberystwyth North; and 121 cases per hundred thousand in Borth and Bontgoch. All were reminded that we still need to be careful.

Pupils at Ysgol Dyffryn Cledlyn are being taught remotely this week due to a high number of cases, and it is hoped that pupils will be able to return to face to face teaching next week. Ysgol Bro Pedr and Ysgol Bro Teifi are also experiencing a high number of cases which is being monitored. The intention is that the School Term will finish on 22 December as originally planned.

Six members of staff have tested positive for COVID-19 at the Penrhos Depot and due to the impact on staff numbers, refuse will not be collected in the Lampeter and Cardigan areas tomorrow. This information has been issued to local Members and is also published on the Council's website. All staff will be going for PCR tests.

Two of the Council's care homes are categorised red due to COVID-19 cases among staff and cannot currently accept additional residents, and three are categorised amber, due to one member of staff testing positive.

Storm 'Arwen' and 'Barra' have caused significant damage to the Promenade in Aberystwyth with considerable repair work required. The clean-up operation has started to facilitate traffic flow along the prom. Water overflowed the quay-side in Aberaeron and Borth, however as far as we are aware there has not been significant damage to properties. The Leader thanked staff, local farmers and the community who assisted in clearing trees that had fallen during Storm 'Arwen'. Councillors Ceredig Davies and Elizabeth Evans re-iterated their thanks, noting the appreciation of residents to those that were out providing support on both nights.

Members asked if there were any reports of the Omicron variant reaching Ceredigion, and it was noted that there are currently 6 cases in Wales with no reported cases in Ceredigion to date.

5 To confirm the Minutes of the Meetings of the Council held on 25th November 2021

It was **RESOLVED** to confirm as a true record the Minutes of the Council meeting held on 25th November 2021.

6 Notice of Motion

Proposer: Cllr. Matthew Woolfall Jones
Seconder: Y Cyng. / Cllr. Bryan Davies

Council notes that:

The residents of Ceredigion are deeply concerned in light of The Welsh Ambulance Service NHS Trust's intention to change the ambulance and emergency vehicles' provision within the county.

The Welsh Ambulance Service's intention, which has already been presented to its employees, is to reduce the number of ambulances in Cardigan and Aberystwyth stations from 4 to 2 during the day, and to limit the use of a Rapid Response Vehicle. The one ambulance in New Quay Ambulance Station and the one in Lampeter Ambulance Station will remain. Ambulances in Ceredigion often have to transfer patients out of county to specialist hospitals in Shrewsbury and Cardiff. The Trust provides a vital service responding to accidents and emergencies throughout the county and is available 24 hours a day 7 days a week.

Ceredigion County Council calls for the following:

- That the Welsh Ambulance Service NHS Trust continues to maintain the current number of ambulances and Rapid Response Vehicles (RRV) and that this number is increased in order to ensure adequate provision for the residents of Ceredigion.*
- That a letter is written to Eluned Morgan, MS, Minister for Health and Social Services in the Welsh Government, requesting her to intervene to ensure that The Welsh Ambulance Service NHS Trust does not implement these changes.*

Councillor Matthew Woolfall Jones thanked Councillor Gareth Davies for the preparatory work done in bringing this Notice of Motion. He also thanked Ambulance Staff for highlighting their concern, their dedication and work which is of an extremely high standard. It was noted that as part of a restructure, the Ambulance Service were planning to reduce the number of ambulances available in Aberystwyth and Cardigan during the day, and to limit the use of the rapid response unit outside of normal working hours. It was noted that the decision is on hold at the current moment, however it was recommended that the Council write to the Minister for Health and Social Services in the Welsh Government, and to put pressure on the Ambulance Service to ensure that there is no reduction to the service. Councillor Bryan Davies noted that he was happy to second this motion in the absence of Councillor Gareth Davies.

Members noted their concerns in relation to the current waiting times for an ambulance, and the effect that any reduction would have on this. Members also noted that due to the geography of the area ambulances have to travel long distances, and also transfer patients to hospitals outside the county such as the regional Cardiac Unit at Morriston, the Orthopaedics unit at Llanelli and the Oncology unit at Swansea. There is also a significant increase in the population of the County during the Summer which needs to be taken into account. It was noted that the ambulance station at New Quay no longer exists and that this service feeds out of the Aberaeron Ambulance Station, and that Fire Stations are also equipped with an emergency response unit and defibrillators.

