

MINUTES OF THE MEETING OF THE COUNCIL HELD ON MONDAY, 29 JUNE AT 7 PM

PRESENT: The Mayor (Councillor Wilkinson) together with Councillors Aviet, Bailey, Brooks, Charles, Clarke, Collins, Drake, Hampton, Hawkins, N Hodges, S Hodges, Hooper, Johnson, Lloyd-Selby, Nugent-Finn, Payne, Perkes, Richardson, Rowlands, Wiliam, and Wright.

ALSO PRESENT: Emily Forbes - Chief Officer (Town Clerk)
Mark Sims - Deputy Chief Officer
Robyn Walsh - Community Engagement Officer
Rhian Burns - Administrator

713. **APOLOGIES FOR ABSENCE**

None were received.

714. **TO RECEIVE DECLARATIONS OF INTEREST UNDER THE COUNCIL'S CODE OF CONDUCT NOTING THE LOCAL AUTHORITIES (MODEL CODE OF CONDUCT) (WALES) ORDER 2008 AND THE LOCAL AUTHORITIES (MODEL CODE OF CONDUCT) (WALES) (AMENDMENT) ORDER 2016 ADOPTED BY COUNCIL ON 16 MAY 2017 (PAGE 16 PART 3)**

Councillors Aviet, Bailey, Brooks, Charles, Collins, Drake, Hampton, N Hodges, Johnson, Nugent-Finn, Perkes, Rowlands, Wiliam, Wilkinson and Wright noted that they were Councillors of the Vale of Glamorgan Council also and advised they had received dispensation to speak and vote on matters appertaining to Reshaping Services.

Councillor Johnson noted he had received dispensation to allow him to speak and vote on future matters appertaining to the Pioneer Hall and the Community Hall at Cemetery Approach, by virtue that he is a Vale of Glamorgan Council Trustee for the Alexandra Gardens Community Association.

A minutes silence was held to remember all those who had passed away during the Coronavirus pandemic.

715. **TO APPROVE AND SIGN THE MINUTES OF THE MEETING OF FULL COUNCIL HELD ON 10 FEBRUARY 2020**

Councillor S Hodges queried whether there had been any response to the letters sent out following the meeting of Council on 2 December 2019 (minute number 649). The Chief Officer advised that no responses had been received. Councillor S Hodges requested that these letters be resent.

RESOLVED:

1. That the minutes of the meeting of Full Council held on 10 February 2020 are approved and signed as a correct record, subject to the amendment above.
2. That the following letters are resent -
 - a. That the Mayor of Barry writes on behalf of this Council to the Vale of Glamorgan Council, Welsh Government and Natural Resources Wales and ask for an update on the full EIA process and outstanding planning permission needed for the Barry Biomass incinerator.
 - b. That the Mayor of Barry on behalf of this Council writes to the First Minister and our elected Assembly Members condemning the commissioning of the biomass incinerator in Barry without the full EIA process and planning permission.

716. **TO RECEIVE COMMUNICATIONS FROM THE MAYOR**

The Mayor advised members that the planned event for the VE Day celebrations had had to be cancelled due to the restrictions in place.

She noted that she had issued statements on the following occasions –

- VE Day
- Windrush Day
- Black Lives Matter protest in Barry
- Armed Forces Day

The Mayor noted her hope that events would be able to continue in future but that if it was not safe to do so she would continue to issue statements on social media with the next notable date being the anniversary of the end of the World War II campaign in Burma.

RESOLVED that communications from the Mayor be received and noted.

717. **TO CONSIDER QUESTIONS FROM COUNCILLORS (STANDING ORDER 3 (E) REFERS)**

None were received.

718. **TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC (STANDING ORDER 3 (F) REFERS)**

None were received. Councillor S Hodges queried how the rules around public participation at meetings would work going forward. The

Chief Officer advised that under current Welsh Government Regulations Councillors were allowed to attend Council meetings as it was deemed essential business, however, it was not deemed essential for members of the public to attend. She advised that other Councils had reported various issues with allowing members of the public to attend remotely. The Chief Officer advised that members of the press were able to attend remotely and that the agendas and minutes would be available on the Council website. She also noted that members of the public could submit questions prior to the meeting.

