

BARRY TOWN COUNCIL

MINUTES OF A MEETING OF FULL COUNCIL HELD ON MONDAY, 9 NOVEMBER 2009 COMMENCING AT 7.00PM

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

ALSO PRESENT:- Derek Wolfe – Executive Officer
Cliff Lewis – Deputy Executive Officer
Mark Sims – Responsible Financial Officer
Sgt Matthew Rowlands – South Wales Police
Angie Norman –Administration

214. **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor K Lewis.

215. **DECLARATIONS OF INTEREST**

Councillors P Drake and K Kuhnell declared personal interests in relation to all agenda items regarding the Memorial Hall & Theatre Trust by virtue of being Trustees. In addition, Councillor Drake declared a personal interest in relation to all agenda items relating to the GMB Union.

216. **MINUTES OF THE COUNCIL'S MEETINGS HELD ON 20 JULY AND 7 SEPTEMBER 2009**

RESOLVED:

1. that the minutes of the Council's meetings held on 20 July and 7 September 2009 be approved and signed as a correct record subject to the following amendments being made:-

Minute No. 205 – Schedule of Payments fore July 2009 - that a second resolution be added as follows:-

All Chairs be consulted by officers prior to purchasing items on behalf of the Council.

Minute No. 206 – Standing Orders –that in the last sentence of the second paragraph the words “Further heated discussion ensued” be inserted before the previous sentence starting “Members were advised that the Kinsale Council”.

217. **POLICE REPORTS**

Sgt Matthew Rowlands provided an overview on various wards within Barry, following which Councillors were given the opportunity to ask questions. They were advised that the “capture car” mentioned at the previous meeting had not yet been put into operation due to problems with insurance, but it was hoped that this would soon be rectified.

Councillors raised concerns over access to Marine Drive on 5 November, Bonfire Night, advising that they had received complaints from residents regarding the road closure in place as a result of the annual fireworks display. Concerns were raised regarding the drug dealers in Barry and the trouble that appears to be growing. Sgt Rowlands advised that there were many things being done to combat drug crime within Barry but that it was not possible to make the Council aware of these due to confidentiality.

218. **COMMUNICATIONS FROM THE MAYOR**

The Mayor advised that:-

1. the President of Barry Rotary Club had expressed his gratitude to the Council for their continued annual financial support of the fireworks display. He advised he had stated that without such donations the fireworks display could not continue;
2. he had received a letter from Colin Jones, Deputy Lord Lt of South Glamorgan. In the letter he had expressed his thanks and congratulations to the staff, officers and Councillors on a successful Remembrance Day Service, also stating that he had been impressed with the organisation of the event and the number of members of the public present;
3. his understanding of the role of “Town Mayor” was non-political and that it was his role to raise funds for his chosen charities. He provided Members with a copy of planned future events and asked for their support;
4. he was aware that some Councillors were unhappy with the organisation of the Remembrance Day Service and advised those Councillors to put their complaints in writing to him, whereby he would deal with them accordingly.

219. **QUESTIONS FROM COUNCILLORS**

The following question was received from Councillor Stenstrom:-

“I welcome your comments on certain events that took place at a recent meeting of the Vale of Glamorgan Council’s Community Liaison Committee. The Committee, comprising 13 Vale Councillors plus representatives of all 26 Town and Community Councils in the Vale, discussed the subject of third

party speaking rights at Local Authority Planning Committee meetings, amongst other subjects. At the conclusion of debate, representatives of local Councils present sought a vote on the matter of third party speaking rights, only to be told by the Chairperson of the Community Liaison Committee that community representatives didn't have voting rights. This is despite the fact that in the past, particularly in relation to the proposed Charter between the Vale Council and Community & Town Councils in its area, Vale of Glamorgan Councillors have welcomed a show of hands by community representatives, in order to see whether a consensus of opinion existed one way or another, especially if the Vale Council anticipated a favourable outcome.

In view of what happened at the CLC's most recent meeting, doesn't it seem as though the Vale Council's commitment to consultation, set out in detail in the Charter document itself is rather one-sided?"

The Leader of Council advised that a report had been provided with regard to this matter in conjunction with agenda item 13. He suggested that an answer to this question be deferred until then.

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

None were received.

221. **MINUTES OF THE AMENITIES COMMITTEE'S MEETING HELD ON 14 SEPTEMBER 2009**

It was proposed by Councillor Brooks, seconded by Councillor J Evans and

RESOLVED: that the minutes of the Committee's meeting held on 14 September be received and noted.