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

7 Report of the Corporate Lead Office for Legal and Governance (and Monitoring Officer) upon the appointment of 3 independent/lay persons/members to the Governance and Audit Committee

Councillor Ray Quant, Deputy Leader and Cabinet Member for Legal and Governance, People and Organisation and Democratic Services, presented the report noting that a recruitment process for had been undertaken to appoint three independent lay members, following a decision to increase the size of the Governance and Audit Committee to 9 Members including 6 County Councillors and 3 independent members. It was noted that they would be appointed for 1 term initially from 5 May 2022 with the potential to extend for a second term ending 4 May 2032.

It was noted that subject to approval by the Council, the new Members would be attending the next Governance and Audit Committee, and that all Members are welcome to attend to meet the appointees.

Councillor Rowland Rees-Evans thanked the Panel involved in the recruitment process, and thanked Mr John Williams for Chairing the interviews.

Following a vote, it was unanimously RESOLVED to approve the appointments of the following individuals as independent / lay persons of the Governance and Audit Committee:

- Liam Hull;
- Caroline Whitby; and
- Alan Davies

with effect from 5 May 2022 for one administrative term (up to a maximum of two consecutive administrative terms).

8 Report of the Chief Executive and Returning Officer on Fees for the County Council and Town / Community Council Elections to be held 5th May 2022

Eifion Evans, Chief Executive and Returning Officer presented the report outlining the fees payable and associated costs relating to the County Council and Town and Community Council Elections for May 2022, noting that the fees are calculated on a formula basis to cover the costs of running the election.

Members asked about the administrative arrangements and lessons learnt following the elections held in May of this year as a result of the COVID-19 pandemic. It was noted that the revised arrangements had worked extremely well and would be emulated next year, to include additional equipment such as screens to maintain social distancing, and additional staff at the doors to explain the protocols and ensure that members of the public entered the polling stations in an orderly manner. Counting would take place on the Friday at Ysgol Bro Teifi, and candidates advised to attend only during counting takes place on individual Wards to avoid having everyone present at the same time.

Following a vote, it was RESOLVED:

- (i) That the fees payable to the Returning Officer and those undertaking the role of Deputy Returning Officers for the County Council and Town / Community Councils be as follows:
 - £174.00 per contested election;
 - £67.00 per uncontested election;
- (ii) To authorise the Chief Executive as the Council's Returning Officer to:
 - a) Make arrangements for the employment of persons to assist with the Local Elections to be held 5th May 2022;
 - b) Determine the level of fees and payments to those employed on Election duties, subject to the total amount payable being within the available resources earmarked to cover the cost of these elections;

There will be full cost recovery for any costs incurred for Town / Community Council elections.

9 Report of the Corporate Lead Officer for Economy and Regeneration upon the Ceredigion Local Development Plan Annual Monitoring Reports 2019-2020 and 2020-2021

Councillor Rhodri Evans, Cabinet Member for Economy and Regeneration presented the report noting that it is a statutory requirement to monitor the implementation of adopted Local Development Plans by means of the Annual Monitoring Report. It was noted that these reports do not identify any significantly different results from the previous years, and that areas of concern continue to be the delivery of the Settlement Strategy, housing and land supply, delivery of allocated housing sites and housing development in the right locations, and that whilst some aspects of the Plan are not performing other areas exceed its targets.

Members noted their frustration that there had been a lack of information provided by National Resources Wales and the Welsh Government regarding the Habitats Regulations Act and asked for assurances that Ceredigion County Council were not taking a more stringent view in the interpretation of legislation relating to phosphates compared to neighbouring authorities.

Councillor Rhodri Evans noted that he had received similar queries however no examples have been provided in support of such claims. He noted that all authorities are dealing with applications in the same manner, and in accordance with the legal requirements.

Officers noted that authorities are required to follow the procedure as set out in the Habitats Regulations Act which requires us to undertake a test of likely significant effect. If the test demonstrates likely significant effect, we have to undertake an appropriate assessment and the balance of evidence is extremely high when there is potential for phosphates to enter the riverine Special Area of Conservation.

Ceredigion Officers are members of a planning sub-group which is part of the National Oversight Group, in addition to a number of other local collaborative groups, and working with Pembrokeshire and Carmarthenshire who share the Teifi boundaries. It was noted that all authorities are in agreement as to

how applications are determined, working collectively both as a region and nationally. New guidance from National Resources Wales is expected in the new year which should provide clarity and information relating to certain types of development which are currently constrained to be approved such as house extensions.