RESOLVED that the information be received and noted.

719. **TO CONSIDER MOTIONS SUBMITTED BY COUNCILLORS**

None were received.

720. **TO NOMINATE MAYOR ELECT AND DEPUTY MAYOR ELECT FOR THE COUNCIL YEAR 2020/21. (NOTING THAT THE NEW REGULATIONS PROVIDE FOR THE COUNCIL TO DETERMINE NOT TO ELECT A NEW MAYOR WITH THE SERVING MAYOR AND DEPUTY MAYOR CONTINUING IN OFFICE UNTIL MAY 2021)**

Councillor Brooks proposed that the serving Mayor and Deputy Mayor should remain in office until May 2021. She noted that the current Mayor had not been able to complete planned fundraising for the year and that it would not be possible for a new Mayor to start their year in the normal manner. Members agreed that this was the best way forward.

A vote was taken on whether the serving Mayor and Deputy Mayor should remain in office until May 2021. The results of the vote were –

**For – 20
Against – 0
Abstained - 2**

RESOLVED that the serving Mayor and Deputy Mayor continue in office until May 2021.

721. **TO RECEIVE AND NOTE THE MINUTES OF THE PLANNING COMMITTEE'S MEETING HELD ON 18 FEBRUARY 2020 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS CONTAINED THEREIN**

RESOLVED that the minutes of the Planning Committee meetings held on 18 February 2020 be received and noted.

722. **TO RECEIVE AND NOTE THE MINUTES OF THE CONSULTATIONS WORKING PARTY MEETING HELD ON 5 MARCH 2020 AND TO**

GIVE CONSIDERATION TO ANY RECOMMENDATIONS CONTAINED THEREIN

RESOLVED that the minutes of the Consultations Working Party's meeting held on 5 March 2020 be received and noted.

723. **TO RECEIVE AND NOTE THE MINUTES OF THE HALLS, CEMETERIES AND COMMUNITY FACILITIES COMMITTEE MEETING HELD ON 2 MARCH 2020 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS CONTAINED THEREIN**

RESOLVED that the minutes of the Halls, Cemeteries and Community Facilities Committee's meeting held on 2 March 2020 be received and noted.

724. **TO RECEIVE AND NOTE THE MINUTES OF THE SUSTAINABLE BARRY WORKING GROUP MEETING HELD ON 2 MARCH 2020 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS CONTAINED THEREIN**

RESOLVED that the minutes of the Sustainable Barry Working Group meeting held on 2 March 2020 be received and noted.

725. **SCHEDULE OF PAYMENTS OF ACCOUNTS FOR MARCH 2020 (FINAL) AND APRIL 2020 TO JUNE 2020**

Members received the schedule of payments for March 2020 (Final) and April 2020 to June 2020 for approval consisting of BACS payments and direct debits in the amount of £65,351.21 and £160,248.62.

RESOLVED:

1. That the information relating to salary payments for February 2020 to June 2020 inclusive, which has been certified and authorised by the appropriate officers in accordance with the requirements of Standing Order 19(c), be received and noted.
2. That the schedule of payments for March 2020 (Final) consisting of BACS payments and direct debits in the amount of £65,351.21 be approved.
3. That the schedule of payments for April 2020 to June 2020 consisting of BACS payments and direct debits in the amount of £160,248.62 be approved.

726. **BUDGET OUT-TURN REPORT 31 MARCH 2020**

Members received a report informing them about the Council's income and expenditure in the 2019/20 financial year as at the end of March 2020.

RESOLVED that the budget monitoring report for March 2020, indicating actual income and expenditure up to the end of month twelve in the 2019/20 financial year be received, noting the net underspend of £107,160 for 2019/20.

727. **DRAFT TOWN COUNCIL ACCOUNTS FOR YEAR ENDING 31 MARCH 2020**

Members received the draft Town Council accounts and the Annual Return for the year ending 31 March 2020 for approval prior to their submission to the external auditors, Grant Thornton.

RESOLVED that the draft financial statements and annual return for the year ending 31 March 2020 be approved prior to their submission to the external auditors, Grant Thornton.

728. **TO ADOPT AN INTERNAL CONTROLS STATEMENT**

Members received the annual review of internal controls.

