

## **BARRY TOWN COUNCIL**

### **MINUTES OF A MEETING OF FULL COUNCIL HELD ON MONDAY, 21 FEBRUARY 2011 COMMENCING AT 7.00 PM**

**PRESENT:** Councillor K Kuhnell (Town Mayor), together with Councillors B Brooks, O Cash, J E Charles, C L Curtis, G D Davey, P Drake, S C Egan, J Evans, K Evans, H C Hamilton, A D Hampton, N P Hodges, S A Hodges, K A Kemp, K Lewis, L M Payne, B I Shaw, T C Stenstrom and E T Williams

**IN ATTENDANCE:** Lyn Cadwallader – Chief Executive, One Voice Wales  
Insp Louise Davies – South Wales Police  
Derek Wolfe – Executive Officer  
Cliff Lewis – Deputy Executive Officer  
Mark Sims – Responsible Finance Officer  
Angie Norman – Administrator

The Mayor welcomed Councillor Curtis to her first Council meeting and congratulated her on the outcome of the recent by-election in the Dyfan Ward.

#### **333. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors C Turner and S T Wiliam.

#### **334. DECLARATIONS OF INTEREST**

Councillors J E Charles, P Drake, K Kuhnell and Keith Lewis declared personal interests in relation to all agenda items regarding the Memorial Hall & Theatre Trust by virtue of being Trustees. Councillor Drake also declared a personal interest in relation to all agenda items that may relate to the GMB Union.

#### **335. MINUTES OF THE COUNCIL'S MEETING HELD ON 15 NOVEMBER 2010**

**RESOLVED;** that the minutes of the Council's meeting held on 15 November 2010 be approved and signed.

#### **336. POLICE REPORT**

Insp Louise Davies provided an overview of crime levels and various operations within Barry during the past 3 months. She advised that there had been an increase in the theft of metals such as copper and that the police were prioritising solving these types of crimes.

Members enquired when the redundancies of back room staff were likely to take effect and whether the cost of these had been taken into consideration in the 2011/12 budget. Insp Davies believed that some back room staff would

be made redundant in the near future; however she could not provide information on budget provision as this was not something she had been involved in. She advised that Police Community Support Officer posts were safe for a further two years as their funding had been provided via the Home Office.

Councillor S Hodges asked whether there were any plans to outsource policing duties in the future. Insp Davies advised that she was not aware of any.

337. **PRESENTATION BY THE CHIEF EXECUTIVE OF ONE VOICE WALES**

Mr Lyn Cadwallader, the Chief Executive of One Voice Wales, had been invited to provide Councillors with an overview of One Voice Wales and his plans for the future of the organisation. He outlined issues that he considered needed to be dealt with now and in the future and stated that he was passionate about Community and Town Councils and hoped to find a way in which Barry Town Council could be encouraged to join the organisation.

Following the presentation the one question that the Leader felt all Councillors wanted answered concerned the cost of subscriptions. Councillor Egan stated that he was deeply concerned about the subscription fees that would be levied on Barry Town Council, as one of the largest Town Council's in Wales. He believed that the current fee structure was unfair and that this should be equitable and as the same services were being offered to all Community & Town Council's the fees should reflect this. He advised that the fees were the major obstruction preventing Barry Town Council from joining the organisation. Mr Cadwallader advised that although he could not make any promises that the fees would be reduced for larger Councils, he understood that it was an issue and that he had started to look at the matter of fees with a view to improving the current structure.

During his presentation, Mr Cadwallader mentioned future plans for devolved services, Councillors advised him that this Council was experiencing problems with the Vale of Glamorgan Council with regard devolution of services and asked if the Council was a member of One Voice Wales how the organisation would be able to assist with this. Mr Cadwallader advised that he was working with the author of guidance produced on behalf of the National Association of Local Councils for dealing with requests from unitary authorities regarding the delegation of services to local Councils.

The Mayor thanked Mr Cadwallader for attending the meeting.

