

Minutes of the Meeting of ETHICS AND STANDARDS COMMITTEE held Hybrid at Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron / remotely via video conference on Monday, 05 June 2023

PRESENT: Miss Caryl Davies (Chair) Mr Alan Davies, Ms Carol Edwards and Mrs Caroline White (Independent Members)

Councillors Caryl Roberts & Gwyn Wigley Evans (Elected Members)

Councillors Delyth James & Jan Culley (Town and Community Council Representatives)

Other Elected Members in attendance: Councillor Rhodri Evans

IN ATTENDANCE:

Ms Elin Prysor (Monitoring Officer)

Mrs Lisa Evans (Scrutiny and Standards Officer)

Mrs Dana Jones (Democratic and Standards Officer)

(10:00am-11:55am)

1 Apologies

None.

2 Disclosure of personal / prejudicial interests

Miss Caryl Davies declared a personal and prejudicial interest in item 16 on the agenda, and the item was chaired by Councillor Caroline White.

Councillor Gwyn Wigley Evans declared a personal and prejudicial interest in 5 (a)

Councillor Caryl Roberts declared a personal and prejudicial interest in 5 (a).

3 To confirm as a true record the minutes of the meeting of the Ethics & Standards Committee held on 03 April 2023

It was RESOLVED to confirm as a true record of the minutes of the meeting of the Committee held on 03 April 2023 subject to the following:-

(i) to amend "me" to "her" residents in minute 7(b);

(ii) to amend the minute paragraph numbering/letter as from 7(p) as two 7(p) had been included in the minutes;

(iii) to amend minute 7(x) from "my business" to "his business";

(iv) to amend/add the last line of the minutes by removing "always";

(v) to amend minute 7(a) from "her" to "his" application;

(vi) that the date to confirm the minutes were 05 June 2023 and not 28 June 2023 as the date of the meeting had come forward;

(vii) item 10 should state 24 July and not 29 July

(vii) to note that the Chair was Miss Caryl Davies and not Mrs

Matters Arising

None.

4 Action Log

It was AGREED to note the Action Log as presented.

5 To consider applications for dispensation from the following Councillors

(i) Councillor John Roberts, Ceredigion County Council-TB application

An application dated 08 April 2023 was received from Councillor John Roberts, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. His brothers owned land in Goginan. The land was split in two. One brother had leased all his land to different people which he didn't know. The other brother keeps a couple of horses just for grazing. He had no interest in the land other than volunteering to feed the horses whilst his brother was recovering from a serious operation. I believe horses were not regarded as an agricultural animal.

It was RESOLVED to grant Councillor Roberts a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 15 June 2023 on the grounds that the nature of the member's 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 (d))

The dispensation was granted for the meeting of the Council on the 15 June 2023 and subsequent Council meetings if required, but not to exceed six months.

(ii) Councillor Rhodri Evans, Ceredigion County Council

An application dated 01 May 2023 was received from Councillor Rhodri Evans seeking a dispensation to speak only on Planning Application A201012 that was being discussed at the Development Management Committee on the 14 June 2023.

Councillor Evans was present at the meeting to present his application. He stated that he did not believe he had a prejudicial interest but wanted to bring this in front of the Ethics and Standards Committee for transparency. The applicant Mr. O Jones was his best man at his wedding in 2007. In turn Councillor Evans was an usher at the applicants wedding over 10 years ago. As the Local Member, he stated that he doesn't have a vote on this application, but feels that he should have the right to speak regarding the application.

It was RESOLVED to grant Councillor Evans a dispensation to speak only (as he was Ward Member and had sought to speak only) on Planning Application A202012 at the Development Control Committee on the grounds that 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))

The dispensation was granted for the meeting of Development Management Committee on the 14 June 2023 and subsequent Development Management Committee if required, but doesn't exceed six months.

(iii) Councillor Rhodri Evans, Ceredigion County Council

An application dated 01 May 2023 was received from Councillor Rhodri Evans seeking a dispensation to speak only on Planning Application A220751 being discussed at the Development Management Committee.

Councillor Evans was present at the meeting to present his application. He stated that he did not believe he had a prejudicial interest but wanted to bring this in front of the Ethics and Standards Committee for transparency. The applicants were Mr and Mrs G and E Jones. Mr G Jones his brother-in-law's brother. As the Local Member, he stated that he doesn't have a vote on this application, but felt that he should have the right to speak regarding the application.

It was RESOLVED to grant Councillor Evans a dispensation to speak only (as he was Ward Member and had sought to speak only) on Planning Application A220751 at the Development Control Committee on the grounds that 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))

The dispensation was granted for the meeting of Development Management Committee on the 14 June 2023 and subsequent Development Management Committee if required, but doesn't exceed six months.