RESOLVED that the information be received and the annual review of internal controls be adopted.

729. **TO RECEIVE AND ACTION THE INDEPENDENT REMUNERATION PANEL WALES ANNUAL REPORT 2020/21**

Members received the Independent Remuneration Panel for Wales' Annual Report 2020/21 which provides for Payments to Members of Town and Community Councils.

Councillor Brooks requested that the Councillor Allowance opt out forms be emailed to Members.

RESOLVED that:

- 1. Payment of the senior salary payment of £500 for specific responsibilities be agreed for the Leader of Council (Determination 43)**
- 2. Payment in respect of travel costs for attending approved duties be agreed (Determination 45)**

3. Reimbursement of subsistence expenses where an overnight stay has been approved, be agreed (Determination 46)
4. Payment of financial loss compensation for attending approved duties be agreed (Determination 47)
5. Payment to Mayor/Chair of the Council up to a maximum of £1,500 be agreed (Determination 49)
6. Payment to Deputy Mayor/Deputy Chair of the Council up to a maximum of £500 be agreed (Determination 50)
7. That the Councillor Allowance opt-out forms be emailed to all Members.

730. **TO APPROVE BARRY TOWN COUNCIL ANNUAL REPORT 2019-2020**

Members received the draft Barry Town Council Annual Report. Members noted their thanks to staff for the production of the Annual Report.

Members also wished to take the opportunity to thank the staff of Barry Town Council for their work during the emergency period.

RESOLVED that the Annual Report be approved.

731. **TO DISCUSS THE IMPACT OF CORONAVIRUS/COVID-19 ON THE COUNCIL'S FINANCES, SERVICES AND ENGAGEMENT AND CONSIDER THE COUNCIL'S PRIORITIES FOR 2020/21**

Councillor Brooks noted that it was important to consider how priorities had changed and how the Council could look to the future in the wake of the Coronavirus pandemic. She suggested the best way forward would be for a working group to hold initial discussions and bring suggestions back to a meeting of Council on 29 July 2020. Members agreed with this proposal and felt that the Sustainable Barry Working Party would be an appropriate forum for this discussion to take place.

Councillor S Hodges noted that it would be helpful for planning and decision making purposes if there was more information available from Welsh Government on what longer terms restrictions would be in place, particularly in respect of events.

Councillor Lloyd-Selby noted that she felt it made sense to broaden the remit of the Council's priorities and that whilst plans would be dependent on Welsh Government decisions being announced that the broad themes could be discussed and agreed upon. She also noted that local risk and impact of the pandemic should be considered.

Councillor Clarke requested that Members consider the impact on their own wards and input their ideas to the committee.

Councillor Perkes noted that whilst she agreed with the general consensus she wished to query what impact there would be on the Shop Local Barry Advisory Group and their associated budget. Members agreed that whilst wider sustainability would be considered there would be some cross over with the Shop Local Barry Advisory Group's remit and it was agreed that Councillors from this group should attend the Sustainable Barry Working Party's initial meeting to agree a way forward.

Councillor Payne noted that it was important to factor in how the landscape of community engagement had changed since the start of the pandemic in terms of groups and communication chains that had been set up.

RESOLVED:

- 1. That a meeting of the Sustainable Barry Working Party be convened prior to the meeting of Council on 29 July 2020.**
- 2. That Members of the Shop Local Barry Advisory Group (Council Members only) be invited to attend the meeting.**
- 3. That any recommendations be brought to the meeting of Council on 29 July 2020 for further discussion and approval.**

732.

TO CONSIDER NAMING OF THE COMMUNITY BUILDING AT CEMETERY APPROACH FOLLOWING COMMUNITY FEEDBACK

The Chief Officer advised Members that the Cemetery Approach Community Building was now complete and would be handed over to the Council on Friday 3 July 2020. She noted that the public had been asked for suggestions - via social media – for naming the building. She advised that a number of options had been received with the most popular suggestion being that the hall be named in tribute to Bryan Foley who had sadly passed away recently.

Councillor S Hodges noted that there had been a lot of interest from the public surrounding this matter. She proposed further discussion by a working group to narrow down the suggestions to a small number of names and then ask the public to choose their preferred option. She added that she felt it was important that this decision was made in a public forum – particularly as members of the public were not able to attend Council meetings due to the restrictions in place.

