

LANGSTONE COMMUNITY COUNCIL

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MINUTES OF THE EXTRAORDINARY GENERAL MEETING OF THE COUNCIL HELD AT THE LLANDEVAUD VILLAGE HALL ON THE 13th of May 2024 AT 7:00 P.M.

In attendance:

Councillors:

C Bryant (Chair) - CB
L Humphries - JH
J Humphries - LH
S Davies - SD
R Bevan - RB
J Bryant - JB
S Voyle - SV
E Sheppard - ES
M Oliver-Mardon - MOM

Apologies received:

Cllr Alison Jarman - AIJ
Cllr Angharad Jarman - AnJ
Clerk – Mr R Wade - RW

Newport City Councillors:

Cllr Will Routley

16 signed in Public (Hall) & 7 remotely (MS Teams)

The Chair welcomed everyone passing meeting content to be ran by Cllr Beth Sheppard

- 1) **Apologies for absence** - Apologies had been received from Councillors A Jarman & A Jarman and Clerk- R Wade
- 2) **Declarations of interest** - No declarations were made. No reminder to those in attendance about declarations of interest.
- 3) **Introduction by Councillors** -CB, requested that all councillors introduced themselves.
- 4) **Housekeeping** – ES, asked both remote users & public attendees for respectful & professional conduct.
- 5) **EGM** – ES & RB called by signed Agenda to the Chair & Clerk April 29th, by email seeking May 7th, later agreed for 9th; Due to no formal publication on LCC website, LCC Facebook or Notice boards, the date was delayed until May 13th. Public notices of EGM were done on Facebook LWM (in absence of LCC website access) and taped on exterior of 3 Langstone notice boards (no key access). ES expressed appreciation for Chair & other Councillors being present.
- 6) **Teams Transcribing function** – ES, in absence of Clerk, Teams transcribing would be used and requested anyone raising questions, to speak loudly for Laptop microphone. SD & RB also requested to take notes.
- 7) **Disqualified Councillor (6 consecutive months absence)** – ES, due to councillor last present July 23, challenged disqualification trigger as possible vacancy was Feb 2024 when there should have been 3 vacancies advertised. With 3 nominated election candidates, there would have been no election. Disqualification clarification sought from NCC Head of Law, confirmed that this should have been the case. Vacancy is now advertised.
- 8) **LCC Website, posting Vacancy guidelines & announcement** – ES, as April 11th election, if 10 letters are received by Langstone Ward electors then election. In the event more than one nomination, there could be a contested election, otherwise automatic placement. If no election requested, then Co-option takes place.
- 9) **Delay for AGM** – ES stated that due to key legislation, the requested delay was not permissible. The AGM must take place between March 31st up to June 1st. The AGM for LCC is scheduled to be 21st May.
- 10) **Attendees' welcome** – ES offered welcome to all in public at hall & remote attendees.

11) Any other financial matters:

- a) Request of annual financial accounts before AGM (21/5) → CB "I've texted Robert W, insisting on supply by Friday."
- b) Councillors Code of Conduct, aimed at long-standing Councillors – accountability is key, as public (precept) funds.
- c) National Audit Wales report (NAW) – audits 2020/1 & 2021/2 "qualified audits" (significantly detrimental for LCC), sharing printed email document 10/4/24, questioning awareness for formal distribution of its contents to both Councillors & Chair, required also for website publication.
- d) Monthly meeting April 16th, no formal notification, why not? Chair confirms first time seeing NAW report. Mention of "unopened" envelope handed to Clerk as well as stating no email received on this topic from Clerk.
- e) Addressed all Councillors as to understanding of required legal governance & importance of internal controls for the maintenance of LCC accounts. Supply required by June each year, after a completed prior tax year, is this known? – absent acknowledgement.
- f) Questioned Chair as to gaps of her sign off, well outside the June submission requirements for supply to NAW?
- g) Financials 2020/1 → Heather KJ (signed 4/2021) yet Carol B (signed 10/21), why 6 months delay? – no reply.
- h) Financials 2021/2 → Adrian E & Carol signed (06/2022)
- i) Accounting package (Rialtas), used by Heather KJ, why was this not verified for continued use, especially given the history and comprehensive auditing package, containing valuable historic details such as an Asset register, bank details & reconciliations, expenditure & income? → "Heather left April 8th & Adrian joined in May, there wasn't much in the main computer (desktop)."
- j) *Heavy rains, causing disruption for hearing & transcript, public moved in closer towards Councillors table.*
- k) Unity Trust Banking, Chair was the only one with access, retained since Adrian's departure → "due to change everything on the bank, Clerk needs to sign up and CB had only managed to get into it that day".
- l) Bank statements requested from April 1st, 2022, to aid in verifying 2022/3 & 2023/4 missing financials. Requested bank balance, CB stated bank balance presently c£118k (was £90k, then additional £30k NCC Precept, 50% of the annual amount); Bank statement to be shared with all LCC Councillors, Chair confirmed her agreement before AGM (21/5).
- m) Chair mentioned documents from Adrian had been held in locker, were a total mess and had only just been filed. Some hardcopies (showed financial report for 2022-23) but no access to Adrian's laptop.
- n) Responsible finance officer should act with some level of integrity & governance as Council representative, similarly to a company you are MD & Vice Chair is CFO as per LCC website, even with finance & planning committed abolished 12m ago.
- o) VAT Returns, frequency & last submission asked if known when last completed → unknown; Chair to confirm.
- p) LCC Website, Chair doesn't verify its content for being updated, as per Councillor titles and newly elected councillors (11/4/24) not yet updated; even after many public statements & requests for this to be actioned.
- q) Clerk in post from Oct 2023, why has this not been challenged or pursued for remedy, given 21 hours/week working hours. Councillors stating public has offered help & support – rejection or no acknowledgement, even during prior Clerks post.
- r) Questionable pursuance of correct management of prior Clerk & now current Clerk, why no accountability for their Roles & responsibilities? – no acknowledgement

- s) Public questions – NCC Cllr Will Routley, have appraisals been conducted, references sought, repetitive computer issues? Why was information not stored (and validated to its successful storage). Why so long 8-9 months to sort issues with Adrian E as Clerk? Will accounts be done before AGM (21/5)? Mention of all computers not working etcetera, etcetera. Mention of Michael Steward (locally known to community), he's reliable with computers, telephones & everything else around this area. He offered to look at computers, & told No. Why? → Chair confirmed Adrian E declined assistance, instead a new computer at c£800 purchased.
- t) Current Clerk also requiring a new laptop, over c£1k+
- u) Was an appraisal of Clerk, RW conducted before 3-month probationary end (April 2024)? → "it's in hand". ES, "Did you get references for Robert?" (ES) "yes definitely." (CB)
- v) Bank – confirmed 2 signatories required by Chair (CB) and Vice Chair (LH), whilst validating who sign's Chairs expenses & payments.
- w) Vice Chair verified, Councillors don't get paid a wage, only £3/week for 52 weeks towards home expenses for all councillors in Wales, non-taxable. This used to be paid in Arrears during Heath KJ Clerkship, then got changed to in advance. This can be declined for acceptance by Councillors.
- x) Chair confirmed her annual additional allowance £1k+ and Vice Chair £500, additional £500 introduced during Adrian E Clerkship.
- y) Question as to voting, for post where member of same household is on council. If the position was in receipt of an additional allowance, then same household members should make a declaration of interest.
- z) Facebook postings, long-standing Councillors stated not seeing postings, remainder have seen.
- aa) The reason for high public attendance this evening, is due to National Audit Wales (NAW) report. People in the community feel that positions of so-called MD & CFO of the company (LCC) ought to be held seriously accountable for failings of audit. To some extent the public outcry is for a vote of no confidence and are interested to know if you are going to apply for the position of Chair at next AGM. → "yes" (CB) & "you will find out on the 21st" (JB)
- bb) Sharon L (public) stated that she had published the Audit Wales report on Facebook after contacting Audit Wales, who had confirmed that the report should have been put in the public domain by LCC, having requested this of the Clerk on 10th April.
- cc) (Additional public/Councillor comments) "You've had 14 days to post the Audit report for public to see as well as display the accounts and it hasn't been done. So it is right to post on Facebook or social media. There was a two-month period where Adrian was given full control of running everything during the election period in May 2022, running the bank account. So had free rein for some time with no internal controls of Checks and balances. Adrian hand delivered audit papers to Cardiff, when NAW requested, they be submitted electronically. There were extra costs associated with unnecessary travel expenses.
- dd) You have not fulfilled your duties & obligations as a key representative of LCC."
- ee) "Cllr Sharon Davies having been LCC Chair & Vice Chair many years ago, should be put forward as our Chair for next year" (ES)
- ff) Chair has mismanaged Our Clerks, the handover of information from previous Clerks, more than once, and has not ensured the adherence to financial regulations as published on website ?
- gg) Jan C (public): How can you state that you know nothing about the audit report until this evening? Have you read the two emails I've sent on 9th May to you all, on communications and on the failures in the audit report against your own financial regulations, even showing a diagram of what is not being done. Nobody has answered my emails. All councillors are responsible in law for ensuring that financial management is adequate & effective, including ensuring continuity and management of risk. At the end of the day, the Whole Council is responsible, which is why I think Beth, as a new Councillor, is bringing this up as people are expecting accountability. As well as NAW extracts of key failures by LCC council during those periods (Rosi H)

