

From 1 May 2021, the Local Government and Elections (Wales) Act 2021 sets out a statutory requirement that: As soon as reasonably practicable after a meeting of a community council, and in any event before the end of seven working days beginning with the day on which the meeting is held, the council must publish electronically a note setting out—

- (a) the names of the members who attended the meeting, and any apologies for absence;
- (b) any declarations of interest;
- (c) any decision taken at the meeting, including the outcomes of any votes.

Barry Town Council meets this duty by publishing this information in the form of draft meeting minutes which will be displayed electronically within 7 working days after the meeting. It should be noted that these minutes are DRAFT and not agreed until the next meeting.

### **MINUTES OF THE VIRTUAL MEETING OF COUNCIL HELD ON MONDAY 27 SEPTEMBER 2021 AT 7PM**

**PRESENT:** The Mayor (Councillor Wiliam) 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, Wilkinson and Wright

**ALSO PRESENT:**

Mark Sims	-	Deputy Chief Officer
Amanda Evans	-	Facilities and Cemeteries Manager
Robyn Walsh	-	Community Engagement Officer
Rebecca Blackwell	-	Office Team Leader
Maxine Hadley	-	Administrator

967. **APOLOGIES FOR ABSENCE**

None received.

968. **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.

Councillor Rowlands noted he has been granted dispensation to speak only at all meetings of Barry Town Council on matters relating to the Youth Forum and the impact of the Forum on restructuring of the Youth Service and financial arrangements.

Councillor Payne wished to make a declaration in the event of discussions relating to Youth services due to being the Vice Chair of the Youth Forum. Councillor Charles also wished to make the same declaration due to being a link Councillor on Barry Youth Council.

969.

### **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

It was noted that this Act sets out the requirement for a public body to act in a manner which seeks to ensure **that the needs of the present are met without compromising the ability of future generations to meet their own needs.**

In order to act in that manner, a public body must take account of the following things:

- (a) the importance of balancing short term needs with the need to safeguard the ability to meet long term needs, especially where things done to meet short term needs may have detrimental long term effect;
- (b) the need to take an integrated approach, by considering how—
  - (i) the body's well-being objectives may impact upon each of the well-being goals;
  - (ii) the body's well-being objectives impact upon each other or upon other public bodies' objectives, in particular where steps taken by the body may contribute to meeting one objective but may be detrimental to meeting another;
- (c) the importance of involving other persons with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population of the part of Wales in relation to which the body exercises functions;
- (d) how acting in collaboration with any other person (or how different parts of the body acting together) could assist the body to meet its well-being objectives, or assist another body to meet its objectives;
- (e) how deploying resources to prevent problems occurring or getting worse may contribute to meeting the body's well-being objectives, or another body's objectives.

**RESOLVED: That the Well-being of Future Generations (Wales) Act 2015 be noted.**

970.

**TO APPROVE AND SIGN THE MINUTES OF FULL COUNCIL HELD ON MONDAY 19 JULY 2021**

Councillor Lloyd-Selby wished to clarify the points she made in relation to minute no. 958 whereby she requested clarification on the wearing of masks in the Chamber as Councillors were not wearing masks during the meeting and also to clarify whether standing to address Council was necessary during this time and that the risk assessment needed to be clear on these points.

Councillor S Hodges suggested that the standing order which relates to members addressing Council during the meeting be suspended until the restrictions have been lifted or changed.

**RESOLVED:**

- 1. That the minutes of Full Council held on Monday 19 July 2021 are approved and signed as a correct record.**
- 2. That Standing Order 3(j) be suspended until further notice.**

971.

