

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 ADJOURNED ANNUAL MEETING OF THE COUNCIL HELD ON TUESDAY, 16 MAY 2023 AT 6 PM

PRESENT: The Mayor (Councillor Johnson) together with Councillors Aviet, Ball, Collins (arrived 6.04 pm), Davies-Powell (arrived 6.20 pm), Dancey, Drake, E Goodjohn, E S Goodjohn, N Hodges, S Hodges, Iannucci, McKinney, Payne, Perkes, Thomas, Wiliam (arrived 6.03 pm) and Wilkinson.

ALSO PRESENT: Emily Forbes - Chief Officer
Mark Sims - Deputy Chief Officer
Rebecca Blackwell - Office Team Leader
Kathryn Thomas - Administrator

170. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Charles, Marshall and Wilkinson.

171. **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)**

TO NOTE: Councillors Aviet, Brooks, Charles, Collins, Drake, E Goodjohn, E J Goodjohn, Hennessy, Iannucci, Johnson, Payne, Perkes and Wilkinson have received dispensation from the Vale of Glamorgan Council to speak and vote on any item on this agenda relating to Reshaping of Services

Councillor Johnson has been granted Dispensation to allow them to speak and vote on future matters appertaining to community centres, sports facilities and matters relating to arts and events within the Vale of Glamorgan.

Councillor Wilkinson has been granted Dispensation to allow them to speak and vote on future matters relating to the Local Development Plan.

172. **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**
- RESOLVED:** That the Well-being for Future Generations (Wales) Act 2015 be received and noted.
173. **TO APPROVE AND SIGN THE MINUTES OF EXTRAORDINARY FULL COUNCIL HELD ON 17 APRIL 2023 AS A CORRECT RECORD**
- RESOLVED:** That the minutes of a meeting of Extraordinary Full Council held on 17 April 2023 are approved and signed as a correct record.
174. **TO CONSIDER QUESTIONS FROM COUNCILLORS (STANDING ORDER 3 (E) REFERS)**
- None were received.
175. **TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC (STANDING ORDER 3 (F) REFERS)**
- None were received
178. **TO CONSIDER MOTIONS SUBMITTED BY COUNCILLORS**
- None were received.
179. **TO RECEIVE AND NOTE THE MINUTES OF THE PLANNING COMMITTEE'S MEETING HELD ON 4 & 25 APRIL 2023 AND TO CONSIDER ANY RECOMMENDATIONS CONTAINED THEREIN**
- Councillor S Hodges wished to add for accuracy that on the minutes of 25 April 2023, Councillor Payne was present as Town Mayor Ex-Officio.
- RESOLVED:** That the minutes of the Planning Committee's meetings held on 4 & 25 April 2023 be received and noted.
180. **TO RECEIVE AND NOTE THE MINUTES OF FINANCE, POLICY AND GENERAL PURPOSES COMMITTEE HELD ON 3 APRIL 2023 AND TO CONSIDER ANY RECOMMENDATIONS CONTAINED THEREIN**
- RESOLVED:** That the minutes of the Finance, Policy and general Purposes Committee held on 3 April 2023 be received and noted.
181. **TO RECEIVE AND NOTE THE MINUTES OF THE GOVERNANCE WORKING PARTY HELD ON 18 APRIL 2023 AND TO CONSIDER ANY RECOMMENDATIONS CONTAINED THEREIN**

Councillor N Hodges proposed a motion in which the Union Jack be flown on the death of Royal with the Welsh Flag being flown for non-royals, Councillor Wiliam seconded the motion.