222. **MINUTES OF THE APPOINTMENTS COMMITTEE'S MEETINGS HELD ON 4 AUGUST, 13 OCTOBER AND 3 NOVEMBER 2009**

It was proposed by Councillor Hampton and seconded by Councillor Hodges and

RESOLVED: that the minutes of the Committee's meetings held on 4 August and 13 October be received and noted.

However, Councillor Hampton stated that he was uncomfortable with decisions made at the Committee's meeting of 3 November not to appoint GE. He believed that the delegated powers given to the Committee previously had expired on 30 September 2009. He proposed and Councillor S A Hodges seconded, that both applicants CJ and GE be appointed to serve as Trustees on the Memorial Hall & Theatre Management Trust. He also asked for a recorded vote on this proposal.

The Leader felt that it was inappropriate that Council should attempt to overturn a decision made by a Committee which had been given delegated

powers. He proposed the following amendment, which was seconded by Councillor Stenstrom:-

“That Councillors accept the minutes of 3 November and the decision to appoint CJ to the post of Trustee of the Memorial Hall & Theatre Trust and that the remaining post be re-advertised as set out in the minutes of the Committee’s meeting.”

Councillor Kuhnell left the meeting during the discussions by virtue of being a Trustee of the Memorial Hall & Theatre Trust.

Voting on the amendment was recorded as follows:

For (9)

Councillor Brooks
Councillor Cash
Councillor Davey
Councillor Egan
Councillor J Evans
Councillor K Evans
Councillor Hamilton
Councillor Payne
Councillor Stenstrom

Against (10)

Councillor Charles
Councillor Hampton
Councillor N Hodges
Councillor S Hodges
Councillor Kemp
Councillor Shaw
Councillor Turner
Councillor Wiliam
Councillor Williams
Councillor Wright

The amendment was declared LOST

A vote was then taken on the original proposal, voting on which was recorded as follows:

For (10)

Councillor Charles
Councillor Hampton
Councillor N Hodges
Councillor S Hodges
Councillor Kemp
Councillor Shaw
Councillor Turner
Councillor Wiliam
Councillor Williams
Councillor Wright

Against (9)

Councillor Brooks
Councillor Cash
Councillor Davey
Councillor Egan
Councillor J Evans
Councillor K Evans
Councillor Hamilton
Councillor Payne
Councillor Stenstrom

The proposal was declared CARRIED

RESOLVED:

That GE and CJ be appointed to serve as Trustees on the Memorial Hall & Theatre Trust with immediate effect, to serve until 31 August 2013 inclusive.

223. **MINUTES OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE'S MEETING HELD ON 12 OCTOBER 2009**

RESOLVED: that the minutes of the Committee's meeting be received and noted, subject to the contents of minute no's F199 and F201 being referred back to the Committee for reconsideration.

224. **MINUTES OF THE PLANNING COMMITTEE'S MEETINGS HELD ON 11 AUGUST, 8 SEPTEMBER AND 6 OCTOBER 2009**

It was proposed by Councillor Payne, seconded by Councillor S Hodges and

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

225. **MINUTES OF THE RESOURCES COMMITTEE'S MEETING HELD ON 28 SEPTEMBER 2009**

It was proposed by Councillor Egan, seconded by Councillor J Evans and

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

226. **REPORTS OF REPRESENTATIVES ON OUTSIDE BODIES**

Community Liaison Committee meeting held on 21 October 2009

Further to Councillor Stenstrom's question under "Question from Councillors" Members considered a report on events that had reportedly taken place at the Community Liaison Committee's most recent meeting.

The Leader of Council shared Councillor Stenstrom's concerns and proposed that the Council take drastic actions regarding this matter as follows:-

1. That the Town Council withdraw from the Charter between the Vale of Glamorgan Council and Town and Community Councils.
2. That the Council inform all other Town & Community Councils in the Vale of Glamorgan of its decision to withdraw from the Charter.
3. That a letter be sent to Brian Gibbon AM Minister of Education in the Welsh Assembly Government, advising him of the Town Council's decision to withdraw from the Charter.

Councillor N Hodges seconded this motion.

Following further discussion Councillor Hampton proposed an amendment to the proposal as follows:-

“That Barry Town Council seeks alternative ways of dealing with this issue by negotiation, as withdrawing from the Charter would undermine our positive approach to working with the Vale of Glamorgan Council which reflects our vision for the future.”

