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CORRESPONDENCE FOLLOWING THE COMMITTEE MEETING

Committee ECONOMY & CULTURE SCRUTINY COMMITTEE

Date and Time of Meeting TUESDAY, 21 NOVEMBER 2023, 4.30 PM

Please find below correspondence send by the Committee Chair following the meeting, together with any responses received.

For any further details, please contact scrutinyviewpoints@cardiff.gov.uk

13 **Correspondence following Committee Meeting**(Pages 3 - 44)

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My Ref: SharePoint/E&C Library/Correspondence/Nov23

Date: 27 November 2023



County Hall
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Councillor Thomas
Leader
Cardiff Council
County Hall
Cardiff
CF10 4UW

Public Letter

Dear Councillor Thomas,

ECONOMY & CULTURE SCRUTINY COMMITTEE ITEMS – 21 NOVEMBER 2023

Our thanks to you, Jon Day, Andrew Gregory, Richard Hyett and Gareth Newell as well as Carolyn Brownell, FOR Cardiff, for attending committee to answer our questions about city centre management arrangements, city centre recovery, and our partnership work with Cardiff Capital Region City Deal and Western Gateway.

Members found these items really useful in understanding how the Council is working with partners to tackle post-pandemic recovery, lever in funding, and address current and future issues. Members have asked that I pass on their following comments and observations.

Equality Impact Assessments (EIAs)

Members are concerned that EIAs were not made available to this Committee for the City Centre Management or City Centre Recovery items. Members wish to stress the need for EIAs to be completed and shared with scrutiny committees, in line with the Motion to Full Council agreed in March 2023. As you stated at our meeting, the work with partners to ensure a sustainable and viable city centre is of huge importance to Cardiff, the region, and the economy of Wales as a whole. It is critically important that this work is inclusive and that outcomes enable all sections of our communities to enjoy and benefit from a strong city centre. EIAs are a key mechanism to ensure this aim is front and centre of the Council's work with partners. Members therefore call on you to ensure that EIAs are included in all reports to Cabinet and in the relevant papers to scrutiny committees.

City Centre Management

Members note the engagement to inform the City Centre Recovery Action Plan identified that a safe, clean, welcoming city centre environment was very important to stakeholders, leading to the Corporate Plan commitment to introduce new city centre management arrangements.

Members were pleased to witness evidence of the close partnership working underpinning city centre management arrangements and to hear about the proactive work FOR Cardiff undertakes alongside the work of the new wardens. In particular, Members note:

Safe

- The new wardens work collaboratively with the Police and other wardens and security guards to prevent and respond to incidents of shoplifting and anti-social behaviour, with their visibility and ability to intervene lending strength to this work.
- Wardens wear bodycams, which are switched on when a warden feels this is necessary to provide evidence for possible future criminal proceedings. Members request a copy of the protocols and procedures governing the use of bodycams by city centre wardens.
- Wardens liaise on a daily basis with the Council's outreach team.
- Wardens work proactively with the Police and Immigration Services on seizing illegally modified bikes; it is proposed this action will take place quarterly.
- Work is ongoing exploring the usefulness and feasibility of wardens issuing Fixed Penalty Notices, for example for cycling on Queen Street.
- Wardens work in the daytime only; it is felt it is more appropriate for the Police to deal with issues arising from the Night Time Economy as well as the existing funding being for daytime use.

Clean

- There is recognition of the impact of events on neighbourhoods adjacent to the city centre; the activation sites monies, raised by the city centre management team, could be used to cover the costs of event management and post-event clean-up operations. In the future, it may be possible to use the Welsh Government's proposed Tourism Levy to assist with these costs.

Welcoming

- Members highlighted other cities have assistants dressed as Christmas Elves and Christmas Angels welcoming people to their city centres and providing advice and information and wonder if Cardiff could follow this example.
- Members note the Voluntary Busking Strategy allows amplification in certain situations but also contains volume controls, for amenity reasons. Members believe it also contains a cut-off time and would welcome clarification on this. Members note work is underway exploring whether existing byelaws can assist in controlling busking in the evening, with officers citing they are exploring use of a byelaw with a 9pm cut-off point. Members recognise that good busking can assist the Council in its work towards being a Music City but note that this can be achieved without unacceptable harm to residents and businesses in the city centre.

During the meeting, Members also explored how future work in the city centre is guided and note there are surveys as well as intelligence-gathering work that is used to inform this; Members request further details on these and that the latest be shared with the committee, where possible.

Finally, Members recognise that the new city centre management arrangements benefit from Shared Prosperity Funding; we note your expectation for this funding to continue post-2025 but that, if this does not happen, you will work with partners, including FOR Cardiff, albeit this is in the context of a challenging financial situation.

City Centre Recovery

Members wish to thank Jon Day for his presentation, which highlighted some of the work underway to implement the City Centre Recovery Action Plan. Our observations are grouped below:

Transport

- Members note Welsh Government and Transport for Wales are responsible for the new bus interchange and that the Council is liaising with them on this
- Members note a decision has not been made on where coaches will start/terminate, as stakeholders are waiting for decisions on other projects, such as the bus interchange and Central Station facilities, before they make a decision

- That there has been good progress made on the other transport projects set out the City Centre Recovery Action Plan
- That improvements are needed to the current coach park in Sophia Gardens, to provide protection from the elements and to improve linkage with buses; Members note your acknowledgment of this and welcome your commitment to look into the feasibility of short-term improvements.

Public realm

- Work is ongoing to improve pavements around St John's Church and Golate
- There are not sufficient resources to tackle all the city centre paving in one scheme; however, work is underway to schedule improvements where resources allow
- St David's Partnership is responsible for the public realm adjacent to their centre and officers have liaised with them regarding the need to improve paving
- Members remain concerned about how the Council is tackling the growing issue of tarmac being used instead of paving and request further information on how the Council is addressing this issue
- Members welcome your commitment to re-instate the paving slab with a plaque commemorating the work of the installation artist Mr Jean-Bernard Metais and Mr. Peter Finch, in front of the Alliance public art sculpture in front of the Central Library.

