

Minutes of the Meeting of ETHICS AND STANDARDS COMMITTEE held Hybrid at Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron / remotely via video conference on Wednesday , 15 November 2023

PRESENT: Miss Caryl Davies (Chair) Mr Alan Davies Ms Carol Edwards, Mr John Weston and Gail Storr

Councillors Caryl Roberts & Gwyn Wigley Evans (Elected Members)

Councillor Delyth James Town and Community Council Representatives)

Other Elected Members in attendance: Councillor Catrin M S Davies, Gareth Davies, Keith Evans, Gareth Lloyd together with Councillor Gareth Ioan (Llanllwchaearn Community Council)

IN ATTENDANCE:

Ms Elin Prysor (Monitoring Officer)

Mrs Lisa Evans (Scrutiny and Standards Officer)

Mrs Dana Jones (Democratic and Standards Officer)

(10:00am-12:15pm)

1 Apologies

None

2 Disclosure of personal / prejudicial interests

None.

3 To confirm as a true record the minutes of the meeting of the Ethics & Standards Committee held on 05 June 2023

It was RESOLVED to confirm as a true record of the minutes of the meeting of the Committee held on 05 June 2023 subject to amending the date of the term year for Mr John Weston remains the Vice-Chair on the Committee until 22 February 2024 and not 2023 as stated on page 5 of the agenda.

Matters Arising

Minute 6- The Monitoring Officer reported that the Ethics and Standards Committee Annual Report 2022/23 had been presented to the Public Services Ombudsman for Wales in line with 7.8 of Statutory Guidance

Minute 12 - Consultation response form: WG47012 (Recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn report)- The Monitoring stated that the response had been collated and sent accordingly to WG. A copy of the response had been sent to Members of the Committee by email and the response could be presented as an item on the next agenda to note.

Minute 9- It was reported that Full Council had agreed to extend Ms. Carol Edwards term of office from 22/2/2024 to 21/2/2028.

The Monitoring Officer reported that a further Lay member was sought for the Mid Wales CJC Standards Corporate Joint Committee sub-committee at the request of Powys County Council.

The Chair stated that there will be a need to appoint a Vice-Chair from February 2024

4 Action Log

It was AGREED to note the Action Log as presented subject to amending the date of the Workshop from the 16 to the 15 of November 2023.

5 To consider applications for dispensation from the following Councillors

(i) Councillor Gareth Davies - Ceredigion County Council

An Application dated the 11 October 2023 was received from Councillor Gareth Davies, Ceredigion County Council to speak and vote upon the Council Tax Premium for Long-Term Empty Properties and Second Homes in Ceredigion. Along with his wife, he was a co-owner of a property which was let out.

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

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

It was RESOLVED to grant Councillor Davies a 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.

(ii) Councillor Catrin M S Davies, Ceredigion County Council

An Application dated 03 November 2023 was received from Councillor Catrin M S Davies, Ceredigion County Council to speak and vote upon raising the tax on empty properties. She owned an empty property. Charging tax on empty homes may affect her.

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

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

It was RESOLVED to grant Councillor Davies a 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 Gaerth Ioan - Llanllwchaearn Community Council

An application dated 13 October was received from Councillor Gaerth Ioan - Llanllwchaearn Community Council to speak only on Council Tax Premium. He was a part-owner of a holiday home in Ceredigion.

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

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

It was RESOLVED to grant Councillor Ioan a 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 Keith Evans - Ceredigion County Council (Calon Tysul)

An application for dispensation dated 08 September 2023 was received from Councillor Keith Evans to speak and vote on potential funding for Calon Tysul. Councillor Evans serves and advises on their Management Committee. As both their County Council and Community Council local Member, local organisations look to elected members for guidance, leadership and support.

Councillor Evans was present at the meeting to present all his applications and answered questions regarding his applications.

Councillor Evans was requested to leave the Chamber for the Committee to consider his application.

It was RESOLVED to grant Councillor Evans a 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 Keith Evans, Llandysul Community Council (Calon Tysul)

An application for dispensation dated 08 September 2023 was received from Councillor Keith Evans to speak and vote on potential funding for Calon

Tysul. Councillor Evans serves and advises on their Management Committee. As both their County Council and Community Council local Member, local organisations look to elected members for guidance, leadership and support.

