

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 MEETING OF COUNCIL HELD ON MONDAY 9 OCTOBER 2023 AT 7PM

PRESENT: The Mayor (Councillor Johnson) together with Councillors Aviet, Ball, Charles, Clarke, Collins, Dancey, Davies-Powell, Drake, E J Goodjohn, E S Goodjohn, Hennessy, N Hodges, S Hodges, Iannucci, McKinney, Payne, Perkes, Thomas, Wiliam & Wilkinson

ALSO PRESENT:

Tracy Predeth	Locum Chief Officer
Mark Sims	Deputy Chief Officer
Jason Harvey	Engagements/Events Team Manager
Kathryn Thomas	Office Team Leader
Emma Thorne	Engagements/Events Officer
Amanda Webb	Wellbeing Goals Officer
Stella Lewis	Administrator
Ted Peskett	Local Democracy Reporter

263. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Brooks

264. **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 Charles and Drake declared an interest in Agenda 25 as involved with Welsh Church Act.

Councillors Charles and Hennessey declared an interest in Agenda 26 as they are both members of the Royal British Legion.

265.

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.

266.

TO APPROVE AND SIGN THE MINUTES OF THE EXTRAORDINARY MEETING OF FULL COUNCIL HELD ON 21 AUGUST 2023

Members were provided with the minutes of the Extraordinary Full Council Meeting held on 21 August 2023.

RESOLVED: That the minutes of the Extraordinary Full Council Meeting held on 21 August 2023 be approved and signed as a correct record.

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

The Mayor said a big thank you to Claudia Dupe who recently left the Council.

We have a new Engagement & Events administrator Joanne John starting with us on Monday 16 October 2023.

The summer months have been very busy for The Mayor. There were a lot of football themed events that he attended but he also opened Family Fun Day, Pride and Cadstock.

He also attended the Vale Business Awards representing Barry Town Council.

RESOLVED: That communications from the Mayor be received and noted.

268. **TO CONSIDER QUESTIONS FROM COUNCILLORS IN ACCORDANCE WITH THE PROVISIONS OF STANDING ORDER 3(E)**

None were received.

269. **TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF STANDING ORDER 3 (F)**

None were received.

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

None were received.

271. **TO RECEIVE AND NOTE THE MINUTES OF THE PERSONNEL COMMITTEE HELD ON 4 SEPTEMBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN**

Members were provided with the minutes of the Personnel Committee meeting held on 4 September 2023.

RESOLVED: That the minutes of the Personnel Committee held on 4 September be received and noted.

272. **TO RECEIVE AND NOTE THE MINUTES OF THE FINANCE, POLICY & GENERAL PURPOSES MEETING HELD ON 11 SEPTEMBER**

2023 AND TO GIVE ANY CONSIDERATION TO ANY RECOMMENDATIONS THEREIN.

RESOLVED: That the minutes of the of the Finance, Policy & General Purposes meeting held on 11 September 2023 be received and noted.

273.

TO RECEIVE AND NOTE THE MINUTES OF THE GLOBALLY RESPONSIBLE BARRY ADVISORY COMMITTEE HELD ON 18 SEPTEMBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN.

Councillor Johnson said that as the Globally Responsible Barry Advisory Committee is only an advisory committee and we don't make financial decisions.

RESOLVED:

- (1) That £658 be released from the Globally Responsible Barry Advisory Committee budget to purchase additional litter picking equipment from Keep Wales Tidy.**
- (2) That £250 be released from the Globally Responsible Barry Advisory Committee budget to purchase five Fairtrade hampers.**
- (3) That the Planning Committee ask the Planning Officer to check that all new planning applications include the relevant climate change requirements.**
- (4) That the Halls, Cemeteries and Community Facilities Committee undertake of review of Energy Suppliers, Tools and Vehicles**
- (5) That Barry Town Council formally declare becoming a Council of Sanctuary ad work in partnership with the Vale of Glamorgan Council to achieve Town of Sanctuary Status for Barry Town.**
- (6) That officers are authorised to accept tender one at a cost of £465 per month for 36 months being a total of £16,740 over the life of the project and to include a break clause after 12 months.**

274.