Use of vacant units

- Members note residential use is acceptable where this supports the primary role of the city centre, economic viability and does not detract from existing employment use
- Members highlighted the possible use by charities, community groups or to provide quiet spaces in the city centre, which would be particularly welcomed by some people with neurodiverse conditions. Members were pleased to hear there is active work with partners to enable meanwhile use and more permanent creative partnership and other uses. Members also note quiet spaces have been provided in the St David's II Centre.

Safe Spaces

- Members were pleased to hear FOR Cardiff has led work to introduce the 'Ask Angela' scheme into premises in the city centre and would welcome more information on this and how it will be publicised.

Equality City

- Members note and welcome the work by FOR Cardiff in improving access to events and spaces for all residents of Cardiff.

Economy

- Members note the current high inflation and interest rates are having an impact on city centre recovery work, via their impact on existing capital projects and their impact on future developments.

District Centres

- Whilst welcoming the work to assist the city centre recovery, Members sought assurance that other areas of the city will not be left behind and welcome the response that there are specific plans to support district centres across Cardiff.

Cardiff Capital Region City Deal & Western Gateway

Members were interested to understand how these key regional partnerships assist Cardiff and thank officers for their assistance in providing information in the cover report for this item. In particular, Members note:

Severn Estuary Energy

- Western Gateway will appoint an Expert Commission to build on the work to date and determine the most appropriate proposal, which will then be put to the UK and Welsh Government for consideration for funding
- Green Energy Wales has been involved in work on these proposals
- There is recognition of the need for stakeholder engagement, including youth consultation; this will take place, at the right point, as part of the work of the Expert Commission

Maturity of Partnerships

- Members note that trust and understanding amongst the ten local authorities in the Capital City Region City Deal has grown steadily over the 6 years it has been in operation, with increasing recognition that investment in any part of the region benefits the whole region
- Members note the Western Gateway is a voluntary partnership across a diverse range of bodies, which has enabled greater challenge and thorough testing of ideas, resulting in successful leveraging in of UK Government funding.

Scrutiny Arrangements

- Members were pleased to hear your support for the need for appropriate scrutiny arrangements to be in place to ensure the city deal and Corporate Joint Committee is accountability to local members
- Members note your comment that we all need to keep a collective focus to ensure the right scrutiny arrangements are put in place.

My thanks again to you, Carolyn Brownell, and officers for attending Committee and answering our queries. This letter contains requests for further information and so requires a response:

Requests:

- Members request your commitment to ensure that EIAs are included in all relevant reports to Cabinet and in the relevant papers to scrutiny committees, in line with the Motion carried by Full Council in March 2023
- Members request details of the makeup of the warden team in terms of their race and gender
- Members request a copy of the protocols and procedures governing the use of bodycams by city centre wardens
- Members request clarification of whether the current Voluntary Busking Strategy contains a cut-off time for busking
- Members request further details on surveys and intelligence-gathering used to inform city centre management, with copies of the most recent of these to be shared with the committee, if possible
- Members request further information on how the Council is addressing the use of tarmac instead of paving in the city centre

- Members request information on the 'Ask Angela' scheme and how it will be publicised.

Yours sincerely,

P Wong

**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
Jon Day Andrew Gregory Richard Hyett Gareth Newell
Carolyn Brownell – FOR Cardiff Interim Executive Director
Debi Said
Chris Pyke Tim Gordon Jeremy Rhys

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Fy Nghyf / My Ref: CE:0044899

Dyddiad / Date: 25 March 2024

Councillor Peter Wong
Chair, Economy & Culture Scrutiny Committee
Cardiff Council
County Hall
Cardiff
CF10 4UW

Via email: Aholt@cardiff.gov.uk; Naomi.Tomic2@cardiff.gov.uk

Annwyl/Dear Peter,

RE: ECONOMY & CULTURE SCRUTINY COMMITTEE ITEMS – 21 NOVEMBER 2023

Thank you again for the invitation to attend the Economy and Culture Scrutiny Committee of 21st November 2023. This response covers the items raised for response that relate specifically to City Centre Management. I have outlined the response to the issues raised below and have attached relevant information as requested.

Members request your commitment to ensure that EIAs are included in all relevant reports to Cabinet and in the relevant papers to scrutiny committees, in line with the Motion carried by Full Council in March 2023.

We will commit to including EIAs in all relevant reports to Cabinet and relevant papers to scrutiny committees. Note that for this meeting a general update was provide and no decisions, and hence there was no specific requirement for an EIA.

Members request details of the makeup of the warden team in terms of their race and gender.

With regard the request for the makeup of the warden team in terms of their race and gender, given the small size of the team, and in line with the data protection protocols of the Council (information not being provided for groups of less than 10) we are not able to provide the gender and ethnicity of the warden team as individuals may be able to be identified. This data is subject to significant restrictions within the Council and only available to those officers which require it as part of their duties.

GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathiebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

WORKING FOR CARDIFF, WORKING FOR YOU

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.



Members request a copy of the protocols and procedures governing the use of bodycams by city centre wardens.

A copy of the protocol for the use of body worn cameras by the warden teams is attached.

Members request clarification of whether the current Voluntary Busking Strategy contains a cut-off time for busking.

We can confirm that the voluntary busking guidelines suggests “performance times for buskers will operate from 10am to 7pm.”

Members request further details on surveys and intelligence-gathering used to inform city centre management, with copies of the most recent of these to be shared with the committee, if possible.

The main survey information used is the weekly footfall data, an example is attached. This provides data on where and when people are within the city centre. Additional sources like STEAM data, which provides visitor spend information, and the Annual Population Survey provide data on the economic performance of the city, however these tend to reflect past performance and are monitored on a long-term basis.

Members request further information on how the Council is addressing the use of tarmac instead of paving in the city centre.

The use of tarmac in the City Centre, primarily in Queen Street, is to address significant deterioration and related safety hazards to the paved surfacing that has occurred over the particularly wet winter period. Although localised repairs were being undertaken, due to the weather conditions and continuous vehicular loading, the repairs were failing, and the approach was therefore deemed to be unsustainable.

