

THE VALE OF GLAMORGAN COUNCIL

Decision Notice – Remote Meeting, 4th December, 2023.

The Council agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor Julie Aviet (Mayor); Councillors Anne Asbrey, Gareth Ball, Rhiannon Birch, Bronwen Brooks, Gillian Bruce, Lis Burnett, Samantha Campbell, George Carroll, Christine Cave, Charles Champion, Janice Charles, Millie Collins, Marianne Cowpe, Pamela Drake, Vincent Driscoll, Christopher Franks, Wendy Gilligan, Russell Godfrey, Emma Goodjohn, Ewan Goodjohn, Stephen Haines, Howard Hamilton, Sally Hanks, William Hennessy, Nic Hodges, Mark Hooper, Catherine Iannucci, Gwyn John, Dr. Ian Johnson, Susan Lloyd-Selby, Belinda Loveluck-Edwards, Julie Lynch-Wilson, Kevin Mahoney, Naomi Marshallsea, Michael Morgan, Jayne Norman, Helen Payne, Elliot Penn, Sandra Perkes, Ian Perry, Joanna Protheroe, Ruba Sivagnanam, Carys Stallard, Neil Thomas, Steffan Wiliam, Edward Williams, Mark Wilson and Nicholas Wood.

AGENDA ITEM 1. APOLOGIES FOR ABSENCE –

These were received from Councillors Ian Buckey, Anthony Ernest, Robert Fisher, Rhys Thomas and Margaret Wilkinson.

AGENDA ITEM 2. DECLARATIONS OF INTEREST –

Councillor Franks declared an interest in Agenda Item No. 16(i) – Vale of Glamorgan Polling District and Places Review 2023 in that he was a trustee of Dinas Powys Library which was listed as a Polling Station. He had a dispensation to speak but not vote on the matter.

Councillor E.J. Goodjohn declared an interest in Agenda Item No. 16(i) – Vale of Glamorgan Polling District and Places Review 2023 in that she was the Chair of Buttrills Community Centre, noting it was a polling station, but not included in the report.

AGENDA ITEM 3. MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 25th September, 2023 be approved as a correct record.

AGENDA ITEM 6. TO CONSIDER THE FOLLOWING NOTICE OF MOTION – BUS SERVICES IN THE VALE OF GLAMORGAN (SUBMITTED BY COUNCILLORS DR. I.J. JOHNSON AND M.J. HOOPER) -

The below Notice of Motion, moved by Councillor Dr. Johnson and seconded by Councillor Collins was debated.

- Council notes the long-term policy of promoting integrated public transport through a Barry Docks public transport interchange, which is included within the Council’s Local Development Plan and Local Transport Plan.
- Council recognises the challenges to the bus industry in recent times, including reduction in passenger numbers following the lock-down period, driver recruitment, and the conclusion of the Welsh Government Bus Emergency Scheme subsidy in July 2023.
- Council supports the provision of a sustainable network of buses across the Vale which recognises people’s needs and not just a commercial demand-led service.
- Council requests a report, to be published and debated by Council within three months, on the development of the public transport interchange, including recommendations on how a fully functioning interchange will be provided in future.

A Recorded Vote took place on the acceptance of the Motion.

Members	For	Against	Abstain
Anne Asbrey	√		
Julie Aviet		√	
Gareth Ball		√	
Rhiannon Birch		√	
Bronwen Brooks		√	
Gillian Bruce	√		
Lis Burnett		√	
Samantha Campbell	√		
George Carroll	√		
Christine Cave	√		
Charles Champion	√		

Janice Charles	√		
Millie Collins	√		
Marianne Cowpe	√		
Pamela Drake		√	
Vincent Driscoll	√		
Christopher Franks	√		
Wendy Gilligan		√	
Russell Godfrey	√		
Emma Goodjohn		√	
Ewan Goodjohn		√	
Stephen Haines	√		
Howard Hamilton		√	
Sally Hanks		√	
William Hennessy	√		
Nic Hodges	√		
Mark Hooper	√		
Catherine Iannucci		√	
Gwyn John		√	
Dr. Ian Johnson	√		
Susan Lloyd-Selby		√	
Belinda Loveluck-Edwards		√	
Julie Lynch-Wilson		√	
Kevin Mahoney	√		
Naomi Marshallsea		√	
Michael Morgan			√

Jayne Norman		√	
Helen Payne		√	
Elliot Penn		√	
Sandra Perkes		√	
Ian Perry	√		
Joanna Protheroe		√	
Ruba Sivagnanam		√	
Carys Stallard		√	
Neil Thomas		√	
Steffan Wiliam	√		
Eddie Williams		√	
Mark Wilson		√	
Nicholas Wood	√		
TOTAL	21	27	1

RESOLVED – T H A T the Motion is lost.