6 Ethics and Standards Annual Report 2022/23

Consideration was given to the Annual Report from the Chair of Ethics and Standards Committee 2022/23. The Chair thanked officers for preparing the Annual Report subject to the following amendments:-

- (i) that the pie chart measures in Section 5 be split into length of time and type of dispensation;
- (ii) that "no data available" for Town/community Councils be inserted on page 27 of the report; and
- (ii) that a time limit of six months for Councillors to complete the Social Media Training be inserted to the Political Group Leaders section

7 Political Group Leaders Compliance Assessment

Consideration was given to the Political Group Leaders Compliance Assessment. Group leaders completed their reports by 30/4/23. A workshop took place with each group leader individually on 15/5/23 with:

- Cllr Bryan Davies (Plaid Cymru)
- Cllr Elizabeth Evans (Liberal democrats)

· Cllr Gareth Lloyd (Independent group)

The Committee assessed the extent to which whether political group leaders had :

1. taken reasonable steps to promote and maintain high standards of conduct by group members
2. co-operated with the Committee in exercise of its functions
3. any training needs

The Committee' assessment was that:

1. The group leaders had taken reasonable steps to promote and maintain high standards of conduct by group members , and had done so in a meaningful way, albeit that there was a lack of supporting evidence and metrics within the reports.

Whilst the PGLs thought they had done enough to promote and maintain good standards of behaviour amongst their group members, this was not evidenced adequately. The responses subjective and vague, and did not focus on the Code of conduct.

2. The group leaders had complied with their duty to co-operate with the Committee in exercise of its functions
3. All Group Leaders should ensure that their group members complete the on-line social media training within 6 months.

Recommendations or comment on levels of compliance with these new duties:

All Group Leaders should ensure that their group members complete the on-line social media training.

That additional training should be provided for 2023/2024 to ensure Group leaders completed the templates adequately, with more metrics and evidence.

Continue to engage with the Ethics and Standards Committee, Monitoring Officer in proactive way.

Continue to engage with other group leaders to learn from and support each other in promoting positive behaviours.

Continue to use group meetings to provide opportunities for informal mentoring.

Continue to use group meetings to share cases and lessons learned and consider including APW/PSOW cases as a standing item.

Recommend to members that they should not sign petitions.

It was AGREED to note the current position.

8 Appointment of Vice Chair

It was AGREED that Mr John Weston remains the Vice-Chair on the Committee until 22 February 2023.

9 Succession Planning of Independent Members

Consideration was given to the Report upon the Succession Planning of Independent Members. The recommendations were necessary to ensure that the appropriate appointments were in place, in accordance with the Constitution

It was AGREED to recommend to Council to approve:

- 1) Carol Edwards term of office is extended 22/2/2024 to 21/2/2028.
- 2) the role description, person specification and criteria
- 3) 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.
 - Independent/Lay Panel member (Chair of the selection panel) (nominated by the Monitoring Officer)

10 Self-evaluation of the Ethics and Standards Committee

It was agreed at the Ethics and Standards Committee on 13th October 2022 that a paper on the self evaluation of the Ethics and Standards Committee would be considered at the next meeting.

The Chair, Vice Chair and Officers met and drafted a questionnaire in order to self-evaluate the Ethics and Standards Committee annually. The proposed questionnaire was presented to the Committee on 25th January 2023 and it was proposed that a self-evaluation was undertaken annually at the end of the municipal year by the members of the Ethics and Standards Committee.

It was agreed that further consideration be given to the self evaluation in relation to the removal of the middle option on the self evaluation and that a question be added in relation to the effectiveness of the Committee in considering the workload of the committees' agenda. Feedback on the self evaluation was requested to be sent by Members of the Committee to finalise the self evaluation. The content of the responses would be added to the Forward work Plan and considered at a workshop to agree future priorities.

Following consideration of the responses, it was AGREED

that a workshop be held to consider the responses and to prioritise the future work of the committee.

11 Monitoring Officer Code of Conduct Update- Quarter 4

Consideration was given to the Monitoring Officer Code of Conduct Update – Quarter 4. It was AGREED to note the information presented. It was noted that Group Leaders would be well-placed to highlight trends issues and need to self-report following conviction to their members

12 Consultation response form: WG47012 (Recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn report))

It was AGREED to note that the consultation response would be submitted as presented.

13 Vision Statement

It was AGREED that the Vision Statement remained to be fit for purpose.

14 Training- Town and Community Councils in 2024

It was AGREED that further training would be provided in 2024, and further consideration be given to present training sessions with actual cases/reports of misconduct. It was noted that the Ombudsman and Adjudication Panel for Wales reports were circulated to Clerks of all Town and Community Councils following each meeting of the committee. It was noted that feedback from the Clerks of Town and Community Councils on training needs of their Council could be requested as they had greater knowledge of the training need of their Members. It was also noted that whilst provision of training may not be an issue, engagement of members with training was an on-going issue. Not all training plans had been returned.

15 Update on Adjudication Panel for Wales matters

It was AGREED to note the report circulated via email. This report would be circulated to all Clerks of Town and Community Councils and Group Leaders.

16 Update on the Public Services Ombudsman matters

It was AGREED to note the report. This report would be circulated to all Clerks of Town and Community Councils and Group Leaders.

17 Forward Work Programme

It was AGREED to note the content of the Forward Work Programme as presented.

18 Any Other Business

The Chair reported that this was the last meeting for Mrs Caroline White and thanked her for all her work and commitment over the last 10 years. All wished her well for the future.

**Confirmed at the Meeting of the Ethics and Standards Committee held
on xxxxx**

Chairman: _____

Date: _____