

Public Document Pack

Minutes of the Meeting of CEREDIGION COUNTY COUNCIL held at Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron and remotely via video-conference on Friday, 8th July, 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, Endaf Edwards, Eryl Evans, Gwyn Wigley Evans, Keith Evans, Rhodri Evans, Wyn Evans, Keith Henson, Paul Hinge; Geraint Wyn Hughes, Hugh Hughes, Chris James, Gwyn James, Ceris Jones, Maldwyn Lewis, Gareth Lloyd, Sian Maehrlein, Caryl Roberts, John Roberts, Wyn Thomas, Matthew Vaux, Alun Williams and Carl Worrall.

(10.45am - 12.40pm)

Procedure

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

1 Apologies

Councillors Endaf Edwards Elaine Evans, and Mark Strong apologised for their inability to attend the meeting.

2 Disclosure of personal / prejudicial interests

The Chairman declared a personal interest on behalf of all Councillors in item 6 below. All Councillors agreed.

Councillors Gareth Davies and Rhodri Evans declared a personal and prejudicial interest in relation to item 8 below and withdrew from the meeting during discussions.

Councillors Bryan Davies and John Roberts declared a personal interest in relation to item 8 below.

3 Personal matters

- a) The Chairman, Councillor Ifan Davies extended his condolences to Councillor Sian Maehrlein on the recent bereavement of her daughter;
- b) The Chairman, Councillor Ifan Davies extended his condolences to Rowland Rees Evans, the High Sheriff and former Councillor following the recent bereavement of his father;
- c) The Chairman, Councillor Ifan Davies extended his condolences to the family and friends of Councillor Hag Harris;

The Council observed a minutes' silence.

- d) Councillors Bryan Davies, Gareth Lloyd, Elizabeth Evans and Alun Williams reiterated the above condolences and paid tribute to Councillor Hag Harris;
- e) Councillor Catrin M S Davies congratulated Dr Daniel Huws on publishing a Repository of Welsh Manuscripts and Scribes;
- f) Councillor Catrin M S Davies congratulated Stevie Williams on being selected to represent Wales in the Commonwealth Games;

- g) Councillor Catrin M S Davies congratulated Joshua Tarling on being selected to represent Wales in the Commonwealth Games;
- h) Councillor Catrin M S Davies congratulated Alwen Butten on being selected to represent Wales in the Commonwealth Games;
- i) Councillor Euros Davies congratulated Twm Ebbsworth on winning the Crown at the Eisteddfod yr Urdd in Denbigh;
- j) Councillor Euros Davies congratulated Catrin Jones on winning the Arts and Crafts prize at the Eisteddfod yr Urdd in Denbigh;
- k) Councillor Rhodri Davies congratulated Phyllis Kinney on celebrating her 100th birthday;
- l) Councillor Caryl Roberts congratulated Emma Healy and the team at Meithrinfa Gogerddan on winning the best nursery in Wales award;
- m) Councillor Gareth Davies congratulated Aberystwyth University on reaching first place and Wales and second prize in the UK in a recent student satisfaction survey;
- n) Councillor Eryl Evans congratulated Iwan Jones on winning a silver medal in the Welsh Championships in the 20-24 age category;
- o) Councillor Ifan Davies congratulated the Ceredigion team on all of the preparatory work for the National Eisteddfod in Tregaron.

4 Minutes of the Meetings of the Council held on: 13 May 2022, 20 May 2022 and 27 May 2022

It was **RESOLVED** to confirm as a true record the Minutes of the Council meeting held on 13 May 2022, 20 May 2022 and 27 May 2022.

There were no matters arising.

5 Appointment of Members to the following roles:

It was **RESOLVED** to appoint the following Members:

Language Committee (vacant seat)	Councillor Bryan Davies
'Age Friendly' Member Champion	Councillor Alun Williams
Schools Admissions and Finance Forum	Councillor Bryan Davies Councillor Wyn Thomas Councillor Endaf Edwards
Gypsy and Traveller Steering Group	Councillor Matthew Vaux Councillor Clive Davies Councillor Gareth Davies
Mid Wales Fire Authority (vacant seat)	Councillor Gareth Lloyd
Mid Wales Regional Skills Partnership (and will also attend the Growing Mid Wales Joint Committee)	Councillor Wyn Thomas
Teifi Nutrient Management Board	Councillor Clive Davies

Corporate Joint Committee Overview and Scrutiny Sub Committee	Councillor Rhodri Davies Councillor Maldwyn Lewis Councillor Carl Worrall Councillor Gwyn Wigley Evans Councillor John Roberts
Corporate Joint Committee Governance & Audit Sub Committee	Councillor Elizabeth Evans Councillor Gareth Lloyd
Corporate Joint Committee Standards Sub Committee	Councillor Gwyn Wigley Evans
Corporate Joint Committee Sub Committee for Regional Transport Planning (TraCC) (additional Member)	Councillor Alun Williams
Mid Wales Joint Scrutiny Committee for Health and Care	Councillor Paul Hinge Councillor Caryl Roberts Councillor Gwyn James
Ceredigion Fostering Panel	Councillor Alun Williams
Cylch Caron Stakeholder Board	Councillor Ifan Davies
Welsh Books Council	Councillor Endaf Edwards

6 Report on the Recommendations of the Democratic Services Committee in relation to the matters deferred by Council in relation to the Members' Schedule of Remuneration 2022/23

Councillor Bryan Davies, Leader of the Council presented the report, noting that The Members' Schedule of Remuneration for 2022/23 was approved by Council on 20th May 2022 with the exception of paragraph 8, bullet point 6 and 7 of the covering report and paragraph 15.1 of the Schedule, which were deferred for further consideration by the Democratic Services Committee.