Reason for decision

Having regard to the debate at the meeting.

AGENDA ITEM 7. TO CONSIDER THE FOLLOWING NOTICE OF MOTION – BARRY WATERFRONT DEVELOPMENT (SUBMITTED BY COUNCILLORS M.J. HOOPER AND DR. I.J. JOHNSON) -

The below Notice of Motion moved by Councillor Hooper and seconded by Councillor Hodges was debated.

- Council notes the progress of the Barry Waterfront Development, a major housing development on the site of the old Docks, which is shared between three national (U.K.) house builders; Persimmon, Barratts and Taylor Wimpey (the Consortium).
- Council notes that the Consortium have contracted a third party to undertake much of the finishing off at the site and that the development has not been finished to the standard expected, as mandated in the

planning consent, with public open spaces incomplete, road junctions that have safety issues unresolved, streets without street lighting and many hundreds of semi-mature trees left unplanted, while some of the items that are unfinished are up to four years late (Waterside Gardens).

- Council believes that the Consortium of Developers are in breach of conditions of their planning approvals, and have badly let down the residents of the Waterfront, who purchased their properties in good faith.
- Council recognises that it has failed in its duty of care towards residents by failing to enforce the conditions associated with this planning consent.
- Council determines that it will utilise all available means at its disposal (including legal action) to force the Consortium to fulfil all their obligations at the earliest opportunity, and by the end of the financial year, at the latest.
- Council will pursue recompense for Waterfront residents, by demanding that the Consortium plant the 'missing trees' from the development as a Community Orchard in the unusable part of the Council's Harbour Road (overflow car park).

A recorded vote took place on the acceptance of the Motion.

Members	For	Against	Abstain
Anne Asbrey	√		
Julie Aviet		√	
Gareth Ball		√	
Rhiannon Birch		√	
Bronwen Brooks		√	
Gillian Bruce	√		
Lis Burnett		√	
Samantha Campbell	√		
George Carroll	√		
Christine Cave	√		
Charles Champion	√		
Janice Charles	√		
Millie Collins	√		

Marianne Cowpe	√		
Pamela Drake		√	
Vincent Driscoll	√		
Christopher Franks	√		
Wendy Gilligan		√	
Russell Godfrey	√		
Emma Goodjohn		√	
Ewan Goodjohn		√	
Stephen Haines	√		
Howard Hamilton		√	
Sally Hanks		√	
William Hennessy	√		
Nic Hodges	√		
Mark Hooper	√		
Catherine Iannucci		√	
Gwyn John		√	
Dr. Ian Johnson	√		
Susan Lloyd-Selby		√	
Belinda Loveluck-Edwards		√	
Julie Lynch-Wilson		√	
Kevin Mahoney			√
Naomi Marshallsea		√	
Michael Morgan		√	
Jayne Norman		√	
Helen Payne		√	

Elliot Penn		√	
Sandra Perkes		√	
Ian Perry	√		
Joanna Protheroe		√	
Ruba Sivagnanam		√	
Carys Stallard		√	
Neil Thomas		√	
Steffan Wiliam	√		
Eddie Williams		√	
Mark Wilson		√	
Nicholas Wood	√		
TOTAL	20	28	1

RESOLVED – T H A T the Motion is lost.

Reason for decision

Having regard to the debate at the meeting.

AGENDA ITEM 8. REVIEW OF THE JOINT CONSULTATIVE FORUM CONSTITUTION (REF) –

RESOLVED - T H A T the suggested changes following the Review of the Joint Consultative Forum (JCF) Constitution as considered by the Joint Consultative Forum on 25th September, 2023 be approved and that the Terms of Reference of the JCF be amended accordingly in the Council's Constitution.

Reason for decision

Having regard to the contents of the reference and its attached appendix and discussions at the meeting.

AGENDA ITEM 9. AUDITED STATEMENT OF ACCOUNTS 2022/23
(REF) –

RESOLVED – T H A T the Audited Statement of Accounts 2022/23 as considered by the Special Governance and Audit Committee on 16th November, 2023 be noted.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

AGENDA ITEM 10. AUDITED STATEMENT OF ACCOUNTS 2022/23
(DCR) –

RESOLVED –

- (1) T H A T the Final Statement of Accounts, Annual Governance Statement attached at Appendices A and B to the report and the supplementary information titled Sensitivity Analysis of Projected Service Costs 2022/23 issued prior to the meeting, be approved.
- (2) T H A T delegate authority be granted to the S151 Officer in liaison with the Chair of the Governance and Audit Committee to make any final adjustments to the Final Statement of Accounts and Annual Governance Statement as necessary.
- (3) T H A T the response to the Audit Wales Audit Enquiries attached at Appendix C to the report be noted.
- (4) T H A T the Audit Wales ISA260 and management actions agreed by the Vale of Glamorgan attached at Appendix D to the report be noted.
- (5) T H A T the Letter of Representation attached at Appendix E to the report be approved.