The tarmac repairs are temporary and will, following improvements to weather conditions and available road space, be replaced with a future programme of highway improvement works.

Members request information on the ‘Ask Angela’ scheme and how it will be publicised.

Information on the ‘Ask Angela’ scheme can be found on FOR Cardiff’s ‘For a Safer Cardiff’ website at <https://forasafercardiff.com/> . For Cardiff have provided information on the promotion of the scheme, which includes:

To the public:

- PR campaign, with a variety of radio, TV and social campaigns promoting it, including coverage by the BBC and ITV and online;
- Paid and organic social media campaign covering the whole of December on Facebook and TikTok; and
- Digital media buy across Spotify and digital screens.

To businesses:

- A dedicated section on the 'FOR a Safer Cardiff' website;
- A toolkit outlining the campaign, FAQs, training etc for staff;
- Social media assets for businesses to share to show their inclusion in the campaign;
- Physical assets such as stickers/window vinyl/business cards for them to share with their customers and use in their premises; and
- All of above has been shared via the For Cardiff business engagement team, as well as briefings to the Night-Time Economy Group and email circulation to the Night Forum.

Thank you again for your consideration of this matter the Economy and Culture Scrutiny Committee and for the contributions made by committee members.

Yn gywir,
Yours sincerely,



CYNGHORYDD / COUNCILLOR HUW THOMAS
ARWEINYDD / LEADER
CYNGOR CAERDYDD / CARDIFF COUNCIL



City of Cardiff Council City Centre Wardens – Body Worn Camera Operational Procedure

Purpose

This procedure has been drawn up to establish the operational procedure for City Centre Wardens to operate Body Worn Camera devices, whilst complying with all storage, retention and operational obligations as outlined in the Cardiff Council CCTV Body Worn Camera Council Wide Policy

All Cardiff Council City Centre Warden employees engaged in the management and operation of Body Worn Cameras (BWCs), **must** read, understand, and implement the procedures within this document.

The objective of this Operational Procedure is to ensure that:

- Surveillance Camera Commissioners (SCC) Code of Practice is fully adhered to.
- Cardiff Council wide CCTV Body Worn Camera Policy is fully adhered to.
- The system equipment, devices, digital evidence (data), system documents, and incident logs are maintained securely.
- All managers, supervisors and officers understand their responsibilities.
- Evidence is secured and handled in accordance with legal requirements so as not to prejudice any subsequent court proceedings.
- There is a clear audit trail for digital evidence and who handled it.

The BWC system must operate in accordance with the following Acts:

- **Data protection Act 2018**
 - UK General Data Protection Regulation
 - Freedom of Information Act 2000
 - Human Rights Act 1998
 - Protection of Freedoms Act 2012
 - Home Office Surveillance Camera Code of Practice
-
- **Information commissioners Code of Practice**

This operational procedure will operate in conjunction with the Council wide CCTV Body Worn Camera Policy and the Council wide CCTV Policy and Code of Practice.

Body worn CCTV has been provided to all City Centre Wardens (CCW) as part of their Personal Protective Equipment (PPE) with the aim of acting as a deterrent to verbal and physical abuse aimed at Officers. The purposes for deploying BWCs is as defined in the Cardiff Council CCTV Body Worn Camera Council Wide Policy.

Daily Use

All CCW must wear a BWC whilst on patrol as part of their PPE, although it is in their individual control when to activate the main recording function.

The 30 second continuous recording function will always be activated in order to capture the initial flash point of any incident, prior to the CCW activating the main recording function.

Activation will only occur in cases where there is deemed to be a potential threat to CCW safety, and for the gathering of evidence where a potential crime is being committed. This means that the BWCs will only be switched to record when a staff member is subject to perceived aggression or is dealing with a potential criminal matter.

- The definition of Perceived Aggression in this context is:
 - An individual(s) making verbal threats,
 - An individual(s) threatening an Officer with a weapon, or other object,
 - An individual(s) threatening an Officer with the intention of causing bodily harm,
 - An individual(s) encroaching within an arm's length of an Officer (within their personal space),
 - An individual(s) making physical contact with an Officer.

CCW should always look to use their training to ensure that situations are calmed to the best of their ability without the need to activate the main recording function on the device.

Devices are NOT to be used in constant active recording mode, in office environments, or for any situations NOT covered by this policy. (This does not include the 30 second loop recording function which is vital to gathering any evidence prior to the officer activating the main record button).

The devices must at all times be operated in accordance with the manufacturer's instructions and guidelines.

The equipment remains the property of Cardiff Council and any subsequent data captured by the devices are owned by the Data Controller.

All cameras and equipment will be stored in a secure area and locked away overnight. Any footage recorded will be encrypted and therefore not able to be viewed on the device itself.

Training

All CCW must receive full training in the use of BWCs. This training will include the practical use of the device, their responsibilities, and the restrictions relating to the recording of activities and individuals.

CCW will receive training in violence and aggression avoidance, equalities and diversity, and conflict awareness.

CCW should receive training and feedback on their BWC use via regular reviews and 1:1 meeting, especially after the BWC has been activated. This will form part of all ongoing refresher training and will include information on maintaining best practice procedures, feedback sessions, and any legislative updates or procedural changes.

Managers must ensure that the use of the Body Worn Cameras is widely advertised prior to the start of a programme of use and must continue periodic advertisements ensuring 'fair processing' a requirement of the Data Protection Act 2018. This also meets the requirements of Cardiff Councils Transparency guidelines.

Once the CCW has received adequate training, the records of this should be stored electronically on the Officer's individual DigiGov register. It is the line manager's responsibility to update and maintain these records.

Start of shift

Each CCW has an assigned BWC that has been labelled with their unique call sign reference. Each BWC also has a unique Asset Number displayed on the device. This Asset Number is linked to its assigned officer and recorded on the Digital Evidence Management Software (DEMS). In the event that a device is faulty the Authorised Person will issue a secondary device and update the DEMS with the new corresponding Asset Number.

The definition of Authorised Person for the purposes of this document are the City Centre Principal Officer – Warden Services, and the City Centre Manager.