**TO RECEIVE COMMUNICATIONS FROM THE MAYOR**

The Mayor advised members that it had been a busy time attending various events including a pizza and chat with Barry Youth Council, an awareness event held by Metalidades at Whitmore Bay, an event at the Well-Bean Café which he was invited by Councillor Payne, a Demon Drink event held at Craft Republic which was hosted by Councillor N Hodges and an open house event hosted by Councillor Clarke and Janet Clarke at their home at The Court, Mount Pleasant, Cadoxton. The Mayor gave special thanks to Gareth Tyley (Historical Consultant and Archaeologist), Councillors N and S Hodges (security), Stephen Lord (refreshments), Paul Ripoll (French Pastry Chef), Carole Newman (extra security) and Barry Town Council's Cemetery Team who assisted with the gazebo, which also raised money for his charities. He also attended a Battle of Britain event organised by Howard Provis which was very moving, an open water swim hosted by former Councillor Alison Woolcock which promoted mental health and wellbeing, he had meetings with his charities and the Royal British Legion about Remembrance Sunday and attended the Beach Volleyball finals.

He also advised that his Mayor on the Square events have again proved popular meeting real people and thanked the Engagement and Events Team for all their hard work organising the events.

Finally, he thanked all who attended his Civic Service which was held at the Tabernacle Church where his children were able to perform and the service was translated into Welsh. He advised that the reception was held in Art Central where the work of children who took part in 'A

Summer of Fun' and David Miles Board was on display. He thanked all the staff who were involved, the Photographer Kyle who took photos and recorded the event.

Councillor Brooks said it was lovely to hear of all the events but asked if all Councillors could receive invitations to the Mayors fundraising events. The Community Engagement Officer advised that the events the Mayor had attended had been organised by external sources.

**RESOLVED that communications from the Mayor be received and noted.**

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

Councillor Nugent-Finn requested to discuss the flag pole application proposed by Cadoxton Conservation Group. The Mayor advised that this could be discussed under the minutes of the Innovation Working Group at agenda item 15.

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

None were received.

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

None were received.

975. **TO RECEIVE THE NOTES OF AN INFORMAL DISCUSSION OF THE SHOP LOCAL BARRY ADVISORY COMMITTEE HELD ON 2 AUGUST 2021 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN**

Councillor Perkes advised that a decision had to be made in relation to the financial implications of the Shop Local social media which was dealt with under urgent actions.

**RESOLVED: That the notes of the informal discussion of the Shop Local Barry Advisory Committee held on 2 August 2021 be received and noted.**

976. **TO RECEIVE AND NOTE THE MINUTES OF THE PLANNING COMMITTEE HELD ON 20 JULY AND 1 SEPTEMBER 2021 AND TO GIVE ANY CONSIDERATION TO ANY RECOMMENDATIONS THEREIN**

**RESOLVED: That the minutes of the Planning Committee meetings held on 20 July and 1 September 2021 be received and noted.**

977.

**TO RECEIVE AND NOTE THE MINUTES OF THE HALLS, CEMETERIES AND COMMUNITY FACILITIES COMMITTEE HELD ON 6 SEPTEMBER 2021 AND TO GIVE ANY CONSIDERATIONS TO ANY RECOMMENDATIONS THEREIN**

Councillor N Hodges advised that there are two recommendations to be considered and updated members in relation to the remaining burial spaces at Porthkerry Cemetery. Members agreed to the recommendations within the minutes.

**RESOLVED:**

- 1. That the minutes of the Halls, Cemeteries and Community Facilities Committee held on 6 September 2021 be received and noted.**
- 2. That the Facilities and Cemeteries Manager contact the Vale of Glamorgan Council to discuss costings of the non-resident fees for Merthyr Dyfan Cemetery, if Porthkerry Cemetery is no longer available, as it is currently stands at triple the charge for non-residents of Barry**
- 3. That the Facilities and Cemeteries Manager keeps the Vale of Glamorgan Council updated in relation to burials and fees should the Cemetery become full and the need to use Merthyr Dyfan Cemetery, with full backing of committee members.**

978.