It was RESOLVED to grant Councillor Evans a 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.

(vi) Councillor Keith Evans, Ceredigion County Council (Llandysul Sports Society Application)

An application for dispensation dated 08 September 2023 was received from Councillor Keith Evans to speak and vote on potential funding for Llandysul Sports Society. Councillor Evans serves and advises on their Management Committee. As both their County Council and Community Council local Member, local organisations looks to elected members for guidance, leadership and support.

It was RESOLVED to grant Councillor Evans a 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.

(vii) Councillor Keith Evans, Llandysul Community Council (Llandysul Sports Society Application)

An application for dispensation dated 08 September 2023 was received from Councillor Keith Evans to speak and vote on potential funding for Llandysul Sports Society. Councillor Evans serves and advises on their Management Committee. As both their County Council and Community Council local Member, local organisations look to elected members for guidance, leadership and support.

It was RESOLVED to grant Councillor Evans with a 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

(viii) Councillor Keith Evans, Ceredigion County Council (Pontweli Ymlaen)

An application for dispensation dated 08 September 2023 was received from Councillor Keith Evans to speak and vote on potential funding for Llandysul Pont-Tyweli Ymlaen Cyf. Councillor Evans serve and advise on their Management Board as a Director. As both their County Council and Community Council local Member, local organisations looks to elected members for guidance, leadership and support.

It was RESOLVED to grant Councillor Evans a 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

(ix) Councillor Keith Evans, Cyngor Cymuned Llandysul (Pontweli Ymlaen Cyf)

An application for dispensation dated 08 September 2023 was received from Councillor Keith Evans to speak and vote on potential funding for Llandysul Pont-Tyweli Ymlaen Cyf. Councillor Evans serve and advise on their Management Board as a Director. As both their County Council and Community Council local Member, local organisations look to elected members for guidance, leadership and support.

It was RESOLVED to grant Councillor Evans a 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.

(x) Councillor Matthew Vaux, Ceredigion County Council

An Application dated the 09 November 2023 was received from Councillor Matthew Vaux, Ceredigion County Council to speak and vote upon the Empty Property & Second Home Council Tax. His grandparents own a holiday cottage at Synod Ganol, Synod Inn.

It was RESOLVED to grant Councillor Vaux a 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, (regulation 2 (d) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of 06 months.

(xi) Councillor Gareth Lloyd, Ceredigion County Council

An Application dated the 10 November 2023 was received from Councillor Gareth Lloyd, Ceredigion County Council to speak and vote upon Council Tax Premium for Long-Term Empty Properties and Second Homes in Ceredigion. He owned property (other than his home) which were rented/let out

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

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

It was RESOLVED to grant Councillor Lloyd a 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

(xii) Councillor Elizabeth Evans, Ceredigion County Council

An application for dispensation dated 13 November 2023 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.

(xiii) Councillor Elizabeth Evans, Aberaeron Town Council

An application for dispensation dated 13 November 2023 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.

(xiv) Councillor Chris James, Ceredigion County Council

An Application dated the 13 November 2023 was received from Councillor Chris James, Ceredigion County Council to speak and vote upon Council Tax Premium on homes. He had two properties in the village of Cenarth.

It was RESOLVED to grant Councillor James a 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, (regulation 2 (d) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of 6 months

6 Amendment to the consolidated statutory and non statutory guidance for principal councils

It was reported that there has been an amendment to the consolidated statutory and non statutory guidance for principal councils in Wales at Part 2, Section 6.0, paragraph 6.4.

The guidance had been amended to read that standards committees (as opposed to standards committee chairs) should meet with group leaders at the beginning of each council year to agree a number of issues.

Members were informed to consider para 4.36 and 4.24 of the Statutory and Non-Statutory Guidance introduced in June '23 relating to Political Group Leaders meeting their statutory duty in the '21 Act and the interface with Standards Committee (not least the threshold to be used by the individual Standards Committee).

4.36 At the beginning of each council year Political group leaders should meet with the standards committee to agree the following:

- How group leaders and the standards committee will work together to ensure appropriate standards of behaviour;
- Frequency of meetings between group leaders and the standards committee throughout the year;
- The threshold which the standards committee will use to establish whether it is content that political group leaders have complied with the duties of the 2021 Act;
- The mechanism for political group leaders to provide reports to the standards committee about the actions they have taken to comply with the duties within the 2021 Act.