Councillor Brooks noted that there was currently a petition in place to have the building named after Gwyneth Payne who was the first black female councillor in Wales.

Councillor Bailey noted that there were equally powerful arguments for the building to be named after many different individuals but that there had been a clear response from the public in favour of naming the building after Bryan Foley. He proposed that a suitable compromise may be found by finding another way to mark the significance of Gwyneth Payne's accomplishments.

Members agreed that it would be a challenge to ensure those voting for naming the building would be Barry residents.

Councillor S Hodges noted that it would be beneficial to have a policy in place to agree on the procedure for naming any assets the Council may have in the future. She noted that it was important to be sensitive to issues that had been made in recent weeks and noted that the naming of the building should not be rushed.

Councillor Bailey advised that he was happy to withdraw his motion in order for the matter to be discussed in more detail at a working party.

Members agreed that this matter should be discussed at a meeting of the Innovation Working Party with their recommendation brought back to a meeting of Council for a final decision on the best way forward.

733. **SUSPENSION OF STANDING ORDER 3(aa)**

RESOLVED that Standing Order 3(aa) be suspended for a period of thirty minutes.

734. **CONTINUATION OF ITEM -
TO CONSIDER NAMING OF THE COMMUNITY BUILDING AT
CEMETERY APPROACH FOLLOWING COMMUNITY FEEDBACK**

The Community Engagement Officer queried whether she should prepare a statement to update the public on the decision taken. Members agreed that a statement noting that the matter had been discussed and that an update would be available in due course should be issued.

RESOLVED that the matter be deferred to a meeting of the Innovation Working Party.

735. **DATE OF NEXT MEETING**

RESOLVED that the next ordinary meeting of Full Council will be held on Wednesday, 29 July 2020 at 7 pm.

736. **EXCLUSION OF THE PRESS & 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 is advisable in the public interest that the press and public are excluded from the remainder of the meeting.

737. **TO REVIEW AND ENDORSE URGENT ACTIONS AND DECISIONS TAKEN WITHIN THE SCHEME OF DELEGATION SINCE MARCH 2020**

Members were advised of the decisions taken since week commencing 16 March 2020 during the Emergency period of the Coronavirus Pandemic.

Members thanked officers for their work during this period.

Members also wished to note their thanks to the Cemetery staff for all their work in maintaining the cemetery operations.

RESOLVED that Council receives and endorses the decisions made during the Emergency Period by the Chief Officer and Group Leaders as per the Scheme of Delegation and Urgent Action process.

738. **TO REVIEW CORRESPONDENCE WITH J.D. WETHERSPOON REGARDING BARRY TOWN COUNCIL'S COAT OF ARMS AND CONSIDER THE COUNCIL'S RESPONSE**

Members were provided with a letter received from Nigel Connor (solicitor acting on behalf of JD Wetherspoon) dated 27 February 2020 which contained the response to the letter sent on behalf of the Council on 13 February 2020.

A detailed discussion took place and Members expressed a range of views regarding the response.

Councillor S Hodges proposed that a response to the letter be sent expressing this Council's disappointment at the offer and made a number of suggestions to be contained within.

A vote was taken on the above proposal. The result of which was that the proposal was **CARRIED** by way of a majority vote.

For	-	15
Against	-	7

Members also agreed that it was essential that the Town Council's Arms be registered as a Trademark in order to protect the Council's position and prevent this situation occurring in the future.

RESOLVED:

1. That the Chief Officer contacts the Council's solicitor to draft a response to JD Wetherspoon's solicitor based on the Council's detailed discussion;
2. That the Chief Officer arranges for the Barry Town Council Arms be registered as a Trademark as a matter of urgency.

739.

TO APPROVE AND GIVE AUTHORITY TO THE CHIEF OFFICER (TOWN CLERK) TO SEAL THE PORKHERRY CEMETERY AGENCY AGREEMENT 2020 - 2023

RESOLVED:

1. That the Porthkerry Cemetery Agency Agreement be approved.
2. That the Chief Officer be given authority to seal the Porthkerry Cemetery Agency Agreement.

The meeting closed at 9.00 pm.

Signed Dated
(Town Mayor)