

## THE VALE OF GLAMORGAN COUNCIL

### REQUEST FOR THE USE OF EMERGENCY POWERS – CORONAVIRUS PANDEMIC

**SUBJECT:** Barry Town Centre Weekly Market

1. **Originating / Department / Service** –

Managing Director and Resources / Regeneration and Planning.

2. **Reason for Seeking Emergency Powers** –

PLEASE SPECIFY BELOW ~~and attach appropriate Committee report /  
minute/ memo \* (\* delete as appropriate)~~

#### Purpose of Request

To seek authority for the Monitoring Officer / Head of Legal and Democratic Services, in consultation with the Head of Finance / Section 151 Officer and the Head of Regeneration and Planning, to draft and execute a side letter to the existing licence agreement to include the temporary allotted area on King Square.

This will facilitate the return of the weekly market to Barry Town Centre as a temporary move. The intention would be that when it is safe to do so, and in accordance with Welsh Government guidelines, the market will move back to the current allotted area on Holton Road when the Council give the market operator notice to do so.

#### Background

The existing licence agreement allows the market operator to hold an open-air market every Tuesday on Holton Road. At the request of the Council, the market was suspended at the start of the lockdown until further notice, due to evidence of stalls continuing to sell non-essential goods and safety concerns associated with pinch points in the allotted area on Holton Road. It was agreed that the market operator will receive a 3 month's rent-free period.

#### Temporary Allotted Area

Due to social distancing regulations, it is not possible for the market operator to safely hold the open-air market in the current allotted area on Holton Road, as the area is being used by other high street retailers to accommodate their queuing systems. To facilitate a return to the town centre, a temporary allotted area on King Square has been identified by the Council and the market operator. The area has been chosen as it is near to the current allotted area but allows a minimum of four metre accessways to the Town Hall and Central Park. To formalise matters a side letter (to the existing licence agreement) is required for both parties to agree.

#### Rent

The market operator was asked to suspend trading on Holton Road from Tuesday, 31<sup>st</sup> March 2020. It is proposed that the earliest they will be able to

resume trading is Tuesday, 4<sup>th</sup> August 2020. The market operator has already paid rent for April, and it is therefore proposed that the 3 month's rent-free period is for the period May-July (inclusive).

#### Risk Assessment

The market operator is responsible for the layout and the management of the market and has agreed to operate the market in line with a risk assessment. The market operator is also required to follow current Welsh Government guidance (published, 17th June 2020), [Creating safer public places: coronavirus](#).

### 3. **Policy Framework and Budget** –

PLEASE INDICATE as appropriate that the matter that you are seeking the use of Emergency Powers for is a Cabinet or Council function.

Cabinet

Council

### 4. **Relevant Scrutiny Committee** –

Environment and Regeneration.

#### **IMPORTANT**

The following sections **must** be completed **prior** to the request being submitted to the Democratic and Scrutiny Services Section for processing.

I confirm (delete as appropriate)

~~(a) That there are no financial implications and the relevant Cabinet Member, Leader and / or the Deputy Leader has been consulted and is in agreement with the use of Emergency Powers; **or**~~

(b) That, in view of the financial commitments, the Head of Financial Services, the appropriate Chief Officer, the relevant Cabinet Member, Leader and / or Deputy Leader have been consulted and are in agreement with the use of the Emergency Powers ~~and that~~

~~(c) For matters relating to the Planning Committee the Chairman of the Planning Committee has also been consulted and is in agreement with the use of Emergency Powers;~~

~~(d) For matters relating to the Licensing Committee the Chairman of the Licensing Committee has also been consulted and is in agreement with the use of Emergency Powers.~~

~~(e) For matters relating to the Welsh Church Act Estate Committee the Chairman of the Welsh Church Act Estate Committee has also been consulted and is in agreement with the use of Emergency Powers.~~

~~(f) For matters relating to policy the relevant Scrutiny Committee Chairman has been consulted and is in agreement with the use of Emergency Powers.~~

**Signed:** Marcus Goldsworthy  
**(Instructing Chief Officer)**

**Date:** 22<sup>nd</sup> July 2020

**Please print name:** Marcus Goldsworthy, Head of Regeneration and Planning

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**I hereby approve under my Emergency Powers the attached recommendation(s) on behalf of the Cabinet / Council (please delete as appropriate).**

**Signed:** .D.R. Thomas..... **Date:** 28<sup>th</sup> July 2020.....  
**Managing Director**

**N.B. Should the relevant portfolio Cabinet Member be unable to be consulted only the Leader and / or Deputy Leader be consulted in their absence.**

**N.B. Cabinet: 23<sup>rd</sup> March 2020 Minute No. 295**