TO RECEIVE AND NOTE THE MINUTES OF THE PLANNING COMMITTEE HELD ON 26 SEPTEMBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

Members were provided with the minutes of the Planning Committee held on 26 September 2023.

RESOLVED: That the minutes of the Planning Committee held on 26 September 2023 be received and noted.

275.

TO RECEIVE AND NOTE THE MINUTES OF THE HALLS, CEMETERIES AND COMMUNITY FACILITIES COMMITTEE HELD ON 2 OCTOBER 2023 AND TO GIVE CONSIDERATION TO AN RECOMMENDATIONS THEREIN

Members were provided with the informal notes of the Halls, Cemeteries and Community Facilities Committee held on 2 October 2023.

RESOLVED: That the minutes of the Halls, Cemeteries and Community Facilities Committee held on 2 October 2023 be received and noted.

276.

REVIEW OF GOVERNANCE ARRANGEMENTS RELATING TO WORKING PARTIES AND NON-STANDING COMMITTEES AND TO APPROVE THEIR TERMS OF REFERENCE

The Locum Chief Officer advised that our Non-Standing Committees & Working Groups are acting outside their powers.

Working Parties and Advisory committees are typically established to address specific issues or tasks. These groups may operate within or outside their statutory powers, which means they might sometimes take actions that are not explicitly granted to them by law.

The Locum Chief Officer suggested that Working Parties should feedback into a Committee

Councillor Perkes asked for One Voice Wales to review Committees, Sub Committees and Working Parties and to recommend their findings.

Councillor S Hodges agreed and proposed asking One Voice Wales for advice.

The Locum Chief Officer is happy to approve the review by Once Voice Wales using Professional Fees budget.

Councillor S Hodges would like to set up an Urgency Committee to discuss urgent operational matters. Councillor S Hodges said we need to tighten up on delegated powers and seek advise from One Voice Wales on what our Statutory Functions are.

Councillor S Hodges proposed that Councillor Brookes, Charles and S Hodges would be on the Urgency Committee and that the Committee would need 24 hours' notice for a meeting.

Councillor Charles and Perkes were happy to support the recommendation.

Councillor Johnson proposed that Halls, Cemeteries and Community Facilities, Planning, Personnel and Finance, Policy & General Purposes meetings will meet however, the Non-Standing Committees and other Working Party Meetings won't take place until after the One Voice Wales Review.

The Deputy Chief Officer commented that the Urgency Committee would not have to provide 3 clear days notification but The Locum Chief Officer disagreed and said they would have to have 3 clear days.

Councillor S Hodges asked if the Locum Chief Officer suggest a way we can deal with Urgent Actions

The Locum Chief Officer said to delegate to an Officer or Committee.

Councillor Johnson proposed that 3 clear days notification is necessary for the meeting to happen. Councillor Perkes said One Voice Wales will look into this matter and report back.

Councillor S Hodges said the Urgency Committee couldn't change Standing Orders.

Councillor Payne said we did Urgent Action meetings in Covid without 3 days' notice so why not now? The Locum Chief Officer advised we have to have the 3 clear days.

Councillor Clarke googled 3 clear days rule in Wales. He looked at the Local Democracy in Wales website which states we can have shorter notice.

The Locum Chief Officer advised there are mechanisms if an emergency meeting is required.

RESOLVED:

- (1) That One Voice Wales be requested to conduct a review of the Councils Non-Standing committees and Working Parties to clarify whether they have been acting ultra vires.**
- (2) That an Urgency Committee be created to consider any urgent items, noting that specific decisions must be made by Full Council e.g. Set the precept.**
- (3) The members of the Urgency Committee be Councillors Brooks, Charles and S Hodges.**

(4) That One Voice Wales provide clarification of the 3-day rule for the Urgency Committee.

277. **EXTERNAL REVIEW OF STANDING ORDERS BY ONE VOICE WALES**

The Locum Chief Officer advised that the leader had requested this item to be included on the Full Council Agenda for consideration.

RESOLVED: That One Voice Wales undertake a review of the Councils Standing Orders.

278. **TO APPROVE THE SCHEDULE OF PAYMENTS FOR OCTOBER 2023**

Members were provided with the schedule of payments for October 2023 for approval consisting of BACS payments and direct debits in the amount of £36,108.41.