It is the individual CCW responsibility at the start of their shift to ensure that the device is displaying the correct time and date, is suitably charged, is fully functioning, and has been cleared of all previous recordings.

If any BWC's become defective, then an Authorised Person will raise a fault report on the DEM's system and arrange for the camera to be returned to the supplier. The Authorised Person will also issue a replacement device to the CCW where possible and update the DEMS to link the CCW with the replacement bodycam Asset Number.

Special provisions must be made at the time of year when daylight saving hour commences/ends, all devices must be updated by the Supervisors when these changes come into effect.

Cameras must be mounted on the body around chest height and must be clearly visible at all times, ensuring the camera view is not restricted by clothing. The camera head must be aligned to a position which would capture as much information from a typical situation as possible; for example, a member of the public of average height standing about 3-4 ft directly opposite the CCW. This alignment should be done at the start of an CCW shift and regularly checked.

Recording - when to commence/cease

Activation will only occur in cases where there is deemed to be a potential threat to CCW safety.

CCW should recognise when a situation is beginning to escalate and must consider starting to record, which may act as a de-escalation tactic. Staff should where possible make a verbal announcement that they have begun recording to ensure those captured by the camera lens/microphone are aware they are now being recorded.

A standard specific form of words to be used as a warning to a member of the public has not been prescribed, but CCW should use straightforward speech that can be easily understood by those present. Exceptions are made where an officer believes their safety is immediately at risk and there may not be adequate time to advise that the recording is being activated.

Unless circumstances dictate otherwise, recording must continue uninterrupted from the start of the recording until the conclusion of the incident or such time as the officer considers that the threat is no longer perceived.

Recordings can be used when the CCW suspects a crime is in place.

In so far as is practicable, officers should restrict recording to only the areas and persons necessary to obtain footage of an incident and should attempt to minimise collateral intrusion to those not involved.

Non-stop recordings must not be made whilst on general patrolling duties (this does not include the 30 second loop recording function which is vital to gathering any evidence prior to the officer activating the main record button).

End of Shift

Once CCW return from patrol and no recordings have been made that day, then the BWC should be docked into the 'charging' docking stations located within The City Centre Management Office Room 138 City Hall.

Please note: *When devices are pushed into the docks care must be taken to ensure that the devices are not accidentally activated whilst pushing the devices down.*

It is the CCW responsibility to ensure that the devices are sat correctly within the dock and that the blue charging light has activated.

If the device has been activated and recordings have been made that day, the device should be given to an Authorised Person to download the footage in line with the 'Reviewing Footage' section below before being correctly docked.

Reviewing Footage

If the device has been activated and recordings have been made that day, the device should be given to an Authorised Person to download the footage.

If the CCW confirms there is footage of a potential incident, the Authorised Person will view the footage together with the CCW.

Where a recording has taken place, the footage will be retained for a minimum of 31 days. This is to comply with the transparency requirements of UK GDPR, and allow individuals being recorded the opportunity to submit a subject access request. Incidents will not be immediately deleted, the exception to this, is when a device has been switched on in error.

Incidents may be retained for over 31 days for any of the following:

- Notification of a possible Subject Access Request regarding that footage
- Training purposes – with permission of all officer(s) and the public redacted in the recording
- A formal complaint has been received in line with the Corporate Comments, Complaints & Compliments Policy and or Dignity at Work Policy
- The Authorised Person confirms actions viewed on the footage are to be addressed via the Disciplinary Policy
- Police request

If the CCW confirms that the footage does not need to be viewed, as it was recorded in error and hasn't captured another person, it will be deleted by the Authorised Person in the presence of the CCW.

It is a criminal offence to alter, destroy, or conceal information to prevent disclosure of information a person making a Subject Access Request would have been entitled to received.

On the DEMS Video Management Software used by City Centre Management, footage will automatically be retained for 31 days (standard). Unless marked as evidential. Evidential Footage will be kept for no longer than is necessary for the purposes and duration of an investigation.

A CCW may choose not to make a decision to delete or retain footage immediately, for example they may wish to consider if they want to take Police action relating to an incident. In this case, downloaded footage will automatically be deleted after 31 days, unless marked as evidential at the CCW request.

If an Officer involved in bodycam footage is for any reason unavailable to view the footage within 31 days of it being recorded, for example they are absent from work, the Authorised 6

Person will download and mark the footage as evidential for it to be retained, until it can be viewed with the CCW.

Storage and retention of recordings

Access, viewing, and disclosure of stored data will be controlled by the Council as Data Controller in adherence with this policy or any specific legislative requirement or obligation.

On the DEMS Video Management Software used by City Centre Management, footage will automatically be retained for 31 days (standard). Unless marked as evidential it will be auto deleted after that time. Any footage marked as evidential may be kept for up to 5 years or until a prosecution is completed.

Every month the City Centre Principle Officer or the City Centre Manager will analyse footage that has been marked as evidential and delete any footage that is no longer required to be stored.

Incidents may be stored longer than the 31 days for the following reasons:

- Notification of a possible Subject Access Request regarding that footage
- Training purposes – with permission of all officer(s) and the public redacted in the recording
- A formal complaint has been received in line with the Corporate Comments, Complaints & Compliments Policy and or Dignity at Work Policy
- The Authorised Person confirms actions viewed on the footage are to be addressed via the Disciplinary Policy
- Police request

Each time a piece of data is accessed, the DEMS Video Management Software records this, allowing a full evidential chain of events associated with that data.

Authorised Persons should not access the DEMS system to view or delete footage unless doing so in line with this Policy. **Any unauthorised viewing or deleting of footage is unacceptable and will be investigated in line with the Council's Disciplinary Policy.**

Access

Access to stored data will be restricted to named and trained individuals within the Service. Any unauthorised access must be reported immediately to the Data Protection Officer of the Council, who will take action in line with the data protection and other applicable policies.

All authorised employees who have access to recorded data on the DEMS should be aware that all access to stored data will be recorded and they must keep their password secure and not share it with anyone else. Passwords must not be automatically saved on any device when log in attempts are made.