The amendment was voted upon, but was defeated by 16 votes to 5.

RESOLVED:

1. that the Town Council withdraw from the Charter between the Vale of Glamorgan Council and Town and Community Councils;
2. that the Council inform all other Town & Community Councils in the Vale of Glamorgan of it's decision to withdraw from the Charter;
3. that a letter be sent to Brian Gibbon AM, Minister of Education n the Welsh Assembly Government advising him of the Town Council's decision to withdraw from the Charter.

227. **CHANGES TO MEMBERSHIP OF TOWN COUNCIL COMMITTEES**

RESOLVED:

That this item be removed from future agendas and that those political groups who had yet to fill vacancies on Council Committees, Sub-Committees and Advisory Groups be asked to provide the names of Members of their Groups to the Executive Officer for inclusion within the membership of the relevant body.

228. **MINOR AUTHORITY GOVERNOR VACANCIES**

RESOLVED:

That the following be appointed as Minor Authority Governors on behalf of Barry Town Council:-

- | | | | |
|----|----------------------------|---|----------------------|
| 1. | Gladstone Primary School | - | Mr John Trew |
| 2. | Holton Road Primary School | - | Councillor K Kuhnell |
| 3. | Romilly Primary School | - | Mr Les Sword |

229. **SUSPENSION OF STANDING ORDER 109**

At 9.00pm Councillor Stenstrom proposed that Standing Order 109 be suspended until 9.20pm.

RESOLVED:

That Standing Order 109 be suspended to allow the Council to attempt to complete it's business within the next twenty minutes.

230. **BUDGET MONITORING REPORT 1 APRIL TO 30 SEPTEMBER 2009**

RESOLVED:

That the budget monitoring report for the period 1 April to 30 September 2009 be received and noted.

231. **SCHEDULE OF PAYMENTS**

RESOLVED:

That the Schedule of Payments for November 2009 consisting of direct debits and cheque numbers 105697 to 105737 inclusive, in the amount of £71,406.47 be approved subject to the relevant background information being provided to the cheque signatories.

232. **STANDING ORDER 112**

RESOLVED:

That the recent use of Standing Order 112 in relation to actioning the investment of £100,000 with the Bank of Scotland Corporate plc for a fixed term of 12 months to 31 October 2010 at an interest rate of 3% be noted.

233. **EXECUTIVE OFFICER'S REPORT**

(a) **Barry Youth Council – Request for Financial Assistance**

Members were requested to give consideration to and determine a way forward in respect of a request for financial assistance received from Barry Youth Council. Councillor Egan proposed that as this organisation was originally set up by Barry Town Council they should arrange to meet with organisers of the Youth Council with a view to re-launching the organisation, to review the terms of reference and consider appropriate funding. The Mayor advised that he had recently had a meeting with the Chair of the organisation and requested that copies of minutes be forwarded to him, but he had yet to receive them. Councillor S Hodges supported Councillor Egan's proposal and suggested that the Barry Town Survey would be an excellent platform on which to take this forward.

RESOLVED:

1. That a meeting be arranged for Councillors to meet with organisers of the Barry Youth Council to consider ways in which to re-launch the organisation;
2. that a review of their terms of reference be undertaken.

3. that the Council consider appropriate ways of future funding for the Barry Youth Council.

(b) **Report Of Working Party Re: Draft Welsh Language Scheme**

Members were requested to consider the minutes of a meeting of a Working Party regarding a Draft Welsh Language Scheme.

Councillor Wiliam was concerned that there were some points omitted from the minutes that had been considered valid at the meeting and that other points were incorrect within the draft scheme attached to the Executive Officer's report. It was suggested that a further meeting of the Working Party take place to consider these points and that advice be sought from One Voice Wales with regard to the preparation of Barry's Scheme. Following further discussion it was **RESOLVED:**

1. that a further meeting of the Working Party be arranged;
2. that amendments indicated by Councillor Wiliam be incorporated into the draft scheme considered by the Working Party Re: Draft Welsh Language Scheme so that they may be considered at the next meeting;
3. that an extension to the deadline of 4 December 2009 be sought;
4. that advice and assistance be sought from One Voice Wales with regard to the preparation of the Town Council's draft Welsh Language Scheme.

The meeting closed at 9.20pm.

Signed
(Chairperson)

Date