**TO RECEIVE AND NOTE THE MINUTES OF THE SUSTAINABLE BARRY WORKING GROUP HELD ON 22 SEPTEMBER 2021 AND TO AND TO GIVE ANY CONSIDERATION TO ANY RECOMMENDATIONS THEREIN. ALSO TO NOTE THAT THE MEETING HELD ON 6 SEPTEMBER 2021 WAS INQUORATE AND DID NOT GO AHEAD**

In relation to the notes of the meeting held on 6 September, Councillor Clarke wished to note that the meeting was not inquorate as Councillors Drake and Payne had tried to attend virtually but there had been technical difficulties.

Councillor Lloyd-Selby had concerns in relation to the minutes of the meeting held on 22 September as they do not reflect the meeting or the discussion that was had.

Councillor Clarke provided members with an update, advising them that there is one recommendation for consideration which is to organise a meeting of the Innovation Working Group and to invite members of the Sustainable Barry Working Group to discuss the Local Places for Nature Collaboration Bid. Councillor Clarke also advised members on the donation of seeds from Fonmon Castle and advised that the Council will advertise on its social media platforms, with the Schools showing interest in having some. Councillor Wilkinson asked

if we need to seek permission from the Vale of Glamorgan Council to donate them to the schools, asked where will the seeds be stored and when will they have to be sown by.

Councillor Clarke advised that storage areas are being explored, ideally they should have been sown now but can be delayed until spring.

It was suggested that any amendments be discussed at the next Sustainable Barry Working Groups meeting.

**RESOLVED: That the minutes of the Sustainable Barry Working Group held in 22 September 2021 be received and noted and to also note the meeting held on the 6 September 2021 did not go ahead due to technical difficulties.**

979.

**TO RECEIVE THE NOTES OF AN INFORMAL MEETING THE COMMUNITY PLAN WORKING GROUP HELD ON 13 SEPTEMBER 2021 AND TO GIVE ANY CONSIDERATION TO ANY RECOMMENDATIONS THEREIN**

Councillor Brooks advised that in order for the Community Plan to be accepted it will require the involvement of the Vale of Glamorgan Council and it had been suggested to contact key officers to invite them to the next meeting of the Community Plan Working Group with the possibility of altering the date to accommodate.

Councillor S Hodges agreed with Councillor Brooks stating that it is important to have a good plan in place as it will be the next administration taking it forward.

Councillor Brooks advised that currently the membership is the three group leaders with the opportunity to nominate a substitute if they are unable to attend but advised that if substitutes are made, they should be consistent to enable the work to progress.

**RESOLVED:**

- 1. That the notes an informal meeting of the Community Plan Working Group held on 13 September 2021 be received and noted.**
- 2. That the Community Engagement Officer invites representatives from the Vale of Glamorgan Council such as Tom Bowering, Marcus Goldsworthy and Phil Chappel noting that members are flexible in meeting dates.**
- 3. That if any one Group Leader was not able to attend the meetings of the Community Plan Working Group on a regular**

basis that they should nominate a substitute early so that continuity can be established.

4. That the draft terms of reference be received and noted, noting that these may require amending once partner organisations had been established.

980.

**TO RECEIVE AND NOTE THE MINUTES OF THE PERSONNEL COMMITTEE HELD ON 13 SEPTEMBER 2021 AND TO GIVE ANY CONSIDERATION TO ANY RECOMMENDATIONS THEREIN**

**RESOLVED:**

1. That the minutes of the Personnel Committee held on 13 September 2021 be received and noted.
2. That an additional amount of £8,000 be added to the Sustainable Barry Initiative from the General Reserve to fund the role of the Sustainable Barry project Officer to be extended to 31 March 2022.

981.

**TO RECEIVE AND NOTE THE MINUTES OF THE INNOVATION WORKING PARTY HELD ON 14 SEPTEMBER 2021 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN**

Councillor Brooks updated members in relation to the proposed funding for defibrillator at the Cemetery Approach Community Centre advising that discussions were had on placing it externally for ease of access and that one was suggested to be installed at the Pioneer Hall. The Community Engagement Officer was asked to find out if both could be funded. The Community Engagement Officer advised members that Cymru Hearts would be happy to provide funding for both defibrillators and the cost for them would be £2,700, also providing members with the additional costs of the replacement of batteries and pads.