Access to and disclosure of stored data to third parties will only be made in limited and prescribed circumstances. Details of those circumstances can be found in the framework code of practice for the sharing, disclosure or viewing of obtained or retained CCTV Body Camera data.

Where permitted, permanent copies of stored data will be provided on request in the form of a video. Video footage will be provided in line with the Council's Subject Access procedures. Viewing of recorded images should take place in a controlled environment, whereby the screen cannot be viewed by any persons not authorised.

Transparency is integral to the public's ability to exercise their rights under privacy laws. Public awareness of the use of BWCs will be raised through the local media, social media campaigns, and on the Cardiff Council website.

Subject Access Requests (SAR)

All Cardiff Council City Centre Warden employees engaged in the management and operation of BWCs must be aware of the Subject Access Request process and how members of the public can access any data captured by the use of BWCs.

All officers must be aware of the process regarding how a member of the public can gain access to footage which may have been captured of them as demonstrated below:

Process

For data protection purposes the Council will act as the Data Controller for any obtained or retained recorded material.

The Council's Corporate Retention Schedule will set out how long such information may be retained.

All requests to view captured footage by a member of the public will need to be made in writing to the Information Governance Team in line with the 'subject access procedure' or by completing a CCTV Footage Request form which can be found on the Council's website.

All footage requests must be submitted to the following address:

The Data Protection Officer
Cardiff Council
Room 357
County Hall
Atlantic Wharf
Cardiff
CF10 4UW

Or emailed to: Individualrights@cardiff.gov.uk

Members of the public can also contact C2C directly who will in turn refer them to the Information Governance Team.

C2C contact numbers:

029 2087 2087

029 2087 2088 (Cymraeg)

Handling Evidence

If the footage is requested by the Police, an Authorised Person will speak to the CCW involved in the footage to inform them it is to be released to the Police for evidence. The footage will be released in accordance with the process outlined in the CCTV Policy & Code of Practice.

Review

Due to ongoing changes in legislation this Operational Procedure will be reviewed and updated annually or if any subsequent changes come into effect before this time, then it will be updated to adhere to these changes directly.

Voluntary Busking Guidelines

What is Busking?

Busking and street entertainment are an integral part of Cardiff's City Centre Experience. They create a pleasant and vibrant atmosphere for everyone who visits the city.

Buskers are sharing the streets and open spaces with everyone else who lives, works, trades and takes their leisure in the city centre. It is important if busking is to thrive in the city centre it does so in a way that respects residents, businesses and other performers.

Voluntary Busking Guidelines

These Voluntary Busking Guidelines looks to establish a trial arrangement to support a harmonious positive relationship between performers and their surrounding environment, guidance that reflects residents, businesses and musicians needs, supporting performance opportunities for talent in the city.

Why do we need guidelines?

We acknowledge that most complaints about busking apply to a small number of performers and usually relate to volume, location, repetitive performances or obstruction. These guidelines aim to reduce the potential for conflict and to support a culture of community, compromise, consideration for others and negotiation.

Using the Guidelines

These guidelines have been produced by Cardiff Council in consultation with South Wales Police, local businesses, the Cardiff busking community, The Keep Streets Live network and The Musician's Union and Equity.

The guidelines will be used to communicate good behaviour in the city centre and will be used on a trial basis during which time engagement with buskers, residents and businesses will take place to consider the effectiveness of the guidelines.

Voluntary Busking Guidelines

- i. Select your pitch carefully to respect local residents and businesses and consider the impact of your performance on those who live and work nearby.
- ii. Also be respectful of places of worship, performance spaces and areas where official ceremonies take place. Any performances should not take place near these areas when activity is taking place.
- iii. Street performance and busking should not exceed a maximum of 90 minutes at a pitch. Performers should be prepared to move after this time period.
- iv. Performance times for buskers will operate from 10am to 7pm.
- v. Amplification levels should only be slightly above ambient street levels. As a guide, if amplified music can be heard significantly above other noises more than 20 metres away it is too loud.
- vi. Keep your level in keeping with the surroundings, for example at certain times when streets are quieter you should adjust your volumes to a level where you can still be heard but are not overpowering for other city centre users.
- vii. Backing tracks must be at a level below the lead instrument or vocal.
- viii. Buskers should not repeat the same material during any pitch tenure.
- ix. Members of the public and business owners should be courteous and wait for gaps in the performance before approaching buskers to raise issues. Buskers should also exhibit politeness in response.
- x. Pitches must be cleared after use, taking care to dispose of any items used for the purposes of your performance or consumed between sets.
- xi. Please be mindful of all those using the city centre when busking.



STEAM SUMMARY 2022 CARDIFF COUNCIL

Total economic impact of tourism £M	1.47
% change on 2021 (£'s 2022)	86.9%

Total visitor days (Millions)	19.39
% change on 2021	73.8%

Staying visitor days (Millions)	4.56
% change on 2021	100.8%

Total visitor numbers (Millions)	16.88
% change on 2021	71.2%

Number of staying visitors (Millions)	2.05
% change on 2021	109.6%

Number of day visitors (Millions)	14.83
% change on 2021	66.9%

Number of FTE jobs supported by tourism spend	12,172
% change on 2021	73.1%

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STEAM SUMMARY 2022 CARDIFF COUNCIL

Total economic impact of tourism £M	1.47
% change on 2019 (£'s 2022)	-8.8%

Total visitor days (Millions)	19.39
% change on 2019	-19.6%
Staying visitor days (Millions)	4.56
% change on 2019	-5.1%

Total visitor numbers (Millions)	16.88
% change on 2019	-21.4%
Number of staying visitors (Millions)	2.05
% change on 2019	-6.4%
Number of day visitors (Millions)	14.83
% change on 2019	-23.1%

Number of FTE jobs supported by tourism spend	12,172
% change on 2019	-17.3%

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Footfall Report for: Cardiff City Centre - New

Weekly Footfall Counts

	Year to date %		Year on year %		Week on week %	
	2024	2023	2024	2023	2024	2023
Cardiff City Centre - New					-11.2%	
Wales	-5.8%	13.5%	-13.0%	-3.0%	-11.9%	11.2%
UK	-1.6%	11.5%	-2.2%	0.8%	-2.8%	10.9%

Benchmark calculations (Year on Year and Week on Week) have been calculated using like for like data sets (only those counters available in both comparison periods) to ensure statistical accuracy

Headlines

The total number of visitors to Cardiff City Centre - New for the last 23 weeks is 19,272,169.