Members asked about mitigation in relation to sewerage systems and phosphates stripping at treatment plans, and it was noted that this falls under the remit of Dŵr Cymru. However the Council has sought funding from the Heritage Lottery Fund for a project looking at council owned and public sector land in order to develop potential mitigations, and the Council will also be undertaking soil analysis in order to refine the areas affected. Members noted that the half-life of drugs leaching into the water system was also a cause for concern.

It was noted that a letter has been sent to the First Minister of Wales and copied to the relevant Ministers outlining the impact on housing, social housing, welfare and the economy, however no response has been received to date.

The content of the report was noted by Council.

10 Report of the Corporate Lead Officer for Policy, Performance and Public Protection upon the Annual Report of Compliments, Complaints and Freedom of Information Activity - 2020/2021

Councillor Ellen ap Gwynn, Leader of the Council and Cabinet Member for Policy, Performance and Partnerships presented the report to the Council noting that this is the second consecutive report where there have been no investigations commenced or formal reports issued in relation to complaints made against the Council to the Public Service Ombudsman for Wales.

It was noted that the number of compliments from service-users had almost doubled compared to the previous year, however it is believed that the actual number is likely to be far higher and that more work is required to ensure that they are recorded. Fewer Freedom of Information and Environmental Information Regulations requests were received compared to the previous year, and there were fewer Internal Reviews resulting from a refusal to provide information by the application of exemptions. However, the Council's performance in relation to response times dropped significantly which is attributable to a number of factors. The Ombudsman's Annual Letter had been presented to Cabinet, and it was noted that there were no additions contained within it. It was also noted that the number of complaints about the Welsh Language had also fallen significantly from 11 in 2016/17 to 1 during 2020/21. The Leader noted that the report demonstrates the Council's commitment to openness and transparency.

Members asked about the process for recording compliments that they had received, and were advised to report compliments via the Clic system.

The content of the report and the Ombudsman's Annual Letter was noted by Council.

11 Report of the Corporate Lead Officer for Democratic Services upon the Overview and Scrutiny Annual Report 2020/2021

Councillor Elizabeth Evans, Chair of the Overview and Scrutiny Co-ordinating Committee for 2020-21 had to leave the meeting, and the report was subsequently presented by Councillor Rowland Rees-Evans, the Vice Committee's Vice Chair during the year.

Councillor Rowland Rees-Evans noted that the report related to the activity of all Overview and Scrutiny Committees, and that it demonstrated a significant amount of work carried out during the year, and thanked support staff and Officers for preparing and presenting the information to Members during an extremely challenging time.

Members questioned a reference on page 7 to the Leader and Deputy Leader of the Council agreeing to a temporary delegation of authority to the Chief Executive and Leadership Group to make decisions relating to Covid-19, and asked whether Gold Command was established as a result of the temporary delegation or if it was established in accordance with regulations relating to Civil Contingency. It was also noted that the report on Gold Command activity published on the Council's website was dated 31 August 2021, and asked if this could be produced on a monthly basis.

The Leader confirmed that although arrangements for temporary delegation had been put in place in accordance with good governance to ensure that the Council's work could continue in the event of illness and it was reiterated that the delegation had not been used at any time during the pandemic. Decisions relating to policy and strategy has been made by Members in accordance with the correct democratic processes.

Eifion Evans, Chief Executive provided a detailed explanation to clarify the situation. Firstly, the delegated powers were arranged as a precautionary measure to cover the potential risk at any stage during the pandemic all Members of Cabinet were incapacitated at the same time due to a COVID-19 outbreak. The precautionary measure was in place to act as a 'safety net' beneath the Council's democratic processes. This delegation was never used, the Council and Cabinet have been fully operational throughout the pandemic.

Secondly, Gold Command was established in accordance with the Civil Contingencies Act (2014) to ensure urgent and immediate responses to day to day operational matters relating to COVID-19. The Senior Officers have met with Cabinet Members on a weekly basis to provide updates with detailed notes recorded by the Deputy Leader and shared with Members. In addition, all Members are provided with an update on a monthly basis as per the request of Councillor. Ceredig Davies. Operational decisions made in Gold Command are recorded and published on the Council website quarterly. Councillor Davies requested they appear monthly in the future.

The Chief Executive stated that Officers remain under considerable pressure, and noted that there is a great deal of uncertainty relating to the

Omicron variant, however we will strive to produce Gold Command's decisions on a monthly basis.

The content of the report was noted by Council.

Confirmed at the Meeting of the Council held on 27 January 2022

CHAIRMAN:_____