Councillor Brooks also updated members in relation to the Annual Santa Fun Run where discussions were had about holding the event this year noting that the doggie dash would not take place.

Councillor Brooks updated members in relation to the green flag application on Brock Street and advised that members felt that it would not be suitable for the council to progress with and it may set a precedent.

Councillor Nugent-Finn advised that she fully supported the application from Cadoxton Conservation Group in order for them to display their Green Flag and she couldn't understand what precedent it would be setting, explaining that the advice was given to the Cadoxton Conservation Group by the Vale of Glamorgan Council.

Councillor Charles advised members that the Cadoxton Conservation Group received a grant from the Town Council in order for them to purchase a flag pole and pay towards installation costs. Councillor Charles added that it would be a good for Barry Town Council to approve the suggestion and couldn't understand what precedent it would set.

Councillor S Hodges had concerns in relation to the Town Council making the application on behalf of the Cadoxton Conservation Group and advised that if the Vale of Glamorgan adjusted their fees for community groups it would make the process more accessible for them, as there are many of Community Groups who have to make amendments to their halls without additional support in terms of Planning Applications. Councillor S Hodges wished to note that the work that the Cadoxton Community Group are doing is fantastic.

Councillor Lloyd-Selby agreed with Councillor S Hodges adding that it would be unfair on the Town Council to agree to the suggestion of submitting the application on behalf of Cadoxton Conservation Group and that the Vale of Glamorgan Council should do more for Community Groups in terms of fees for Planning Applications.

Councillor Bailey wished to echo the concerns raised by Councillors Nugent-Finn and Charles.

Councillor S Hodges suggested that the Town Council writes to the Community Liaison Committee asking if charges for planning applications for Community Groups could be explored with a view of reducing them.

Members voted on the recommendation that Barry Town Council does not submit the planning application to erect a flagpole at Brock Street on behalf of Cadoxton Conservation Group, the result was 16 for 6 against.

Members then voted for the Town Council to write to the Community Liaison Committee requesting that the fees charged for Community Groups in relation to Planning Applications be reviewed and the result was unanimous.

**RESOLVED:**

- 1. That the minutes of the Innovation Working Party held on 14 September 2021 be received and noted.**
- 2. That a defibrillator be installed externally at both Pioneer Hall and Cemetery Approach Community Centre at a cost of approximately £3,000 and that Officers explore a grant towards the cost of this, noting that it is recommended that budgetary**



provision for this project is sourced from either the Corporate Events Budget or General Reserves.

3. That the Annual Santa Fun Run does go ahead for Christmas 2021, subject to the above restrictions/recommendations as outlined by the Vale of Glamorgan Council are adhered to.
4. That Barry Town Council does not submit the planning application to erect flagpole at Brook Street on behalf of Cadoxton Conservation Group for the reasons outlined above.
5. That the Deputy Chief Officer writes to the Community Liaison Committee requesting a review in fees for planning Applications for Community Groups.
6. That the Officer explores the Mind Our Future fund further and is authorised to express the Town Council's interest in this grant opportunity, no later than 30 September 2021.
7. That the Officer contracts the Vale of Glamorgan Council to enquire if they are aware of the funding and if so, whether the Town Council could partner with them to provide a voice for young people in Barry

982.

**FAIRTRADE ADVISORY COMMITTEE RESCHEDULE OF MEETING**

Members were provided with a report outlining alternative dates for the Fairtrade Advisory Committee.

**RESOLVED:** That the Fairtrade Advisory Committee shall be rescheduled to take place on Monday 1 November 2021 at 6pm.

983.