338. **COMMUNICATIONS FROM THE MAYOR**

The Mayor reminded Councillors that his Charity Ball would be held on 8 April 2011 and he asked that all Councillors take posters and flyers to help advertise and promote the event.

339. **QUESTIONS FROM COUNCILLORS**

None

340. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

None

341. **MINUTES OF THE AMENITIES COMMITTEE MEETINGS HELD ON 29 NOVEMBER 2010 AND 31 JANUARY 2011**

Councillor Stenstrom, in his role as Chair of the Finance, Policy & General Purposes Committee, advised that minute no. A164(3) was misleading. He stated that there was only one sum of £3,000 in the Council's budget for the biodiversity project and this would be released once the Vale of Glamorgan Council's grant had been received.

It was proposed by Councillor Brooks, seconded by Councillor Lewis and:-

**RESOLVED:**

1. that the above budgetary information be reported back to the next meeting of the Amenities Committee;
2. that the minutes of the Committee's meetings be received and noted.

342. **MINUTES OF THE APPOINTMENTS COMMITTEE'S MEETINGS HELD ON 8 JULY, 10 AUGUST AND 19 AUGUST 2010**

Councillor S Hodges enquired as to why the minutes of the Appointments Committee's meetings, which had been held in July and August 2010, were only now being submitted for approval at Full Council in February 2011. The Executive Officer advised that it had been an oversight on his part. Councillor Hodges asked that this not be allowed to happen in future. Councillor Egan advised that the action sheets attached to Committee minutes should ensure no future repeat of this.

It was proposed by Councillor Egan, seconded by Councillor Davey and:-

**RESOLVED:** that the minutes of the Committee's meetings be received and noted.

343. **MINUTES OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE'S MEETING HELD ON 17 JANUARY**

Councillor Stenstrom proposed the draft budget as recommended in minute no. F285 concerning the Council's draft budget for 2011/12 and the precept to be levied on the Vale of Glamorgan Council. He advised that the overall increase on the precept was 1.99% which equated to an increase of 1.44% over this years budget, or 66 pence for a Band D Council tax payer.

He advised Members that since the budget had been submitted to and agreed by the Finance, Policy & General Purposes Committee it had been necessary to consider the replacement of the excavator in the cemetery, however it was not the intention to alter the agreed budget provision.

Councillor Stenstrom also advised that certain virements had been approved leaving five projected overspends which would require approval by the special meeting of the Finance, Policy & General Purposes Committee on 21 March.

The Leader advised that the excavator currently in use at the cemetery had yet again broken down and that it was becoming a regular occurrence which had cost the Council a considerable amount of money over the past few years. He added that he had requested the Executive Officer to carry out a root cause analysis into the reasons for the latest breakdown. Once this had been received a system would be put in place to avoid future problems.

Councillor Egan proposed, seconded by Councillor Stenstrom, that funds for the purchase of a new excavator be taken from the Council's reserves on the proviso that they be replaced as soon as possible. Councillor Brooks, Chair of the Amenities Committee, supported the proposal and stated that she had every confidence in the Deputy Executive Officer with regard identifying savings to help restore these funds to the reserves.

**RESOLVED:**

1. that the Council's Case CK 36 excavator be repaired and traded in against the purchase of a new excavator;
2. that following the repair of the CK 36 this Council no longer use the company that they have been using for servicing and repairing the Council's vehicles;
3. that a new JCB 8030ZTS excavator be purchased from Holt JCB at a cost of £23,850.00 minus an anticipated trade in value of approximately £3,000, utilising funding contained in the Council's reserves, subject to the proviso that savings be identified to enable this sum to be returned to the reserves as soon as possible;
4. that the minutes of the Finance, Policy & General Purposes Committee's meeting be received and that a precept of £891,651 be levied on the Vale of Glamorgan Council for the 2011/12 financial year, equating to £47.92 per Band "D" Council Tax Payer, an increase of 1.40% (66 pence) when compared with the £47.26 paid in 2010/11 and that the contents of the draft budget for 2011/12 be approved.