- hh) Cllr Will Routley, addressing all, "I do believe you need assistance & help, you could have special advisors, to ensure you've acted in the best interest of the Council & the Community that you serve. Even in this room, there are people able to assist & advise the Council in Financial Management. You could land up in litigation & heavy fines. You need to look at getting proper help from the Community & other special advisors, even paid ones from One Voice Wales. Finally, the Council needs to offer an apology to residents, once we start getting that apology, we can build for a different day."
- ii) Clerk (RW) already doing 2 other council jobs, working as a solicitor & running another business as well. Were references taken? CB – yes. Did he state that he was in his interview? Two different councils mentioned, as well as just been made finance project manager for £300k refurbishment grant. Wages mentioned & question as to how 60+ hours with Councils alone, plus other jobs, how can he manage?
- jj) Question (public, not logged as to names), as a community member, I think it shows the lack of knowledge about processes. I have no faith in the Chair because of poor management. (*Parts inaudible*)
- kk) What are you going to do about the other missing financial reports that we must supply to NAW, as last two missing years? Do you appreciate the severity of Audit report? Have you set him a deadline of actions to achieve XYZ and data by Friday from a system that he can't access → "Yes, he's got to get that done. I sent him messages earlier on tonight." (CB)
- ll) Cllr Will Routley, "Ignorance is no defence. It's public money, that ought to be accounted for, irrelevant, whether it is properly spent, you need have proper accounts in place. Consider the seriousness of the charges that are being placed before you, it's really that serious." → "I do understand, Will." (CB)
- mm) Challenge to Chair as why no internal requirement that documents be scanned & held for access for all LCC Councillors. That ought to be the very minimum since departure of previous clerk, to be more transparent for sharing & retention with level of security & robustness? IT hosting is not costly with an effective system that is needed. "A key reason as to why the community feel another needs to be in the driving seat of LCC, or we run the risk by public demand to be disbanded as a Council. That is not good for anybody, I am only telling you (CB) the community's wishes." (ES)
- nn) Announcement of a vacant seat, could you impress upon any people passionate enough to want positive change to come to join LCC. (ES)
- oo) Jennifer W (public) thanked all LCC Panel, stated that she felt welcomed this time. However, in the past poor conduct by Councillors had made her feel unwelcome.
- pp) Others (public) "It's time to stand up & be responsible for your Council, your club & be accountable to us, that's what tonight is all about. We think it's better for you & for your husband to stand down & let somebody else take the position of Chair."

"Thank you Chair, Councillors & thank you all for coming along & joining this evening. Do join us at AGM (21/5, 19:00 Llandevaud Hall)." (ES)

The Meeting was closed at 8:59 pm