RESOLVED:

- 1. That the minutes of the Governance Working Party held on 18 April 2023 be received and noted.**
- 2. That the Terms of Reference for the Shop Local Advisory Committee be updated to remove any financial delegated powers and that any spend is via a Recommendation to either Full Council or the Finance, Policy and General Purposes Committee (whichever meets first)**
- 3. That the membership of 7 councillors remain and encouragement is given to all traders to attend, on the proviso that there is one vote per business**
- 4. That quoracy remains being at least one-third of the members of the committee and in no case shall the quorum of a meeting be less than three, with voting rights for traders to be one vote per business**
- 5. That new financial parameters are by way of a Recommendation to either Full Council or Finance, Policy and General Purposes Committee (whichever meets first)**
- 6. That the Terms of Reference for the Globally Responsible Barry reflect the Shop Local Barry Advisory Committee's for consistency**
- 7. That the membership and numbers remain the same as the Shop Local Barry Advisory Committee for consistency**
- 8. That the Financial Parameters reflect the same as the Shop Local Barry Advisory committee for consistency**
- 9. That non-councillor members receive appropriate Code of Conduct training as they will be subject to the Council's Code of Conduct if they are entitled to vote on any question which falls to be decided at any meeting of the committee or a sub-committee.**
- 10. That non-councillor members of committees will be required to comply with the Council's Standing Orders and will have the same rights as members of the public to attend meetings of the council or other committees of which they are not members.**

11. That the list agreed above be proposed as those to be marked as Prominent Figures and that the Protocol be updated if agreed and then adopted.

12. That the flag flying protocol be updated so that the Union Jack is flown on the death of a Royal with the Welsh flag being flown for a non-Royal.

182. **TO ELECT A LEADER OF THE COUNCIL FOR 2023/24 NOTING THAT AS THERE IS NO OVERALL MAJORITY PARTY THE LEADER OF THE COUNCIL WILL BE ELECTED BY THE COUNCIL IN ACCORDANCE WITH STANDING ORDER 33 (1)(B)**

Members were asked to elect a Leader noting that as there was no overall majority party that the Leader of the Council will be elected by the Council in accordance with Standing Order 33 (1)(b).

Councillor Brooks was nominated by Councillor Perkes and seconded by Councillor Drake.

A vote took place and the result was unanimous.

RESOLVED: That Councillor Brooks be elected as Leader of the Council for the 2023/24 municipal year.

183. **TO APPOINT THE FOLLOWING COUNCIL COMMITTEES FOR THE ENSURING MUNICIPAL YEAR AND APPROVE THEIR TERMS OF REFERENCE**

1. **To appoint to the Council's Standing Committees**

a. **Finance, Policy & General Purposes**

Councillors Brooks, Drake, E S Goodjohn, N Hodges, S Hodges, McKinney and Payne

b. **Halls, Cemeteries & Community Facilities**

Councillors Aviet, Dancey, E Goodjohn, Hennessy, N Hodges, Iannucci and McKinney

c. **Personnel**

Councillors Charles, S Hodges, Marshall, Perkes, Thomas, William and Wilkinson

d. **Planning**

Councillors Ball (Illtyd), Collins (Castleland), Davies-Powell (Cadoc) E Goodjohn (Court), E S Goodjohn (Gibbonsdown), Hennessy (Dyfan), S Hodges (Baruc), Thomas (Dyfan).

2. **To appoint to Working Parties and non-standing committees**

e. **Globally Responsible Barry Advisory Committee**

Councillors Dancey, Drake, Hennessy, N Hodges, Johnson and Payne

(Noting that members of the public with voting rights are permitted for the Globally Responsible Barry Advisory Committee)

f. **Shop Local Barry Advisory Committee**

Councillors Hennessy, S Hodges, Marshall, Payne, Perkes, Thomas and Wiliam.

(Noting that members of the public with voting rights are permitted for the Shop Local Advisory Committee)

g. **Working Party to Consider Consultations Received**

Councillors Davies-Powell, Drake, N Hodges, Johnson and Wilkinson

h. **Innovation Working Party**

Councillors Brooks, Collins, E S Goodjohn and N Hodges.

i. **Community Plan Working Party**

Councillors Brooks, Charles and S Hodges

j. **Commemorative Naming Advisory Committee**

Councillors Ball, N Hodges, Johnson, Payne, Perkes and Thomas

k. **Vibrant Culture Working Party**

Councillors Ball, Brooks, Collins, Dancey, Davies-Powell, E Goodjohn, Hennessy, S Hodges, Iannucci, Perkes, Thomas and Wiliam

l. **Wellbeing Working Party**

Councillor Johnson, Payne, Perkes, Thomas and Wilkinson

m. Governance Working Party

Councillor Drake, Hennessy, N Hodges, S Hodges, Perkes and Thomas

Councillor Brooks to confirm fourth Labour member.