**TO APPROVE THE SCHEDULE OF PAYMENTS FOR SEPTEMBER 2021 (FINAL)**

Members were provided with the schedule of payments for September 2021 (Final) for approval consisting of BACS payments and direct debits, in the amount of £20,732.67.

**RESOLVED:**

1. That the information set out within the Schedule of Payments relating to salary payments for August and September 2021 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 September 2021 (Final) consisting of BACS payments and direct debits, in the amount

of £20,732.67 be approved, subject to the relevant papers being in order.

984. **TO RECEIVE AND NOTE THE BUDGET MONITORING REPORT TO 31 AUGUST 2021**

Members were provided with a report informing them about the Council's income and expenditure in the 2021/22 financial year as at the end of August 2021

**RESOLVED: That Members receive the budget monitoring report for August 2021, indicating the actual income and expenditure up to the end of month five in the 2021/22 financial year, noting the projected underspend of £1,349 for 2021/22 that will result in a net amount of £56,651 being transferred from reserves.**

985. **TO REVIEW AND APPROVE NEW POLICY RECOMMENDATIONS FROM OTHER COMMITTEES**

a) Draft Hybrid Meetings Protocol suggested

Members were provided with a draft Hybrid Meeting Protocol for review and adoption as Recommended from the Personnel Committee at their meeting held on 12 July 2021 which was presented to the Council's previous meeting on 19 July 2021 where it was **RESOLVED That the Draft Hybrid Meetings Protocol be noted with the Chief Officer reviewing point 7(b) 'Mask wearing in public places and at meetings' and bring back to the next meeting of Council in September for approval.**

Councillor Lloyd-Selby reiterated her concerns shared in the minutes whereby she wished to clarify the points she raised in relation to minute no. 958 of the Full Council minutes where she requested clarification on the wearing of masks in the Chamber as Councillors were not wearing masks during the meeting and also to clarify whether standing to address Council was necessary during this time and that the risk assessment needed to be clear on these points.

Councillor S Hodges suggested that under item 12 of the protocol, there should be an addition where Officers can aid Chairs by advising when someone on Zoom is waiting to speak.

**RESOLVED: That the Draft Hybrid Meetings approved and adopted, subject to the amendments discussed above.**

986. **DATE OF NEXT MEETING**

The Community Engagement Officer advised that Barry Youth Council will be in attendance at the next meeting.

**RESOLVED that the next meeting of Council is scheduled to be held on Monday 13 December 2021 at 7pm**

987. **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.**

988. **URGENT ACTIONS**

Members were provided with a report advising them of the Urgent Actions that have been undertaken by the Chief Officer (Town Clerk) in conjunction with the Group Leaders, since the last meeting of Council held on 19 July 2021.

**RESOLVED: That the Urgent Actions contained within the report be received and noted.**

989. **VARIATION TO CEMETERY STAFF CONTRACTS UPDATE**

Members were provided with an update in relation to the proposed variation to Cemetery Staff contracts.

A lengthy discussion was had and members felt that it was necessary to have an Extraordinary Meeting of the Personnel Committee in order to discuss the finer details of the situation.

**RESOLVED: That an Extraordinary meeting of the Personnel Committee is scheduled to discuss this one item only.**

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

**RESOLVED: That Standing Order 3(aa) be suspended for a period of 30 minutes.**

991. **MEMORIAL HALL AND THEATRE (MHT) GRANT FUNDING AGREEMENT**

Members were provided with an update report in relation to the Memorial Hall and Theatre (MHT) Grant Funding Agreement.

A full and detailed discussion was had. A confidential note of the meeting is on record with the Chief Officer.

**RESOLVED:**

- 1. Mediation is agreed with the three group leaders and the Chief Officer attending with the Leader of Council being the Lead Negotiator with limitation on authority to settle the dispute**
- 2. Any proposed settlement agreement be presented to a future meeting of Council for approval**
- 3. The cost of mediation to be shared equally between both parties**

The meeting closed at 8.45pm

Signed ..... Dated .....  
(Town Mayor)