Reasons for decisions

- (1) Council is the body responsible for the final approval of the Statement of Accounts and Annual Governance Statement.
- (2) The Audit of the Statement of Accounts and Annual Governance Statement is complete.
- (3) Audit Wales has written to both offices and those charged with governance with a set of queries to provide assurance on fraud, legal and related parties.
- (4) The ISA260 is for noting and any adjustment required have been made in the Statement of Accounts and Annual Governance Statement being put forward for approval.

(5) To enable the submission of the Letter of Representation ahead of the sign off of the Accounts by the Auditor General

AGENDA ITEM 11. USE OF THE CHIEF EXECUTIVE'S EMERGENCY POWERS (CX) -

RESOLVED – T H A T the use of the Chief Executive's Emergency Powers as contained within the report be noted.

Reason for decision

Having regard to the Council's Constitution.

AGENDA ITEM 12. AMENDMENTS TO THE COUNCIL'S CONSTITUTION (MO/HLDM) –

RESOLVED –

(1) THAT the revised Multi-Location Meetings Policy (Section 4.17.3) of the Council's Constitution as set out in Appendix A to the report be approved and that the Council's Constitution be amended accordingly.

(2) THAT the changes in legislation pertaining to Functions of Full Council (Section 14.10) as set out in paragraph 2.2 of the report be noted and the Council's Constitution be amended accordingly.

(3) THAT the Scrutiny Public Participation Guide at Section 20 of the Constitution be replaced with the revised guide at Appendix B to this report and the Council's Constitution be amended accordingly.

(4) THAT the changes to the relevant officer delegation as set out in paragraph 2.4 of the report be approved and that Section 26 of the Constitution be amended accordingly.

(5) THAT the proposed change to Co-opted Members' Allowances in Section 27.3 of the Council's Constitution as set out in paragraph 2.5 of the report be approved and the Council's Constitution amended accordingly.

Reason for decisions

(1 and 3) Having regard to the content of the report, discussions at the meeting and the Cabinet decision of 7th September 2023.

(2, 4 and 5) Having regard to the report and discussions at the meeting.

AGENDA ITEM 13(a). TREASURY MANAGEMENT MID-YEAR REPORT
2023/24 (REF) –

RESOLVED – T H A T the Treasury Management Mid-Year Report 2023/24 as considered by Cabinet on 16th November, 2023 (Minute No. C152 refers) be approved.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

AGENDA ITEM 14(a). AGREEMENT TO ENTER INTO A
SUPPLEMENTAL AGREEMENT WITH THE DEVELOPER FOR THE
CONSTRUCTION OF NEW COUNCIL APARTMENTS AT CADOXTON. BARRY
(PART I) (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C113, 5th October, 2023 (as set out in Section 15.14 of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 14(b). AGREEMENT TO ENTER INTO A
SUPPLEMENTAL AGREEMENT WITH THE DEVELOPER FOR THE
CONSTRUCTION OF NEW COUNCIL APARTMENTS AT CADOXTON. BARRY
(PART II) (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C115, 5th October, 2023 (as set out in Section 15.14 of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 14(c). THE VALE OF GLAMORGAN COMMUNITY
REVIEW – DRAFT PROPOSALS (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C125, 19th October, 2023 (as set out in Section 15.14 of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 14(d). AGENCY WORKER CONTRACT AWARDS
(PART I) (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C133, 19th October, 2023 (as set out in Section 15.14 of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 14(e). AGENCY WORKER CONTRACT AWARDS
(PART II) (REF) –

RESOLVED – T H A T the use of the Urgent Decision Procedure (Cabinet Minute No. C137, 19th October, 2023 (as set out in Section 15.14 of the Council's Constitution) be noted.

Reason for decision

The reporting of the use of the Urgent Decision Procedure is a requirement of the Council's Constitution.

AGENDA ITEM 16. MATTER WHICH THE MAYOR HAD DECIDED WAS
URGENT –

RESOLVED – T H A T the following matter which the Mayor had decided was urgent for the reason given beneath the minute heading, be considered.

AGENDA ITEM 16(i). VALE OF GLAMORGAN POLLING DISTRICT
AND PLACES REVIEW 2023 (REF) –

Urgent by reason of the need for Council to consider the report in order that the Review can be published by 1st January, 2024

RESOLVED – T H A T the Vale of Glamorgan Polling District and Places Review 2023 as considered by Cabinet on 30th November, 2023 (Minute No. C137 refers) be approved.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.