o. Barry Youth Council

Councillors E S Goodjohn and Johnson

RESOLVED:

- 1. That the above members be appointed to Committees for the ensuing municipal year as per Standing Order 4(g) appendix 1.**
- 2. That the Terms of Reference for each Committee be approved subject to the following amendments to the Shop Local Terms of Reference**
 - a. Under Delegated Powers - To appoint a Chair and Vice Chair of the Committee (noting that If the Chair appointed is a councillor, the Vice-Chair must be a trader and, if the Chair appointed is a Trader, then the Vice-Chair must be a Councillor.
 - b. To make recommendations regarding the expenditure of the Shop Local Budget (adding in) that if required, the Urgent Action process can be used for speed of financial decisions)

184.

TO ELECT THE CHAIRPERSONS AND VICE-CHAIRPERSONS OF THE COMMITTEES LISTED ABOVE

In accordance with the provisions of Standing Order 4 (f) (vi) the Council was asked to elect the Chairpersons and Vice-Chairpersons of its various Committees the results of which are as follows:

Finance Policy & General Purposes

Councillor Brooks was nominated as Chairperson of the Finance, Policy & General Purposes Committee.

RESOLVED: That Councillor Brooks be elected Chairperson of the Finance, Policy & General Purposes Committee for the municipal year of 2023/24.

Councillor E S Goodjohn was nominated as Vice-Chairperson of the Finance, Policy & General Purposes Committee.

RESOLVED: That Councillor E S Goodjohn be elected Vice-Chairperson of the Finance, Policy & General Purposes Committee for the municipal year of 2023/24.

Halls, Cemeteries & Community Facilities

Councillor N Hodges was nominated as Chairperson of the Halls, Cemeteries & Community Facilities Committee.

RESOLVED: That Councillor N Hodges be elected as Chair of the Halls, Cemeteries & Community Facilities Committee for the municipal year of 2023/24

Councillor Iannucci was nominated as Vice-Chairperson of the Halls, Cemeteries & Community Facilities Committee.

RESOLVED: That Councillor Iannucci be elected as Vice-Chairperson of the Halls, Cemeteries & Community Facilities Committee for the municipal year of 2023/24.

Personnel

Councillor Perkes was nominated as Chairperson of the Personnel Committee.

RESOLVED: That Councillor Perkes be elected as Chair of the Personnel Committee for the municipal year of 2023/24.

Councillor Wiliam was nominated as Vice-Chairperson of the Personnel Committee.

RESOLVED: That Councillor Wiliam be elected as Vice-Chairperson of the Personnel Committee for the municipal year of 2023/24.

Planning

Councillor S Hodges was nominated as Chairperson of the Planning Committee.

RESOLVED: That Councillor S Hodges be elected as Chairperson of the Planning Committee for the municipal year of 2023/24.

Councillor Ball was nominated as Vice-Chairperson of the Planning Committee.

RESOLVED: That Councillor Ball be elected as Vice-Chairperson of the Planning Committee for the municipal year of 2023/24.

185.

TO APPOINT REPRESENTATIVES ONTO OUTSIDE BODIES

Members were requested to elect representatives to serve on a number of outside bodies as follows: -

Barry YMCA

Councillor Perkes
Councillor E S Goodjohn

Gibbonsdown Children's Centre

Councillor Johnson (Town Mayor)
Councillor Marshall
Councillor Perkes

Society of Local Council Clerks - Larger Local Council Forum

Councillor Johnson (Town Mayor)

One Voice Wales

Councillor S Hodges (Representative)
Councillor Brooks (Representative)
Councillor Hennessy (Substitute)

One Voice Wales - Larger Local Council

Councillor Davies-Powell

Public Service Board Workshops/Events

Councillor Drake (Representative)
Councillor S Hodges (Substitute)

Barry Sense of Place Board

Councillor S Hodges (Representative)
Councillor Payne (Substitute)

Town Centre Forum

Councillor Perkes (Representative)
Councillor Payne (Substitute)