344. **MINUTES OF THE PLANNING COMMITTEE'S MEETINGS HELD ON 7 DECEMBER 2010, 11 JANUARY AND 8 FEBRUARY 2011**

Councillor Hodges pointed out that minute no. PL 595 should have stated that she and Councillor Hamilton were Governors on the Ysgol Sant Baruc Governing Body, not that of Bro Morgannwg.

It was proposed by Councillor Egan, seconded by Councillor Payne and:-

**RESOLVED:** that the minutes of the Committee's meetings be received and noted.

345. **MINUTES OF THE RESOURCES COMMITTEE'S MEETINGS HELD ON 6 DECEMBER 2010 AND 24 JANUARY 2011**

The Council gave consideration to the recommendation set out in minute no. R157. Councillor S Hodges enquired whether substitutes for the working group proposed in minute no. R157(4) would be permitted. Councillor Hamilton, Chair of the Resources Committee, stated that he had no objections to substitutes attending the working group meetings in place of those Councillors appointed to serve.

It was proposed by Councillor Hamilton, seconded by Councillor J Evans and:-

**RESOLVED:** that the minutes of the Committee's meetings be received and noted and that the recommendations contained in minute no. 157 be approved.

346. **MINUTES OF THE URGENCY COMMITTEE'S MEETINGS HELD ON 25 NOVEMBER AND 16 DECEMBER 2010**

It was proposed by Councillor Stenstrom, seconded by Councillor Hamilton and:-

**RESOLVED:** that the minutes of the Urgency Committee's Meeting held on 25 November 2010 be received and noted.

It was proposed by Councillor J Evans, seconded by Councillor Hamilton and:-

**RESOLVED:** that the minutes of the Committee's meeting held on 16 December 2010 be received and noted.

347. **REPORTS FROM REPRESENTATIVES SERVING ON OUTSIDE BODIES**

The Executive Officer reminded Councillors that the lever-arch file containing the agendas and minutes of various outside bodies had been brought to the Council's meeting, as instructed.

**RESOLVED:** that it be noted that the outside bodies and school governing body papers reports and agendas were available in the Executive Officers officer for Councillors to view.

348. **MOTION SUBMITTED BY COUNCILLORS EGAN AND STENSTROM**

Councillor Egan informed the Council that as a response had been received from the Memorial Hall & Theatre Trust in relation to the issues raised in the motion, he wished to withdraw the motion.

**RESOLVED:** that the motion be withdrawn from the agenda.

349. **SCHEDULE OF PAYMENTS FOR FEBRUARY 2011**

**RESOLVED:**

1. that the information set out in the report relating to salary payments for November 2010 to January 2011 inclusive, which had been certified and authorised by the appropriate officers in accordance with the requirements of Standing Order 93, be received and noted;
2. that the schedule of payments for February 2011 comprising various direct debits and cheques numbered 106408 to 106449 inclusive, in the total sum of £21,734.60 be authorised for payment.

350. **NOMINATION OF MAYOR ELECT 2011/12**

It was moved by Councillor Egan and seconded by Councillor Stenstrom that Councillor Brooks be nominated as Mayor Elect for the 2011/12 municipal year.

It was also moved by Councillor S Hodges and seconded by Councillor Shaw that Councillor N Hodges be nominated as Mayor Elect for the 2011/12 municipal year.

A vote was taken, the outcome of which was:-

For Councillor Brooks – 13  
For Councillor N Hodges – 7

**RESOLVED:** that Councillor Bronwen Brooks be nominated as Mayor Elect for the 2011/12 municipal year.

351. **NOMINATION OF DEPUTY MAYOR ELECT 2011/12**

It was moved by Councillor Egan and seconded by Councillor Stenstrom that Councillor Payne be nominated as Deputy Mayor Elect for the 2011/12 municipal year.

It was also moved by Councillor S Hodges and seconded by Councillor Shaw that Councillor N Hodges be nominated as Deputy Mayor Elect for the 2011/12 municipal year.

