

Meeting of:	Cabinet
Date of Meeting:	Thursday, 22 October 2026
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Item which the Chair has decided is urgent (Part I) (If yes, why)	Not applicable
Urgent Decision Procedure Used (15.14 of the Constitution) (If yes, why)	Not applicable
Item Type	Part I
Report Title:	Barry Making Waves – Update Report October 2026
Portfolio Holder:	Executive Leader and Cabinet Member for Performance and Resources
Strategic Leadership Team:	Director of Place
Lead Officer:	Head of Regeneration and Strategic Project Delivery

1.0 What is this report about?

- 1.1 This report seeks authorisation for the Council to agree Heads of Terms and enter into a sales contract with Associated British Ports (ABP).

2.0 What are the Recommendations?

	Recommendations – What and How?	Reason for Recommendation – Why?
2.1	That Cabinet considers the contents of this report, in respect of the revised heads of terms presented by Associated British Ports (ABP).	To apprise Cabinet of the current Heads of Terms position.
2.1	That Cabinet considers the Recommendations within the associated Part II Report.	To apprise Cabinet of the commercially sensitive elements related to the project at the Mole.

3.0 What is the background to this report?

- 3.1 Cabinet (Minute C68) was updated on 24th September 2026 on the projects associated with the Levelling Up Funding ([13 Making Waves](#)).
- 3.2 The report provided detail regarding the principles contained within the latest draft heads of terms being negotiated with ABP, at the time of writing the report. It was reported that the acquisition of The Mole was subject to ongoing discussions. As The Mole forms part of ABP's statutory harbour area, Welsh Government approval through the HRO process is required before ABP can be released from its Harbour Authority responsibilities and complete the transfer of the freehold interest to the Council.
- 3.3 To maintain programme momentum and enable delivery of the Barry Making Waves project in accordance with Levelling Up Fund timescales, ABP proposed an interim legal arrangement comprising a conditional freehold acquisition, conditional upon approval of the HRO, together with the grant of a 125-year lease over the area required for the education and watersports facilities and associated access works. This approach provided the Council with sufficient legal interests to commence key elements of the project whilst preserving ABP's statutory responsibilities pending determination of the HRO application.
- 3.4 The Council previously noted that the principal risk to the project related to the timing and outcome of the HRO process. However, the proposed lease structure was considered a pragmatic and proportionate solution that balanced programme delivery requirements with the regulatory framework governing the site, whilst protecting the Council's ability to progress the wider regeneration objectives for The Mole and the Barry Waterfront.
- 3.5 As advised by the Executive Leader during the Cabinet meeting on 24th September 2026, since publication of the report, Officers have continued constructive discussions with ABP regarding these land arrangements required to deliver the project. While a number of matters remained subject to negotiation and no final terms had been agreed, the Council remained committed to working with partners to secure a deliverable solution and progress the scheme. It was advised that further updates would be provided as discussions advanced.
- 3.6 This report (in addition to the associated Part II Report on the agenda) provides additional information regarding the latest heads of terms and the proposed sales contract position.

4.0 What issues are there to be considered?

- 4.1 A revised Heads of Terms position has been presented by ABP to Officers since the September Cabinet meeting, to facilitate progression of the Barry Making Waves project whilst addressing the ongoing dependency on securing a Harbour Revision Order (HRO).
- 4.2 The revised Heads of Terms set out the Council's acquisition of the freehold interest in the whole of the Mole, including the walls and revetments, upon successful completion of the HRO process. In advance of the freehold transfer, ABP would grant the Council a 125-year lease at a peppercorn rent to facilitate delivery of the Levelling Up Fund funded watersports and education facility and associated infrastructure works.

- 4.3 Given the commercial sensitivities regarding these negotiations, further information regarding this is provided in the Part II report.
- 4.4 Whilst a timeline was previously reported to Cabinet, this has now slipped due to ABP's revised heads of terms. Further work is ongoing to address these wider project considerations, including the project's funding gap, programme delivery against external funding deadlines, future operational and revenue implications, and the delivery of associated infrastructure and access arrangements.

5.0 How does this report support Vale 2030 and Reshaping?

- 5.1 This proposal seeks to deliver Objective 1 in the Council's Vale 2030 strategy, by supporting access to quality services, and facilities.

6.0 How does this demonstrate the Five Ways of Working?

- 6.1 The proposals demonstrate alignment with the five ways of working set out in the Wellbeing of Future Generations (Wales) Act 2015, and these principles have informed the development and delivery approach.

Long Term

- 6.2 The Council is seeking to secure a long-term legal interest in the Mole, in order to deliver the aspired regeneration outcomes. The Council is considering the long-term ownership of the site.

Prevention

- 6.3 The Mole development brings forward underutilised land, subject to the HRO. The proposals will, at a minimum, provide a permanent base for watersports activity on the waterfront.

Integration

- 6.4 The projects support multiple Council objectives, including economic development, regeneration, education, housing and community wellbeing.

Collaboration

- 6.5 The successful progression of the projects has been underpinned by strong partnership working across the public, private and third sectors.

Involvement

- 6.6 The heads of terms have been reviewed by professional Officers from across the Council, and externally appointed lawyers.

Resources

7.0 Finance

- 7.1 If the land is leased to the Council, this will need to be accounted for under IFRS16.

8.0 Workforce

- 8.1 The delivery of the Mole project is being supported through the Council's existing staffing resources, including the Project Management Unit, alongside input from a range of internal services such as Legal, Finance, Procurement, Property, Planning and Regeneration. External legal advice has been sought in respect of the proposed land transaction and heads of terms.

9.0 Legal and Equalities

- 9.1 The Council is acting within its statutory powers to acquire land, procure services and deliver a regeneration project, as well as its wider powers to support economic development and regeneration within its area.
- 9.2 Ongoing legal advice is being obtained from the Council's externally appointed advisors in respect of the latest draft Heads of Terms.
- 9.3 The proposed 125-year lease proposed will provide the Council with a significant and long-term legal interest in the land. The lease structure is intended to secure delivery of the education and watersports elements of the project and provides the Council with sufficient certainty to undertake the necessary enabling and development works and provides security and certainty.
- 9.4 The Part II report provides additional information regarding the revised Heads of Terms in respect of the freehold proposition.

10.0 Key Contacts

- 10.1 **Who are the primary officers to contact with any comments and/or queries on the report?**

Lead Officer: Charlotte Raine Head of Regeneration and Strategic Project Development clraine@valeofglamorgan.gov.uk	Democratic Services Officer: Matt Swindell Cabinet and Committee Services Officer. mlswindell@valeofglamorgan.gov.uk
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Appendices

None.

Background Documents

Cabinet Report September 2026 report - [13 Making Waves](#) minutes - [Minutes](#)

Cabinet Report May 2026 [Barry Making Waves Levelling Up Fund Update](#)

Cabinet Report October 2025 [Barry Making Waves](#)

Cabinet Report January 2024 [Levelling up and Long-Term Plan for Town Report](#)