The total number of visitors for the year to date is 8,113,498.

The total number of visitors to Cardiff City Centre - New in week commencing 11 March 2024 was 806,119.

The busiest day in week commencing 11 March 2024 was Saturday with 226,374 visitors.

The peak hour of the week was 12:00 on Saturday 16 March 2024 with footfall of 24,164.

Footfall Counts by week

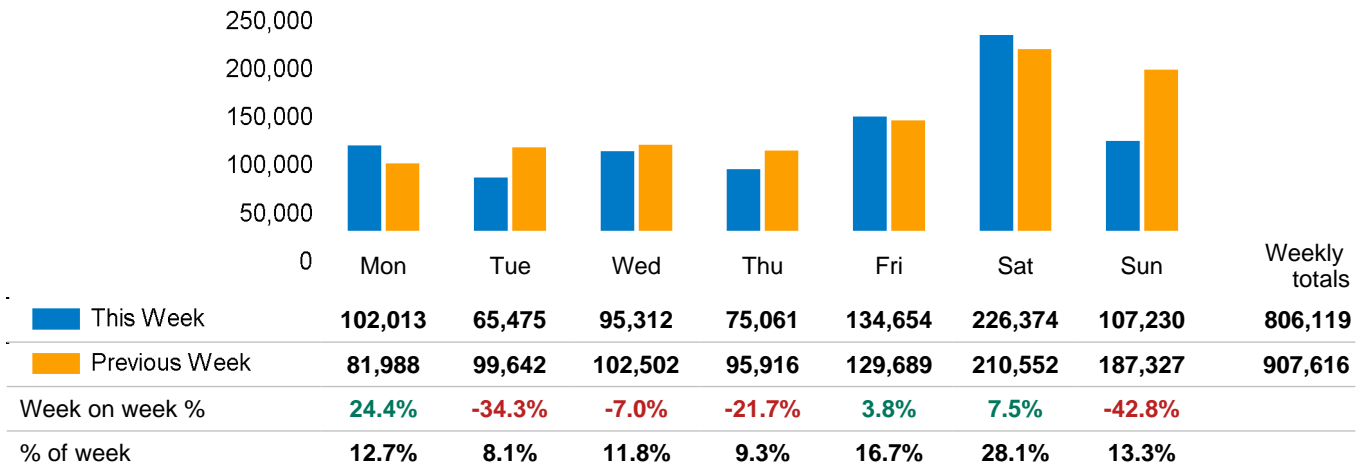


■ This Week ■ Previous Week

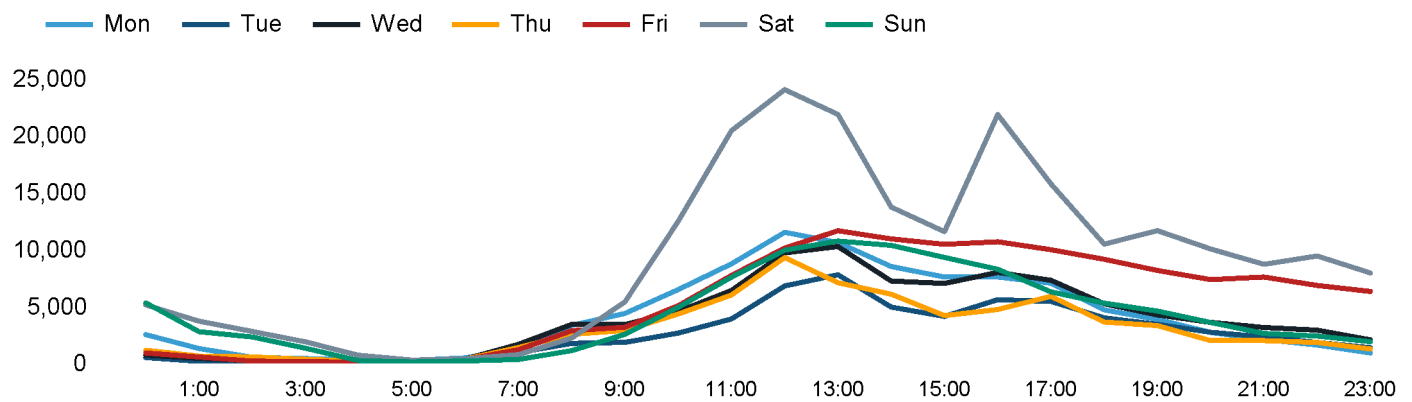
Weather

	Mon	Tue	Wed	Thu	Fri	Sat	Sun
This week	12°	12°	13°	13°	14°	14°	14°
Previous week	10°	12°	12°	12°	11°	11°	12°
Previous year	13°	15°	11°	10°	11°	15°	14°