RESOLVED: That the Schedule of Payments for October 2023 be approved subject to the relevant papers being in order.

279. **BUDGET MONITORING REPORT TO 30 SEPTEMBER 2023**

Members were provided with a report outlining the councils income and expenditure in the 2023/24 financial year as at the end of September 2023.

RESOLVED: That the budget monitoring report for September 2023 indicating actual income and expenditure up to the end of month six in 2023/34 financial year, noting the projected underspend of £54, 893 for 2023/24 that will result in a net amount of £157,398 being transferred from reserves.

280. **GRANTS AND DONATIONS – BARRY VETERANS GROUP**

Members were requested to consider an application from Barry Veterans Group to contribute to their costs for a weekly Breakfast Club that supports Military Veterans and their families.

Councillors Charles and Perkes were happy to support the application. Councillor Charles said the service is second to none and is important to their wellbeing.

Councillor S Hodges said we wouldn't normally pay for rent and Communities group should be treated in the same way. We recently turned down a request from the Police Cadets.

Councillor S Hodges said if it wasn't for Rent then we would possibly support it.

Councillor N Hodges agreed.

Councillor Charles voted against this.

RESOLVED: That officers go back to the Veterans Association asking for clarification on what the money they are requesting is used for. Councillor Perkes is requesting clarification on the rent and other expenses.

281.

HALLOWEEN EVENT 2023

Members were provided with 2 grant applications from the Barry Shop Local Traders Group for a 'Spooktacular Barry – trick or treat trail' event and from Barry Town Council for a 'Halloween Which Craft' event.

Councillor Johnson advised that in June 2023 at the Shop Local Barry Advisory Committee, members agreed an amount of £1,500 to be used for Halloween Events 2023. This was agreed by Full Council on 26 June 2023.

Councillor S Hodges said that the Halloween Event last year was very successful. They are looking to have sweets available for children which will cost £500.00.

Councillor S Hodges said considering last year it was very successful, would fully support it.

The Grant for Barry Town Council is for community organisations and local businesses.

Councillor S Hodges said that what Barry Town Council want to do is great, however it shouldn't come out of the Shop Local Budget

The proposal is to support both events but for Barry Town Councils event should come out of somewhere else like Miscellaneous Budget.

Councillor Johnson said the two Halloween Events are on separate dates and Holton Road Traders would benefit.

The Deputy Chief Officer said that it could come out of the Corporate Miscellaneous Budget as there is sufficient for £1250.00.

Councillor Johnson asked about the amount asked for and to make sure they use resources wisely.

The Engagements and Events Officer said she didn't want to use the whole amount on one event.

Councillor S Hodges said this is controversial to local traders.

Councillor Payne asked if the Vale Play Workshop is part of the Vale of Glamorgan.

The Engagements and Events Officer confirmed it was.

RESOLVED:

- a. **That Barry Shop Local Traders Group be awarded £1,500 under the General Power of Competence, Section 24 of Local Governments & Elections (Wales) Act 2021, from the councils Shop Local Budget.**
- b. **That the Engagements and Events team's Halloween Event be funded from the Corporate Event (Miscellaneous) budget.**

282.

Family Fun Day Report

Members were provided with the event reports in relation to the Barry Town Council Family Fun Day.

The Engagements and Events Officer said the purpose of the information shown on paper was to show how successful the Event was.

The event was for expansion on last years event which was achieved. In 2022 the event took place at the beginning of August but this year was at the end of August.

The report is very detailed which showed activities on the day including Dinosaurs and Fossils, Reptiles and Face Fainters. There were many food traders and 16 different activity tables.

Councillor S Hodges thanked all Barry Town Council staff for their efforts on the day. She said the events team are very robust and are getting better each year.

Councillor S Hodges advised that the Events team put in a robust application next year and for their budget to increased.

Councillor Charles applauded the event however, in the lucky dip, one of her family members won a dinosaur lanyard but she wasn't sure what it was.

The Engagements and Events officer explained it was just for fun and the children loved them.

Councillor Charles also commented on the fact that she thought there were far too many people in such a small space and would consider a larger area going forward.