Vale of Glamorgan Biodiversity Partnership

Councillor N Hodges (Chair of Halls, Cemeteries & Community Facilities Committee)
Councillor Iannucci (Vice-chairperson of Halls, Cemeteries & Community Facilities Committee)

Vale of Glamorgan Destination Management Partnership

Councillor N Hodges (Representative)

Vale of Glamorgan Community Liaison Committee

Councillor S Hodges (Representative)

Councillor Brooks (Substitute)

RESOLVED:

1. That the above appointments be agreed
2. That letters are sent to each organisation to notify them of the Council's representatives and request that future notifications of meetings be forwarded to the relevant representative(s) and the Chief Officer.
3. That correspondence be sent to query if the Vale of Glamorgan Destination Management Partnership still exists.

186. **SCHEDULE OF TOWN COUNCIL MEETINGS FOR 2023/24**

Members were requested to consider the schedule of Town Council meetings for 2023/24.

The Chief Officer advised that there is one suggested change to the Globally Responsible Barry Advisory Committee suggesting that the 22 May date is deleted with a new date being proposed for June or July.

RESOLVED: That the Schedule of Town Council meetings for 2023/24 be approved, subject to the amendment being made.

187. **TO RE-ADOPT THE COUNCILS STANDING ORDERS FOR 2023/24**

Members were provided with the Council's Standing Orders for re-adoption.

The Chief Officer advised that the Standing Orders are being changed nationally and once the changes have been made the new Standing Orders will be presented to a Governance Working Party for discussion.

RESOLVED: That the Councils Standing Orders be re-adopted for 2023/24 until the changes have been made and the Council notified of them.

188. **TO RE-ADOPT THE COUNCIL'S FINANCIAL REGULATIONS FOR 2023/24**

Members were provided with the Council's Financial regulations for re-adoption.

RESOLVED: That the Council's Financial regulations be re-adopted for 2023/24.

189. **TO RE-ADOPT THE COUNCIL'S SCHEME OF DELEGATION FOR 2023/24**

RESOLVED: That the Motion – be presented for debate to the One Voice Wales Annual Meeting being held on 30 September 2023.

194. **TOWN AND COMMUNITY COUNCIL REPRESENTATIVE ON STANDARDS COMMITTEE FOR APPOINTMENT PANEL**

The Chief Officer advised that the position had been filled therefore no discussion is required.

195. **TO REVIEW AND ADOPT THE TOWN COUNCIL'S STAFF HANDBOOK**

The Chief Officer advised members that the Staff Handbook had been redesigned and updated to make it user friendly with new headings and set groups of policies.

RESOLVED: That the Staff Handbook be noted and adopted.

196. **TO REVIEW AND ADOPT THE TOWN COUNCIL PROTOCOLS (WHICH HAVE BEEN SEPARATED FROM THE COUNCILS POLICIES)**

Members were provided with the Town Council's Protocols which had been separated from the Council's Policies for ease and clarity.

RESOLVED: That the Town Council's Protocols be noted and adopted.

197. **TO CONSIDER THE COUNCIL'S ELIGIBILITY TO USE THE GENERAL POWER OF COMPETENCE (GPOC)**

Members were provided with detailed information on the General Power of Competence provided by One Voice Wales and they were requested to consider the eligibility of the Council to resolve itself for 2023/24 as competent, under the General Power of Competence introduced on 5 May 2022 through the Local Government and Elections (Wales) Act 2021.

RESOLVED: That the Council resolves itself to be an eligible Council under the General Power of Competence as it meets all the criteria set out in legislation being:

- **At least two-thirds of the total number of members of the council have been declared to be elected whether at an ordinary election or at a by-election**
- **The Clerk to the council holds such qualification or description of qualification as may be specified by the Welsh ministers by regulations, and**
- **The council satisfies the audit condition.**

198.

INDEPENDENT REMUNERATION PANEL FOR WALES ANNUAL REPORT 2023/24

Members were provided with a report to advise them of the Independent Remuneration Panel for Wales' Annual Report for 2023/24, that provides for Payments for Members of Community and Town Councils.

Councillor Brooks suggested to remain status quo.