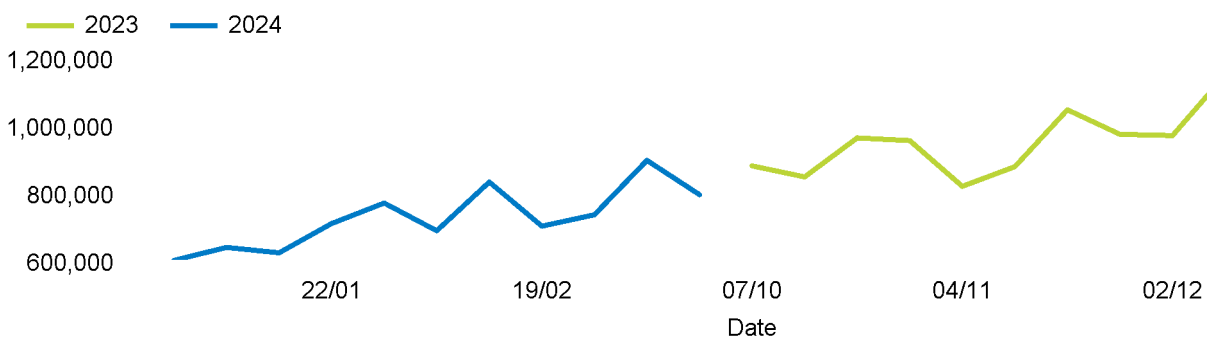
Footfall Counts by day



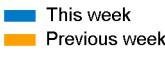














Footfall Counts by hour



Footfall Counts by week



Footfall Counts by location

	This week	% share of total week	Previous week	Week on week %	
Greyfriars Road at Greyfriars Place, Eastbound	8,926	1.1%	8,403	6.2%	
Greyfriars Road at Greyfriars Place, Westbound	10,652	1.3%	10,843	-1.8%	
High Street Arcade at High Street, Eastbound	12,658	1.6%	13,287	-4.7%	
High Street Arcade at High Street, Westbound	12,393	1.5%	12,940	-4.2%	
High Street at Quay Street, Northbound	49,754	6.2%	51,739	-3.8%	
High Street at Quay Street, Southbound	45,213	5.6%	46,993	-3.8%	
Queen Street at Queen's Arcade, Eastbound	92,302	11.5%	106,736	-13.5%	
Queen Street at Queen's Arcade, Westbound	102,130	12.7%	117,943	-13.4%	
St Mary Street at Caroline Street, Northbound	69,439	8.6%	78,928	-12.0%	
St Mary Street at Caroline Street, Southbound	78,532	9.7%	88,092	-10.9%	
St Mary Street at Wharton Street, Northbound	76,211	9.5%	84,421	-9.7%	
St Mary Street at Wharton Street, Southbound	79,450	9.9%	87,566	-9.3%	
The Hayes at Barry Lane, Northbound	83,387	10.3%	97,411	-14.4%	
The Hayes at Barry Lane, Southbound	85,072	10.6%	102,314	-16.9%	



Reporting dates

This week - 11 March 2024 - 17 March 2024

Year to Date % Change is the annual % change in footfall from January of this year compared to the same period last year. Week 1, 2024 to Week 11, 2024 Vs Week 1, 2023 to Week 11, 2023

Year on Year % Change is the % change in footfall for this week compared to the same week in the previous year. Week 11, 2024 Vs Week 11, 2023

Week on Week % Change is the % change in footfall for this week from the previous week. Week 11 2024 Vs Week 10 2024



Date: 23 November 2023

Councillor Thomas
Leader
Cardiff Council
County Hall
Cardiff
CF10 4UW



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Cardiff,
CF10 4UW
Tel: (029) 2087 2087

Neuadd y Sir
Caerdydd,
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Public Letter

Dear Councillor Thomas,

INDOOR ARENA FUNDING STRATEGY

Our thanks to you, Cllr Weaver, Chris Lee, Kyle Godfrey and Chris Barnett for attending committee to answer our questions about the proposed funding strategy for the Indoor Arena set out in the report to Cabinet.

Overall, Members support the recommendations to Cabinet albeit with a minority view expressed by Cllr Berman and Cllr Brown- Reckless, as set out at the end of this letter.

Members have asked that I pass on the following comments and observations regarding issues discussed in the public section of the meeting; a separate, confidential letter is also being sent to you capturing Members' views on the matters discussed in the closed section of the meeting.

Funding Strategy

Members explored various aspects of the proposed Funding Strategy, including the proposed borrowing arrangements, the use of reserves and the use of capital receipts. Members note the following:

Permanent Lock-In: there is flexibility built into the funding strategy to enable the Council to select the most appropriate time to enter into a long-term borrowing arrangement. This means the Council could enter into this within the proposed 3-year temporary borrowing timeframe, or afterwards, depending on when the level of interest rates is affordable for the Council.

Use of Central Enterprise Zone reserves: these have been included in the Indoor Arena Affordability Envelope since this was created and therefore do not constitute additional spend.

Use of TM reserves: the Treasury Management reserves are substantial, with a significant portion of these set aside for use in this funding strategy, to mitigate interest rate volatility.

Use of Capital Receipts: these will be used to meet approximately 50% of the proposed Council capital contribution of £27.3M. Members queried which capital receipts have been earmarked for this use and wish to accept the offer at the meeting to provide this list.

Risks

Members note the key risks identified in the report to Cabinet are interest rates, RPI level, and income from the proposed Multi- Storey Car Park (MSCP). Members explored these in more detail and note:

Interest Rates Forecasting: The Council has used external experts to provide these forecasts, as set out in Confidential Appendix 1. Members queried whether these forecasts could withstand unexpected system shocks, such as occurred recently due to the Covid Pandemic and the Ukraine- Russia war, and note that the funding strategy has flexibility built-in, to cope with this. Members also note the points made by Chris Lee, Corporate Director – Resources, that the milestone reviews for this funding strategy, coupled with the usual Treasury Management reviews, will be essential in ensuring the Council keeps a keen eye on interest rates.

Autumn Budget Statement: Members note officers' views that the flexibility and the risk mitigations set out in the proposed funding strategy will enable it to withstand changes arising from the Autumn Budget Statement.

MSCP: Members explored why a MSCP was being provided given the policy agenda to reduce car use and note that this provision forms part of the contract with Live Nation, that the number of spaces is no more than is currently provided via surface car parking, and that, whilst modal shift is supported, there is recognition that some people may need to use cars. In terms of the income from the MSCP, Members note the Outline Business Case is based on free parking for council staff, with the Final Business Case due to be considered by Cabinet in January 2024. Members note the proposed funding strategy includes mitigations to manage the risks of MSCP income

levels being less than anticipated. Finally, Members note that, ultimately, if it is decided in future years that a MSCP is no longer needed, the land can be utilised for other income-generating purposes.

During the meeting, Members also raised the following points:

Live Nation: Members queried whether you had any concerns about Live Nation being a monopoly in the live music industry and note your response that, if there are concerns in this area, this would be a matter for the Competitions and Market Authority, that you recognise Live Nation as a major player in the arena sector, and that their scale provides you with comfort, ensuring there is strong backing for the proposed arena in Cardiff.