Councillor Johnson said there are lessons to be learnt for next year.

Councillors Payne and Perkes also congratulated staff. They agreed it was a great event and a great day. Councillor Payne had received feedback from parents and children saying what a great free event it was.

RESOLVED: That the report be received and noted.

283. **SHOP LOCAL BARRY ADVISORY COMMITTEE BUDGET AMENDMENTS 2023/24**

Members were provided with a report to recommend a change of allocation of previously committed spends of the Shop Local Barry Advisory Committee Budget.

The Engagements & Events Officer was tasked in getting quotes for Shop Local pull up banners, marketing packs and promotional material.

Shop Local decided they didn't want marketing packs, but advertising flags. However the Engagements & Events Officer was unable to procure multiple flags with a budget of £200.00.

Previously members approved an amount of £100 to be put towards sponsored posts on Social Media. This was to be used for Fiver Fest, events and advertising but these don't need to be seen on social media therefore the pre-allocated money is to be put back into the Shop Local Budget.

RESOLVED:

(1) That the Shop Local Barry Advisory Committee Budget amendment be agreed.

284. **Date of Next Meeting**

RESOLVED: That the next meeting of Full Council is scheduled to be held on Monday 11 December 2023 at 7.00pm

285. **EXCLUSION OF THE PRESS & PUBLIC**

RESOLVED: 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 the transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting.

The Local Democracy Reporter from Wales Online left the meeting at 8.12pm

286. **TO RECEIVE AND NOTE THE MINUTES OF THE EXTRAORDINARY PERSONNEL MEETING HELD ON 21 SEPTEMBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN**

Members were provided with the minutes of the Personnel Committee held on Thursday 21 September 2023

Councillor Perkes gave an overview from the Personnel Committee meeting with the Locum Chief Officer advising this was the most cost-effective way for the Council.

RESOLVED:

- (1) That the minutes of the Extraordinary Personnel Committee meeting held on 21 September 2023 be received and noted.
- (2) That the Recommendation (Minute R100) from the Extraordinary Personnel Committee meeting be agreed.

287. **EXTENSION TO THE APPOINTMENT OF THE LOCUM CHIEF OFFICER**

The Locum Chief Officer was put in the 'waiting room' on Zoom

The current contract for the Locum Chief Officer ends on 31 October 2023.

Due to the uncertainty of the date of the return of the Chief Officer it is requested that the contract is extended until the Chief Officer returns to work.

However, Councillor Perkes suggested we extend the contract for one month at a time, and Councillor Wilkinson agreed.

Councillor S Hodges suggest it goes to Urgency Committee once we find out if the Chief Officer is returning.

RESOLVED: That further information be provided regarding the Chief Officers return to be discussed at an Urgency Committee.

288. **CADOXTON COMMUNITY ORCHARD**

The Locum Chief Officer came back into the room at 8.19pm

Councillor Charles and Drake left the room at 8.19pm as they had declared an interest in this item.

Members were provided with the terms of lease relating to the Cadoxton Community Orchard.

The Engagement and Events Team Manager suggested we take over the lease as agreed in the Globally Responsible Barry Advisory Committee meeting held on 18 September 2023. The Lease was £10,000 for 999 years and for us to use the land for community use.

At 8.30 pm the Mayor moved that Standing Order 3(aa) be suspended for thirty minutes until 9.00 pm. This was seconded and agreed by members.

Councillor S Hodges confirmed that she supports the project with the £10,000 cost to be taken from the Acquisition Reserves.

Councillor Iannucci said that this is the first time she has seen this, even though she has attended every meeting and would like more information on this before agreeing to taking on the lease.

Councillor S Hodges said there have been quite a number of reports previously and the Community Orchard is a community space. Local councils are desperate to have something in the community but if councillors want to be cautious then she is also happy with that.

Councillor Clarke also agreed that a lot of work had been put in previously.

Councillor Iannucci clarified that she is not against the project but as this is her first time seeing it, she would rather see more information.

Councillor Perkes suggested to go for Budget consideration and to get further details on it.

