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Councillor Burke  
Cabinet Member  
Cardiff Council  
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CF10 4UW



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### Public Letter

Dear Councillor Burke,

#### **ST. DAVID'S HALL**

Our thanks to you, Neil Hanratty, Chris Barnett, Ruth Cayford, Richard Crook, Donna Jones, Eirian Jones, and Kathryn Richards, as well as Scott Couzens from Bevan Brittan LLP, for attending committee to answer our questions about the proposals for St. David's Hall set out in the report to Cabinet. Members have asked that I pass on the following comments and observations.

#### **Classical and Community Programme/ Youth**

Members are pleased that the classical and community programme will be a legally binding obligation within the lease, with the Memorandum of Understanding setting out how stakeholders will work together to deliver these commitments. Members note that the programme includes the current youth programme, ensuring that this continues. Members also note that Arts Active will remain with the Council.

#### **Essential Repairs**

Members note that AMG are required to deliver the agreed Essential Repairs within 10 years and that written approval from the Council is required prior to any work commencement. Members note there is a 'keep open' clause in the lease agreement.

#### **Refurbishment Costs**

Members note the Financial Implications section of the report to Cabinet refers to refurbishment costs falling to the Council and queried what these were for; Members

note these cover costs of ensuring pianos and the organ are up to standard prior to the transfer to AMG.

### **Data Protection Impact Assessment**

Members highlighted that a Data Protection Impact Assessment may need to be completed prior to transfer to AMG, if customer details are being transferred. Members note officers' assurance that they will explore this and will complete if required.

### **TUPE**

Members note that AMG has committed to TUPE all existing staff, circa 37 FTE employees. Members note that AMG have indicated that a reduction in staffing numbers may be required and that they will endeavour to achieve this through redeployment and normal turnover. Members note that it was not possible to offer staff VS prior to transfer because of legal advice received.

### **Response to VEAT**

Members note there was only one request for further information when the VEAT notice was published, but nothing was progressed beyond this.

### **Risks**

Members sought to understand what would happen were AMG to renege on their commitments. Members note officers' views that this is unlikely, that AMG will work to ensure St. David's Hall flourishes as a commercial enterprise, resulting in the cultural offer of Cardiff being improved but that, if this did happen, the Council would use the usual mechanisms to deal with non-compliance with lease agreements. Members note that, ultimately, the Council could take the building back.

Members questioned what leverage the Council has if the acoustics were affected by works. Members note officers' responses that independent acoustics engineers would be employed to try to ensure this did not happen, that the Lease contains a clause on this, that any changes would have to have listed buildings consent but that, if this did happen, the Lease enables the Council to require AMG to make good and rectify the situation.

## **Minority View**

Cllr Berman and Cllr Shimmin have asked that their minority view be captured in this letter, which is that they do not believe the proposals are in the long-term interests of the people of Cardiff and that they would like the Council to continue to look at alternative options, which might involve looking at reprioritising other spending and also further pursuing national funding to keep the Hall as a Council-run provision.

My thanks again to you, Scott Couzens and officers for attending Committee and answering our queries.

This letter does not contain any requests for further information or recommendations and so does not require a response.

Yours sincerely,



**COUNCILLOR PETER WONG**  
**CHAIR, ECONOMY & CULTURE SCRUTINY COMMITTEE**

cc Members of the Economy & Culture Scrutiny Committee  
Group Leaders - Cllr Lancaster, Cllr Berman, Cllr Gibson  
Gavin McArthur – Chair, Governance & Audit Committee  
Neil Hanratty Chris Barnett Ruth Cayford Richard Crook  
Donna Jones Eirian Jones Kathryn Richards  
Scott Couzens – Bevan Brittan LLP  
Mel Jackson Clair James  
Claire Deguara  
Chris Pyke Tim Gordon Jeremy Rhys