

MINUTES

CABINET MEETING: 26 OCTOBER 2023

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| Present | Councillor Huw Thomas (Leader) Councillors Peter Bradbury/ Julie Sangani (job share) Councillor Jen Burke Councillor Dan De'Ath Councillors Norma Mackie/ Ash Lister (job share) Councillor Sarah Merry Councillor Lynda Thorne Councillor Chris Weaver Councillor Caro Wild |
| Observers: | Councillor John Lancaster Councillor Rhys Livesy Councillor Joe Carter |
| Also: | |
| Officers: | Sarah McGill, Corporate Director Chris Lee, Section 151 Officer Richard Crane, Acting Monitoring Officer Claire Deguara, Cabinet Office |
| Apologies: | Councillor Russell Goodway |

149 ST DAVID'S HALL UPDATE

Appendix 3 of this report is not for publication as it contains exempt information of the description contained in paragraphs 14 and 16 of Part 4 of Schedule 12A of the Local Government Act 1972. In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Public and confidential Scrutiny letters were circulated.

Cabinet considered a report providing an update on the proposed lease of St David's Hall to AMG following the recent enforced closure of the building due to the presence of RAAC (Reinforced Autoclaved Aerated Concrete) planks.

The Cabinet's satisfaction that best consideration duty will be met by the lease to AMG was stated, noting that the Council's ability to bear the continued liability for St

David's Hall and put in the investment required, having regard to the current financial climate, was considered to be beyond the Council's means.

The impact on staff was noted, and it was highlighted that staff and Trade Unions have been fully engaged with. The Leader thanked the staff for their work over the years and noted their continued dedication to St David's Hall.

The Council's commitment to re-open St David's Hall was stated, however, it was noted that the timeline for re-opening is dependent on the ability to obtain contractors to undertake the work given the demand across the UK. In addition, the Council's commitment to the classical programme at St David's Hall was restated and it was highlighted that this is a contractual obligation under the AMG lease.

RESOLVED: that

- 1) authority be delegated to the Director of Economic Development in consultation with the Cabinet Member for Culture, Parks and Events, the Section 151 Officer, and the Legal Officer to conclude negotiations with AMG and other relevant stakeholders to:
 - a. Finalise and enter into a Conditional Agreement for Lease with AMG on the basis of the principles set out in the draft Conditional Agreement for Lease set out at **Confidential Appendix 3**;
 - b. Enter into the lease and associated documents as set out at **Confidential Appendix 3** upon satisfaction of the conditions within the Conditional Agreement for Lease;
 - c. Complete the business sales agreement with AMG for St David's Hall based on the principles set out in the draft business sales agreement attached at **Confidential Appendix 3** upon satisfaction of the conditions within the Conditional Agreement for Lease;
- 2) the continued closure of St David's Hall and the associated consequences set out in this report until AMG satisfy the conditions within the Conditional Agreement to Lease be noted.
- 3) In light of the above, it is unlikely that all employees will transfer to AMG under the Transfer of Undertaking (Protection of Employment Regulations 2006) as envisaged in the July 2023 Cabinet report. As a result, the Council's proposed staff engagement strategy, to manage the closure of St David's Hall as set out in this report, be noted.