A vote was taken, the outcome of which was:-

For Councillor N Hodges - 7

For Councillor Payne - 13

**RESOLVED:** that Councillor Maggie Payne be nominated as Deputy Mayor Elect for the 2011/12 municipal year.

## 352. **EXECUTIVE OFFICERS REPORT**

### 1. **Green Dragon Project**

The Executive Officer invited the Leader to make a statement with regard to his detailed report on the Green Dragon Scheme. Councillor Egan agreed that the Executive Officer's report was very detailed and he felt that it should be examined in depth by the Resources Committee first.

**RESOLVED:** that this item be referred back to the Resources Committee for further consideration.

### 2. **Result of Dyfan Ward By-Election**

The Leader officially welcomed Councillor Claire Curtis to the Council and advised members that as she was a Labour Councillor the composition of the Council's Committees would alter as follows:-

Standing Committees – 7 Labour  
3 Plaid Cymru  
2 Conservative  
(plus the Mayor an ex-officio member)

**RESOLVED:**

1. that the Conservative Group would lose one seat and the Labour Group would gain one on the Finance, Policy & General Purposes Committee, Planning and Resources Committees
2. that the committee numbers of the Council's Standing Committee's as per Standing Order 84 would be:-  
7 Labour  
3 Plaid Cymru  
2 Conservative  
Plus the Mayor as an ex-officio member

3. that the Labour Group Leader inform the Executive Officer concerning which members of his Group would be filling the additional seats referred to above;
4. that the Conservative Group Leader inform the Executive Officer concerning which member of his Group he would be removing from membership of the Planning and Finance, Policy & General Purposes Committees respectively.

353. **Draft Schedule of Council Meetings**

**RESOLVED:**

1. that the draft schedule of meetings be reviewed with comments from any Councillors being taken into consideration;
2. that an amended draft schedule of meetings be sent to all Councillors for the consideration and comments prior to final agreement.

354. **Request to Transfer Lower Gladstone Gardens to Barry Town Council**

Members had been requested to comment on a response from the Vale of Glamorgan Council rejecting this Council's request to have responsibility for the Gardens transferred to them. Councillor N Hodges expressed his disappointment at the contents of the letter, in particular paragraph 3 where it stated:- "Also your plans take no account of the proposed development of the former Cinema site and more importantly the "Barry Town Centre Study" undertaken by Powell Dobson Urbanists completed in June 2010." He was confused by the Vale of Glamorgan Council's comments regarding this Council having used the services of an independent architect when the rules clearly stated that it was not permissible for the Town Council to approach the Unitary Authority for assistance in such matters.

Furthermore he was disappointed that the request had not been considered by the Vale of Glamorgan Council's Cabinet, but had got no further than consideration by Officers and one Cabinet Member.

Councillor Egan echoed the comments of Councillor Hodges and following further discussion it was **RESOLVED:**

1. that the devolution of responsibility for Lower Gladstone Park be referred to the Review Working Party for further consideration;
2. that Miles Punter, Head of Visible Services, Rob Quick, Director of Economic & Environmental Regeneration and Councillor G A Cox, Cabinet Member for Visible and Building Services, be invited to address the Working Party on what is required from this Council when making applications for devolved services.

355. **DATE OF NEXT MEETING**

**RESOLVED:** that it be noted that the Annual meeting of the Town Council will be held on Monday, 9 May 2011 at 7.00 pm.

356. **EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** that in accordance with section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it was advisable in the public interest that the press and public be excluded from the remainder of the meeting.

357. **CONFIDENTIAL REPORT ON THE RECORDING OF COUNCIL MEETINGS – REVISED QUOTATIONS**

Councillor Egan felt that the report provided did not contain sufficient information for a decision to be made and requested that a further, more detailed report be submitted to the next meeting of Full Council.

**RESOLVED:** that a further more detailed report be re-submitted to the next meeting of Full Council.

The meeting ended at 8.50 pm.

Signed .....  
(Town Mayor)

Date .....