

Minutes of the Meeting of ETHICS AND STANDARDS COMMITTEE held Hybrid at Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron / remotely via video conference on Wednesday, 01 May 2024

PRESENT: Miss Caryl Davies, Mr Alan Davies, Ms Carol Edwards, Ms Gail Storr & Ms. Llinos James

Councillors Caryl Roberts & Gwyn Wigley Evans (Elected County Members)
Cllr Delyth James -Town & Community Council Representative

Other councillors in attendance:Councillor Gareth Davies, Meirion Davies, Raymond Evans and Gareth Lloyd

IN ATTENDANCE:

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

(10:00am-11:35am)

1 Apologies

None.

2 Disclosure of personal / prejudicial interests

Councillor Caryl Roberts declared a personal interest in item 4 and 5.

3 Confidential item

The Monitoring Officer had determined that Category 12& 13 of the Access to Information (Variation) (Wales) Order 2007 applies to the following report (items 4 and 5). Her view on the public interest test (having taken account of the provisions of Rule 10.5 of the Council's Access to Information Rules) was that to make this information public would disclose information relating to a particular individual and would allow information to enter the public domain before the individual has had an opportunity to make representations in respect of it. These factors in her view outweigh the public interest in disclosing the information at this stage.

Members were requested to consider these factors when determining the public interest test, which they must decide when considering whether:

- the exempt item should remain exempt, and
- to exclude the public and press from the meeting.

The Committee AGREED that:

- i) the public interest test in maintaining the exemption was satisfied
- ii) items 4 & 5 should remain exempt
- iii) to exclude the public and the press from the Committee during such consideration, in accordance with Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Access to Information (Variation) (Wales) Order 2007

4 Report by Public Services Ombudsman for Wales – report into alleged breach of Powys County Council’s Code of Conduct for Members

The report relating to the item below was not for publication as it contains exempt information as defined in paragraph 12 and 13 of Part 4 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information) (Variation) (Wales) Order 2007.

The Committee AGREED:

(i) that the procedures to be adopted by the Ethics and Standards Committee in carrying out its functions and making its determination be those incorporated in Part 5 Doc. S of Ceredigion County Council’s Constitution, attached to this Report (**Appendix 1**).

(ii) to note the acceptance by the Monitoring Officer of the transfer of this case from the Powys County Council Standards Committee.

(iii) to consider the report of the Public Services Ombudsman dated 20th November 2023 (Appendix 2), in respect of a Councillor, and

iv) to make its initial determination in accordance with Regulation 7 of the Local Government Investigations (Functions of Monitoring Officers & Standards Committees (Wales) Regulations 2001.

Reason for decision:

To comply with the requirements under the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.

5 Report by Public Services Ombudsman for Wales – report into alleged breach of Bannau Brycheiniog National Park Authority Code of Conduct for Members

The report relating to the item below was not for publication as it contains exempt information as defined in paragraph 12 and 13 of Part 4 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information) (Variation) (Wales) Order 2007.

The Committee RESOLVED:

(i) that the procedures to be adopted by the Ethics and Standards Committee in carrying out its functions and making its determination be those incorporated in Part 5 Doc. S of Ceredigion County Council’s Constitution, attached to this Report (Appendix 1).

(ii) to note the acceptance by the Monitoring Officer of the transfer of this case from the Bannau Brycheiniog National Park Authority Standards Committee.

(iii) to consider the report of the Public Services Ombudsman dated 20th November 2023 (Appendix 3), in respect of a Councillor, and

iv) make its initial determination in accordance with Regulation 7 of the Local Government Investigations (Functions of Monitoring Officers & Standards Committees (Wales) Regulations 2001.

Reason for decision:

To comply with the requirements under the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.

The Committee retired to deliberate in private. The Monitoring Officer was in attendance to advise the Committee.

Following deliberations by the Committee, the Committee, public, press and Officers returned to public session.

The Chair confirmed that the Committee had RESOLVED as follows:

Item 4:

1) on considering the Ombudsman's Investigation Report dated 20th November 2023 (Appendix 3) that there is evidence which might amount to a failure to comply with the code of conduct to give the County councillor the opportunity to make representations, either orally or in writing at a future meeting in respect of the findings of the investigation and any allegation that he or she has failed, or may have failed, to comply with the code of conduct in accordance with the procedures adopted above.

Reason for decision:

To comply with its obligations pursuant to Regulation 7 (b) of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001

2) A further meeting would be arranged on 8th July 2024 to determine the matter.

Reason for decision:

To comply with its obligations under the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.

Item 5:

1) on considering the Ombudsman's Investigation Report dated 20th November 2023 (Appendix 3) that there is evidence which might amount to a failure to comply with the code of conduct to give the former authority councillor the opportunity to make representations, either orally or in writing at a future meeting in respect of the findings of the investigation and any allegation that he or she has failed, or may have failed, to comply with the code of conduct in accordance with the procedures adopted above.

Reason for decision:

To comply with its obligations pursuant to Regulation 7 (b) of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001

2)A further meeting would be arranged on 8th July 2024 to determine the matter.

Reason for decision:

To comply with its obligations under the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.

Miss C Davies (Chair)

Ceredigion County Council Ethics & Standards Committee