Councillor N Hodges has been following this for a number of years. He fully supports it and suggests to move the scheme forward, to consider it comes under Halls, Cemeteries & Community Facilities plus some budget to help.

Councillor Payne said Crystal Springs was successful but would like more details and budget consideration.

Councillor Iannucci does not want the lease signed without more information.

Councillor Perkes needs more information and budget consideration to decide where it will sit.

Councillor N Hodges asked why the delay in signing. The Vale of Glamorgan move slowly and it will look strange if we delay. We need to take control and draw plans up.

Councillor Ewan Goodjohn said we want to acquire the land but as soon as the lease is signed we are responsible for it. We should wait a few more months before we get the land.

Councillor S Hodges said we would need to take legal advice on the lease and suggested a site visit for all councillors to attend.

Councillor Thomas asked if the site is accessible but Councillor S Hodges said it wasn't.

Councillor Perkes suggested taking a video of the land when they do the site visit.

The Deputy Chief Officer asked for clarification on the budget for legal fees and do council want to cap a budget for legal advice.

Councillor Clarke suggested we get a quote otherwise will pay the full amount.

Councillor Payne said on the map it says St Oswald's Road but it should read St Oswald's Street.

Councillor Clarke looked at the map and can see that the access that has been developed has gone into a resident's garden and this should be taken into consideration.

Councillor Johnson said officers will take that into consideration on the site visit.

RESOLVED:

- (1) That officers obtain legal advice on the lease of the Cadoxton Community Orchard.**
- (2) That a Site Visit be arrange for all Councillors to attend and report back to Full Council in December.**

Councillor Drake came back into the room at 8.40pm

289.

REMEMBRANCE SUNDAY 2023

Members were provided with an update regarding Remembrance Sunday.

Royal British Legion will not take responsibility for the Remembrance Sunday Parade but if Council's refuse to, then no parade will take place.

If Barry Town Council take on the responsibility for this event, responsibilities include First Aid, Organise Road Closure, Conduct Risk Assessments, employ Stewards and provide chairs to the Cenotaph.

The financial implications if no road closure required will be £1,835 and with road closure fees the cost will be between £6,565 & £6,765.

In 2024, Martyn's Law which is a proposed piece of legislation that aims to create a coherent and proportionate approach to protective security will also need to be considered.

Councillor S Hodges asked for clarification about taking the event on. Is it the parade and service at the Cenotaph?

The Engagements & Events Team Manager said the Royal British Legion have said the parade is ours.

This will mean taking on full ownership of the event including gathering on King's Square, the parade and the gathering at the Cenotaph.

There are approximately 600 in the parade and in previous years we have had 5-6 casualties per year. In 2021, 27 people fainted with no First Aid available.

Councillor Perkes asked for clarification on the costs and asked when the Police were intending to get back to the E&E Team Manager.

The Engagements & Events Team Manager was hopeful that the Police would get back to him this week.

Councillor Perkes asked if we take this on this year, to ensure the parade goes ahead, will it be the same next year.

Councillor Hennessey commented that if the event doesn't go ahead, we will be slaughtered by the press.

Councillor S Hodges said this needs another meeting to show what our commitment is now and in the future.

Councillor S Hodges wants a parade and a service at the cenotaph, however she is struggling with the providing refreshments at the Memorial Hall as it's not good use of public money.

The proposition for a reception at the Pioneer Hall was still supported even though the Royal British Legion will be holding their own service and reception.

Councillor S Hodges said that the Royal British Legion would struggle to give this event up.

Councillor Payne asked exactly what the liability is.

Councillor S Hodges said that we need a meeting to discuss further and this needs to be on a formal setting

RESOLVED:

- (1) That Barry Town Council take ownership of the Remembrance Service Event (Parade & Outdoor Service), subject to Royal British Legion agreeing to this.**
- (2) That a meeting be arranged as soon as possible to discuss in more detail with Councillors and Royal British Legion**
- (3) That Councillors S Hodges, Hennessey, Brookes and Johnson should be at the meeting**
- (4) Following confirmation whether the South Wales Police will organise the road closure and a meeting of the Urgency Committee be called to approve the Remembrance Sunday Event and costs.**

Meeting closed at 9.00pm

Signed Dated
(Town Mayor)