4.24 Reasonable steps the group leader may undertake include:

- demonstrating personal commitment to and attending and participating in relevant development or training around equalities and standards, including on the Code of Conduct;
- actively encouraging group members to attend relevant development or training around equalities and standards including in relation to the Code of Conduct;
- ensuring nominees to a committee have received the recommended training for participating on that committee;
- promoting modelling civility and respect within group communications and meetings and in formal council meetings;
- supporting informal resolution procedures in the council, and working with the standards committee and monitoring officers to achieve local resolution;
- encouraging a culture within the group which supports high standards of conduct and integrity;
- attend a meeting of the council's standards committee if requested to participate in discussions on Code of Conduct issues;
- drive forward work to implement any recommendations from the standards committee about improving standards;
- work with the standards committee to proactively identify, consider and tackle patterns of inappropriate behaviour;
- work together with other group leaders, within reason, to collectively support high standards of conduct within the council and where any issues identified involve more than one political group.

It was AGREED to note the report for information.

7 Recruitment of independent member (February 2024)

It was reported that a short listing panel had been held on the 09 October 2023 and interviews were being held on 16/11/23 to appoint a new independent Member as from February 2024. An update would be provided at the January meeting.

8 Monitoring Officer Code of Conduct Update- Quarter 1& 2 2023-2024

It was AGREED to note the Code of Conduct Update Quarter 1& 2 2023-2024 as presented.

9 **Political group leaders duties revised template to take into account the revised WG Statutory Guidance**

Consideration was given to the Political group leaders duties revised template to take into account the revised WG Statutory Guidance

Members agreed to the amendments made to the political group leaders compliance assessment template as highlighted in yellow on the report presented.

10 **Standards Committees (Wales)(Amendment) Regulations 2023 SI 2023/988**

It was AGREED to note the report for information.

11 **Training with Town and Community Councils in 2024**

It was AGREED as training was available on the Code of Conduct by One Voices Wales, that Town and Community Councils should contact them for training.

12 **Update on Adjudication Panel for Wales matters**

It was AGREED to note the report for information.

13 **The Public Services Ombudsman Annual Letter 22/23 ,PSOW Annual Report 22/23 and PSOW Decision Notices**

It was AGREED to

(i) note the contents of the PSOW Annual letter 22/23 and the PSOW Annual report 22/23,

(ii) that Members receive information regarding PSOW Decision Notices, and

(iii) that they would be circulated by confidential email

14 **The Public Services Ombudsman Code of Conduct Findings**

It was AGREED to note the contents of the report.

15 **National Standards Committee Forum Minutes**

To note the contents of the minutes and to thank all supporting officers on their support for the work of the Committee.

16 **Harmonisation of gifts/hospitality thresholds across all Welsh Authorities**

Consideration was given to the Harmonisation of gifts/hospitality thresholds across all Welsh Authorities, it was AGREED to

(i) note the developments since considering this matter at the meeting on 23/1/23; and

(ii) that the gift/hospitality threshold for Ceredigion County Council Members remain at £21.

Members reiterated that Officers and Councillors gift/hospitality should be the same to be consistent and fair to all.

17 **Town & Community Council training Plans**

Consideration was given to the Town & Community Council Training Plans report on the number received. Following discussion, it was AGREED

- (i) that an email was sent to all clerks reminding them that they must prepare and publish a training plan, and to request that the plans were sent to Ceredigion County Council
- (ii) that the monitoring plan of these training plans be an item on the Forward Work Programme to consider annually; and
- (iii) that the respective County Councillor be contacted if the Community Council in their Ward had not presented the plan to the Council; as to state that the plan was required to be on their website in line with legislation

18 Forward Work Programme

It was AGREED to note the content of the Forward Work Programme subject to the following:-

- (i) a report upon the appointment of a new vice chair as from February 2024 and the new appointment of a lay member be presented at the January 2024 meeting;
- (ii) a report on the review of Gifts and Hospitality be presented at the May meeting; and
- (iii) an update report on the National Standards Council Forum following their meeting in March be presented to the following meeting.

19 To consider any other applications for dispensation received since the agenda was published

Items previously considered under item 5 on the agenda.