RESOLVED:

1. That members agree to accept the following: -

- **the number of Councillor positions to receive senior salary payment of £500 for specific responsibilities, Minimum of 1 (Mandated) up to maximum of 7 (Determination 45)**
- **payment in respect of travel costs for attending approved duties be agreed (Determination 46)**
- **reimbursement of subsistence expenses where an overnight stay has been approved, be agreed (Determination 47)**
- **payment of financial loss compensation for attending approved duties to be agreed (Determination 48)**
- **payment to Mayor/Chair of the Council up to a maximum of £1,500 be agreed (Determination 50)**
- **payment to Deputy Mayor/Deputy Chair of the Council up to a maximum of £500 be agreed (Determination 51)**

2. That determination 49 – the introduction of an attendance allowance payment be rejected.

199.

SCHEDULE OF PAYMENTS FOR APRIL TO MAY 2023

Members were provided with the schedule of payments for April and May 2023 for approval, consisting of BACS payments and direct debits, in the amount of £52,373.39

RESOLVED:

1. That the information set out in the report relating to salary payments for February, March and April 2023 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 April and May 2023 consisting of BACS payments and direct debits in the amount of £52,373.39 be approved, subject to the relevant papers being in order.

200. **GRANTS AND DONATIONS**

The Mayor suggested that as the Grant Application is under part two of the meeting that the Grant be discussed under part two.

201. **TO RECEIVE AND NOTE THE ANNUAL STAFF AND COUNCILLOR TRAINING REPORT**

Members were provided with a report outlining the training provided to both staff and Councillors from May 2022 to May 2023.

RESOLVED: That members receive and note the report.

202. **TO RECEIVE AND NOTE THE ANNUAL UPDATE REPORT ON CEMETERIES AND FACILITIES**

Members were provided with an update in relation to Cemeteries and Facilities.

The Mayor suggested that the Annual Report is presented at the next meeting of Halls, Cemeteries and Community Facilities Committee meeting scheduled to be held on Monday 10 July 2023 for a detailed discussion.

RESOLVED: That the Annual update report on Cemeteries and Facilities be received and noted.

203. **TO APPROVE THE COUNCILS DRAFT ANNUAL REPORT PRESENTED BY THE CHIEF OFFICER**

The Chief Officer presented the Council's Draft Annual Report

RESOLVED: That the Council's Draft Annual Report be received and noted.

204. **TO NOTE REPORTS FROM REPRESENTATIVES SERVING ON OUTSIDE BODIES ARE AVAILABLE FOR INSPECTION IN THE LEVER ARCH FILE KEPT IN THE MAIN OFFICE**

The Chief Officer asked members if they are a representative on an outside bodies if they could forward any minutes or agendas in order for them to be kept electronically and circulated.

RESOLVED: That reports from representatives serving on Outside Bodies are available for inspection noting that if any councillor

attends a meeting on behalf of the Council, that papers are sent to the office for information.

205. **DATE OF NEXT MEETING**

RESOLVED: That the next meeting of Full Council will be held on Monday, 26 June 2023.

206. **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.

207. **GRANTS AND DONATIONS**

Members were provided with a grant application received from Barry 1st Sea Scouts requesting grant assistance relating to the Word Scout Jamboree in South Korea.

RESOLVED: That the Barry 1st Sea Scouts be awarded £1,000 under the General Power of Competence, Section 24 of the Local Government and Elections (Wales) Act 2021, from the Council's Community and Voluntary Organisations grants budget in 2023/24.

208. **URGENT ACTIONS**

Members were provided with the Urgent Actions that had been undertaken by the Chief Officer in conjunction with Group Leaders since the last meeting of Council held on 13 February 2023

RESOLVED: That the Urgent Actions be received and noted.

209. **CORRESPONDENCE**

The Chief Officer advised members of the correspondence that had been received in relation to a number of redundant flag poles within the Town. The Chief Officer advised that these flag poles do not belong to Barry Town Council and will construct a response to advise of this.

RESOLVED: That the Chief Officer responds to the correspondence relating to the 'redundant' flag poles.

The meeting closed at 7:15 pm.

Signed

Dated
(Town Mayor)