Equality Impact Assessment (EIA): Members highlighted that the report to Cabinet does not include an EIA, which it should do, especially given the Motion agreed at Council in March 2023. Members stress that future reports to Cabinet should include an EIA and that this should be made available to the relevant scrutiny committee as part of their committee papers.

Confidentiality of papers: Cllr Brown-Reckless raised in the meeting her concerns about the number of papers that are provided to this Committee as confidential papers, and the amount of scrutiny of cabinet members and council officers that is taken into confidential session as a consequence, and that this prevents the public from seeing information and engaging with the democratic process. Members note your response that it is important to have as many papers as possible in the public domain but that it is also important to protect tax payers by ensuring certain commercial information remains confidential. This point was discussed further during the Way Forward, resulting in the Minority View 2 set out below. Members wish to understand the process for determining which papers are confidential, and how the decision to take scrutiny into confidential session is made and would like to know who makes the decision on this and on what basis and, as such, request information on this.

Minority View 1

Cllr Berman and Cllr Brown-Reckless have asked that their minority view be captured in this letter, which is that they have serious concerns regarding the affordability of the Indoor Arena and have concerns about the impact of the £27.3M Council Capital Contribution on the availability of future capital and revenue funding for other important Council services. For these reasons, neither Cllr Berman nor Cllr Brown-Reckless are supportive of the proposed funding strategy for the Indoor Arena.

Minority View 2

Cllr Berman and Cllr Brown-Reckless have asked that their minority view be captured in this letter, which is that they have concerns at the number of papers that are marked confidential and are therefore not available to the public, and the amount of scrutiny of cabinet members and council officers that is moved into confidential session as a consequence, thus limiting the public's ability to engage with the democratic process, and that they would like this process reviewed in order to ensure the Council is minimising the number of papers marked confidential and minimising the amount of scrutiny being carried out in confidential session.

My thanks again to you, Cllr Weaver, and officers for attending Committee and answering our queries. This letter contains requests for further information and so requires a response:

Requests:

- Ahead of the Cabinet meeting 23 November 2023, in the response to this letter, provide the list of earmarked capital receipts proposed to go towards the £27.3M Council capital contribution.
- In the response to this letter, please set out the process followed to determine which papers are confidential, and the decision to take scrutiny into confidential session, including who the decision takers are and the basis underpinning these decisions, e.g., legislation, Council Constitution etc.

Yours sincerely,

P Wong

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

cc Members of the Economy & Culture Scrutiny Committee
Cllr Joel Williams – Chair, Policy Review and Performance Scrutiny Committee
Group Leaders - Cllr Lancaster, Cllr Berman, Cllr Gibson
Gavin McArthur – Chair, Governance & Audit Committee
Cllr Weaver Chris Lee Kyle Godfrey Chris Barnett
Neil Hanratty
Debi Said Alison Taylor Rita Rohman
Claire Deguara
Chris Pyke Tim Gordon Jeremy Rhys

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**SWYDDFA'R ARWEINYDD
OFFICE OF THE LEADER**

Fy Nghyf / My Ref: CE:0044785

Dyddiad / Date: 29 November 2023



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Councillor Peter Wong
Chairperson Economy & Culture Scrutiny Committee
City of Cardiff Council

Annwyl/Dear Peter,

Re Economy & Culture Scrutiny Committee: 21 November 2023

Thank you for your letter dated 23 November 2023 and the detailed scrutiny this Committee undertook in relation to the Arena Funding Strategy. I hope the below captures and responds to the requests raised in your letter.

Arena Funding – Council's Direct Capital Contribution towards Arena including details of Capital Receipts

In your letter you made a request to provide a list of the proposed capital receipts to be utilised as part of the £27.3m direct Council contribution towards the construction and delivery of the Indoor Arena.

Whilst it is Council policy that capital receipts should not be ringfenced for individual projects, some of the relevant capital receipts which may be utilised as part of the Council's £27.3m direct contribution to the Arena could include, in full or in part, receipts from disposals at:

- Land North of Wood Street
- Former Procurement and Supplies Building at Bessemer Close
- Former Marland House and NCP Car Park
- Cory's Buildings/Merchant Place

These receipts, in full or in part, will cover circa 50%-60% of the Council's £27.3m direct contribution towards the Arena, with the balance to be funded by borrowing.

Process for Determining Confidential Papers

In your letter you also made a request to understand the process followed to determine which papers are confidential, and the decision to take scrutiny into confidential session, including who the decision takers are and the basis underpinning these decisions, e.g., legislation, Council Constitution etc.

GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

WORKING FOR CARDIFF, WORKING FOR YOU

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.



The information contained within Confidential Appendices 1 and 2 both contain information that is commercially sensitive with Appendix 2 also containing privileged legal advice. This decision was taken by the Council's Monitoring Officer who determined that the data contained in Appendices as referred to should not be in the public domain. The basis underpinning this decision is set out below:

- As the appendices contain commercially sensitive information this is restricted in line with Schedule 12A, Part 4 (having regard to the qualifications in Part 5 of Schedule 12A) of the Local Government Act 1972 (LGA).
- Schedule 12A of the Local Government Act 1972 also specifically refers to a category of exempt information being 'information in respect of which a claim to legal privilege could be maintained in legal proceedings', so in effect the Council are not required to make public our legal advice.
- The LGA 1972 Act also refers to confidential information and exempt information. The relevant Appendices strictly contain exempt information as defined by the '72 Act and is put in the confidential part of the Agenda.

I trust this letter captures the relevant information requested and thank you again for your robust scrutiny of these proposals.

Yn gywir,
Yours sincerely,



CYNGHORYDD / COUNCILLOR HUW THOMAS
ARWEINYDD / LEADER
CYNGOR CAERDYDD / CARDIFF COUNCIL

By virtue of paragraph(s) 14, 16, 21 of Part(s) 4 and 5 of Schedule 12A of the Local Government Act 1972.

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