Councillor Gareth Lloyd, Vice Chairman of the Democratic Services Committee noted that the matters deferred by Council were considered at its meeting on 20th May 2022, which recommended that Councillors who are not members of respective committee or are not specifically invited to attend, **are encouraged** to attend meetings remotely, and that Members **should liaise with the** Corporate Lead Officer, Democratic Services **in order to ensure that there is provision in the budget and that there is a need to attend in person.** No changes were recommended to paragraph 15.1 of the Schedule however it was recommended that Schedule 2, Approved duties is amended in line with paragraph 8, bullet point 7 of the covering report. Members noted the importance of the impact upon the climate and the costs associated with travelling

Following a vote, it was **RESOLVED** to approve the following amendments to the Members' Schedule of Remuneration 2022/23:

- a) Paragraph 8; bullet point 6 and 7 of the covering report:
In line with the Local Government and Elections Act 2021, the Council will be holding hybrid meetings which means that not all Councillors will need to be present in the Council Chamber in order to attend meetings. Those that are not members of the respective Committee or are specifically invited to attend, **are encouraged** to attend meetings remotely.
In person attendance at conferences, seminars, external meetings and training events **should liaise with** the Corporate Lead Officer, Democratic Services **in order to ensure that there is provision in the budget and that there is a need to attend in person.**
- b) Schedule 2, Approved duties, first paragraph to be amended as follows, in line with paragraph 8, bullet point 7 of the covering report:
Councillors should liaise with the Corporate Lead Officer: Democratic Services if they intend to claim travelling and expenses costs for in person attendance at conferences, seminars, out of county meetings and training events, **to ensure that there is provision in the budget and that there is a need to attend in person.**

- 7 **Report on the Draft Protocols for Broadcasting and remote meetings**
Councillor Bryan Davies, Leader of the Council presented the report to Council noting that in accordance with the Local Government and Elections (Wales) Act 2021, it is a statutory requirement for Councils to publish arrangements relating to hybrid meetings and the broadcasting of meetings. It was noted that the draft protocol is subject to any amendments required following the publication of the final Welsh Government guidance, and installation of phase 2 of the hybrid system. The draft protocol was considered by the Democratic Services Committee at its meeting on 17 June 2022 and recommended for approval by Council.

Members asked that a Workshop is held to discuss aspects such as the impact of technical failure on a Members' right to vote. It was noted that where there is a technical impact which affects the whole meeting, the discussion is suspended in order to re-establish connections, however where an individual Councillor or Officer loses connection due to broadband capacity, or temporarily leaves the meeting to take a telephone call, the protocol reflects circumstances where a Member attending in person leaves the Council Chamber and the meeting will not be suspended pending reconnection.

Following a vote, the Council resolved to:

- a) approve the protocols as set out in Appendix A of the report; and to
- b) to include the protocols with the Council's Constitution.

- 8 **Report on the Application to Register Land as a Village Green at Erw Goch field adjoining Hafan y Waun, Waunfawr, Aberystwyth**

Councillors Gareth Davies and Rhodri Evans left the meeting for the duration of the discussion on the following item.

Councillor Bryan Davies, Leader of the Council presented the report to Council noting that an application was received in February 2021 to register land at Erw Goch Field, Waunfawr on the Register of Town or Village Greens under Section 15 of the Commons Act 2006. The land is within the ownership of Ceredigion County Council, and also forms part of a planning application for residential development and associated works.

He noted that the Council has sought independent legal advice, and that a separation of roles within relevant services has been established in order to avoid potential conflict of interest. The Registration Authority has sent a notice to every person (other than the applicant) believed to be an owner, lessee, tenant or occupier of any part of the land affected and notice was published in the Cambrian News and placed at various entry points onto the land. It was noted that a further 184 additional submissions were received, and that the Council as landowner had submitted an objection to the application for registration of the Land as Town or Village Green via external solicitors.

There are no formal procedures in place for determining applications, however in order to consider the merits of the application and the application of law, it is proposed that a Barrister is appointed to consider the application on behalf of the Council as Registration Authority and that findings are reported back to the Council for final decision on the matter.

Members questioned the proposal to appoint a Barrister, asking whether face to face meetings and mediation had been considered with an aim to find middle ground and whether it would be appropriate to request that a neighbouring authority acts as Registration Authority. Officers noted that the decision on the application would be made by Council, and that if it was their decision not to appoint a Barrister, they would then be dependent upon the deliberations and conclusions derived Officers on this matter. Appointing an independent Barrister would provide an assurance to Members that the information is legally correct, and that the Council would be less open to challenge. It was noted that the Land in question is included in the Local Development Plan and that an application presented to the Development Management Committee had been deferred to consider the application for Town or Village Green, therefore there may be a risk of being open to a challenge of mal administration if the Council entered into discussions with the applicant at this stage. It was also noted that the Council could look into procedures for working with a neighbouring authority in order to provide an additional safeguard.

Following a vote, the Council **RESOLVED** to:

- a) authorise the appointment of a Barrister to act as an independent assessor;
- b) that the Barrister advises on the merits of the application for registration of the Land as Town or Village Green;

- c) subject to the advice provided in (b), that the Barrister hold a Public Inquiry or such other hearing as advised by the Barrister, the findings of which and recommendation will be reported back to the Council for decision on the application to register the Town or Village Green.

9 Appointment of co-opted Members to the Learning Communities Overview and Scrutiny Committee

Councillor Bryan Davies, Leader of the Council presented the report to Council noting that in accordance with the Council's Constitution, two representatives of Parent-Governors currently serving on School Governing Bodies are appointed to serve on the Learning Communities Overview and Scrutiny Committee as co-opted members with voting rights. One from the primary sector and one from the secondary sector. The term of the appointment will last for 5 years from the date of appointment or until the representative ceases to be a parent-governor or resigns from the Committee. A recruitment exercise took place in May of this year.

Following a vote it was **RESOLVED** to approve the appointment of the following co-opted members of the Learning Communities Overview and Scrutiny Committee from 7th July 2022, for a term of 5 years from that date:

- Cathryn A. Charnell-White (primary sector)
- Jonny Huw Greatrex (secondary sector).

10 Report on Amendments to the Ethics and Standards Hearing Procedures

Councillor Matthew Vaux, Cabinet Member for Housing, Legal and Governance, People and Organisation and Public Protection presented the report to Council noting that the Independent Review of the Ethical Standards Framework in Wales report recommends that training by undertaken by Standards Committee on holding hearings to ensure openness and fairness.

The report was considered by the Ethics and Standards Committee on 17th January 2022 and again on 25 May 2022 to take into account recommendations arising from a workshop held on 7th April 2022. The Committee recommended that the report be presented to Council for approval.

Officers noted that Ceredigion County Council has not been subject to an Ombudsman enquiry or necessitated a hearing during the past 10 years, however it is important that an appropriate hearing procedure is in place, noting that training will be provided in September of this year.

Following a vote, the Council unanimously **RESOLVED** to approve the revised 'Dealing with Complaints' hearing procedures.

11 The Annual Governance and Audit Committee Report 2021-22

Councillor Matthew Vaux, Cabinet Member for Housing, Legal and Governance, People and Organisation and Public Protection presented the

report to Council noting that the Local Government (Wales) Measure 2011, as amended by the Local Government and Elections (Wales) Act 2021, requires Councils to establish a Governance and Audit Committee and to publish an Annual Report providing an assessment on the effectiveness of the Governance and Audit Committee and to provide assurance that issues have been addressed and progressed.

A draft Annual Report of the Governance and Audit Committee 2021-2022 was presented to the Governance and Audit Committee during a meeting held on 6th June 2022 and recommended for approval by Council subject to incorporating the attendance record of Committee Members during the year.

Councillor Elizabeth Evans, Chair of Audit Committee during 2021-2022 noted that the report demonstrates the considerable amount of work carried out by this committee and thanked the Officers supporting the committee.

The Council noted for the contents of the Annual Report of the Governance and Audit Committee 2021-22 which will now be published on the Council's website.

12 The Governance Framework Document and Draft Annual Governance Statement 2021-22

Councillor Matthew Vaux, Cabinet Member for Housing, Legal and Governance, People and Organisation and Public Protection presented the report to Council noting that the report was presented to Council on 3 March 2022, and that recommendations by Council were considered by the Governance and Audit Committee on 6th June 2022. The recommendations have now been incorporated, and subject to Council approval, will be presented to Audit Wales prior to a final approval by Council.

Councillor Elizabeth Evans noted that the amendments to the scoring had been considered in consultation with Officers and included in the responses.

The Council noted the content of the updated 2021-2022 Governance Framework Document and following a vote the Council unanimously **RESOLVED** to approve the Draft Annual Governance Statement 2021-2022.

13 Report on a Guide to the Constitution and changes to the Council's Constitution

Councillor Matthew Vaux, Cabinet Member for Housing, Legal and Governance, People and Organisation and Public Protection 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 15 March and 20 June 2022.

The Council unanimously **RESOLVED** to

- a) approve the Constitution Guide as amended at Appendix 1;
- b) approve the changes to the Constitution at Appendices 2-9; and
- c) Authorise the Monitoring Officer to update the Council's Constitution to reflect the above changes.

Confirmed at the Meeting of the Council held on 15 September 2022

CHAIRMAN: _____